



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

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Wednesday, 16 May 2018

**TO: ALL MEMBERS OF THE PLANNING COMMITTEE**

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 24 MAY 2018** 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** 1 - 2

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** 3 - 6

To receive as a correct record the minutes of the meeting held on the 19 April 2018.

**7. PLANNING APPLICATIONS** 7 - 10

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

7a 2018/0191/FUL - Lawns Farm, 40 Lawns Avenue, Orrell, Wigan 11 - 22

7b 2018/0402/FUL - 11 Renfrey Close, Ormskirk 23 - 26

7c 2017/0756/OUT - Leisure Lakes, The Gravel 27 - 46

7d 2017/0758/FUL - Shaw Hall Caravan Park 47 - 58

7e 2017/1198/FUL - Land to the North-west of Mere Farm, Holmeswood Road, Rufford 59 - 68

7f 2018/0241/FUL - Aughton Institute, Bold Lane, Aughton 69 - 76

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

**FIRE EVACUATION PROCEDURE: Please see attached sheet.**

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

For further information, please contact:-

Jill Ryan on 01695 585017

Or email [jill.ryan@westlancs.gov.uk](mailto:jill.ryan@westlancs.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.	I have a pecuniary interest <b>because</b> it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) <b>and</b> 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 or 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) <b>and</b> 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	<input type="checkbox"/>       <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>       <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	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:  (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.  (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.  (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.  (iv) An allowance, payment or indemnity given to Members  (v) Any ceremonial honour given to Members  (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/>       <input type="checkbox"/>       <input type="checkbox"/>       <input type="checkbox"/>       <input type="checkbox"/>	<i>You may speak and vote</i>       <i>You may speak and vote</i>       <i>You may speak and vote</i>       <i>You may speak and vote</i>       <i>You may speak and vote</i>
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**

Employment, office, trade, profession or vocation

Sponsorship

### **Prescribed description**

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

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, 19 April 2018**

Start: 7.30 P.M.

Finish: 8.55 P.M.

## PRESENT:

Councillor: G Dowling (Chairman)  
M Mills (Vice-Chairman)

Councillors: I Ashcroft Mrs P Baybutt  
T Devine D Evans  
G Hodson C Marshall  
D O'Toole R Pendleton  
A Pritchard Mrs M Westley  
A Yates D Westley

Officers: Director of Development and Regeneration (Mr J Harrison)  
Head of Development Manager (Mrs C Thomas)  
Legal and Member Services Manager (Mr M Jones)  
Planning Appeals Officer (Mrs E O Woollacott)  
Member Services/Civic Support Officer (Mrs J A Ryan)

In attendance: Councillor J Gordon (Rufford Ward)

## 75 APOLOGIES

There were no apologies for absence received.

## 76 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor Pope and the appointment of Councillor D. Westley for this meeting only, thereby giving effect to the wishes of the Political Groups.

## 77 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no urgent items of business.

## 78 DECLARATIONS OF INTEREST

Councillor G. Hodson declared a pecuniary interest in respect of planning application 0158/ARM relating to Land Bounded by Liverpool Road South, Abbey Lane, Burscough as the applicant was known to her and therefore left the Chamber during consideration of this item.

## 79 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

80 **MINUTES**

RESOLVED: That the minutes of the meeting held on the 22 March 2018 be approved as a correct record and signed by the Chairman.

81 **DATES OF FUTURE MEETINGS**

RESOLVED: That the dates of the future meetings of the Planning Committee be approved.

82 **PLANNING APPLICATIONS**

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2017 unless otherwise stated) as contained on pages 1142 to 1193 of the Book of Reports and on pages 1205 to 1206 of the Late Information Report.

RESOLVED: A. That in respect of planning application 2018/0166/FUL relating to Charlton, Quarry Drive, Aughton, Ormskirk 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 the imposition of suitable conditions.

**Reason for decision**

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 GN3 – Criteria for Sustainable Development  
Policy RS1 – Residential development  
Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers the additional supporting information demonstrates special circumstances to overcome the Council's objections to the scheme and does not consider that the proposed development would have a significant impact upon the character or appearance of the Conservation Area.

B. In respect of reserved matters application 0158/ARM relating to Land Bounded by Liverpool Road South, Abbey Lane, Burscough be approved subject to the conditions as set out on pages 1159 to 1161 of the Book of Reports.

- C. That planning application 1198/FUL relating to Land to the North-west of Mere Farm, Holmeswood Road, Rufford be deferred for one cycle to allow further negotiation with the applicant regarding the siting of the agricultural building.
  
- D. That in respect of planning application 0907/OUT relating to the Martin Inn, Martin Lane, Burscough:-
  - 1. 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 the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure

Terms and conditions of the affordable housing units.

- 2. That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation 1 above be subject to the conditions as set out on pages 1187 to 1193 of the Book of Reports.

(Notes:

- 1. In accordance with the procedure for public speaking on planning applications on this Committee, the agent and 2 objectors spoke in connection with application no. 1198/FUL relating to Land to the North-West of Mere Farm, Holmeswood Road, Rufford.
- 2. In accordance with Regulatory Procedure Rule 7(b) Councillor Gordon spoke in connection with Planning Application 1198/FUL).
- 3. Councillor G. Hodson had declared a pecuniary interest in respect of planning application 0158/ARM Land Bounded by Liverpool Road South Abbey Lane, Burscough and left the Chamber during consideration of this item.
- 4. Councillor Gordon left the Chamber at the conclusion of planning application 1198/FUL Land to the North-West of Mere Farm, Holmeswood Road, Rufford and was not present for the remainder of the meeting.

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**- CHAIRMAN -**





# Agenda Item 7

## AGENDA ITEM:

**PLANNING COMMITTEE**  
**24 MAY 2018**

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**Report of:** Director of Development and Regeneration

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

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**SUBJECT: PLANNING APPLICATIONS**

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### **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>Appn No</u>	<u>Site Location &amp; Proposal</u>	<u>Recommendation</u>
1	Up Holland	2018/0191/FUL	<p>Lawns Farm 40 Lawns Avenue Orrell Wigan Lancashire WN5 8UH</p> <p>Conversion/change of use of existing previous vacant workshop building and redundant barn into 4 number residential dwellings including part additional first floors, roof lights, roof replacement, windows throughout and amenity space including application for access and parking provision</p>	<b>Planning permission be granted.</b>
2	Tarleton	2017/0756/OUT	<p>Leisure Lakes The Gravel Mere Brow Tarleton Preston Lancashire PR4 6JX</p> <p>Outline - Relocation of golf driving range, construction of holiday homes, floating holiday homes, static caravan pitches, golf club house and all associated car parks, roadways, footpaths, and cycle trails, and formation of new woodland areas, sustainable energy generation and sustainable drainage infrastructure, served by existing access from The Gravel (including details of access).</p>	<b>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 the Secretary of State raising no objection to the Local Planning Authority making a decision itself on the application.</b>
3	Scott	2018/0402/FUL	11 Renfrey Close	<b>Planning</b>

			Ormskirk Lancashire L39 1QP  Part two storey/part single storey extension to side/front of existing dwelling.	<b>permission be granted.</b>
4	Scarisbrick	2017/0758/FUL	Shaw Hall Caravan Park Smithy Lane Scarisbrick Lancashire L40 8HJ  Upgrading the existing caravan park to include creation of two fishing ponds, enhanced landscaping, relocation and upgrading the bowling green and children's play area, replacement/upgrading of the existing office building to provide leisure facilities, tool shed/workshop and associated works.	<b>Planning permission be granted.</b>
5	Rufford	2017/1198/FUL	Land To The North-west Of Mere Farm Holmeswood Road Rufford Lancashire  Construction of an agricultural storage building.	<b>Planning permission be granted.</b>
6	Aughton And Downholland	2018/0241/FUL	Aughton Institute Bold Lane Aughton Ormskirk Lancashire L39 6SG  New two storey dwelling and integral garage.	<b>Planning permission be granted.</b>





# Agenda Item 7a

<b>No.1</b>	<b>APPLICATION NO.</b>	2018/0191/FUL
	<b>LOCATION</b>	Lawns Farm 40 Lawns Avenue Orrell Wigan Lancashire WN5 8UH
	<b>PROPOSAL</b>	Conversion/change of use of existing previous vacant workshop building and redundant barn into 4 number residential dwellings including part additional first floors, roof lights, roof replacement, windows throughout and amenity space including application for access and parking provision
	<b>APPLICANT</b>	Miss Helen Ashton
	<b>WARD</b>	Up Holland
	<b>PARISH</b>	Up Holland
	<b>TARGET DATE</b>	13th April 2018

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## **1.0** REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor Moran has requested it be referred to Committee as the proposed development requires the vehicles to be taken along an unadopted driveway that has a play park and open playing fields on either side.

## **2.0** SUMMARY

- 2.1 The proposed development is acceptable in principle as the properties would be located in a sustainable location. 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. Subject to appropriate conditions the development would not result in adverse impact on flooding/drainage within the vicinity of the site or on the biodiversity of the area. The development would not have a significant impact on highway safety. The proposed development is considered to be compliant with the NPPF and Policies RS1, IF2, EN2, 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 a group of agricultural buildings located to the south of the Lawns Farm complex. Included within the application site is a long range of low stone barns with a modern open sided extension at the north-eastern end, a taller stone building with a pitched roof which has some modern extensions to the north-western side and an agricultural storage building.
- 4.2 There is an existing single track lane leading from Sandford Road that runs alongside an open playing field. The track serves the dwelling known as The Lawns and for the first approx. 55m this track is a public footpath (no. 42). Access to the site is approx. 180m from the public highway.

## **5.0** PROPOSAL

- 5.1 The application proposes the conversion / change of use of the existing stone building and redundant barn into four dwellings; one 3-bed property (plot 1), two 2-bed dwellings (plots 2 and 3) and one 4-bed dwelling (plot 4).

- 5.2 A parking area would be provided within the existing open barn which would accommodate two parking spaces per dwelling. Plots 1 and 2 would each have a small patio area at the front with a further separate garden area accessed along a path. Plots 3 and 4 would each have a private garden area adjacent to the dwelling.
- 5.3 It is proposed that the site would be accessed via the existing track that leads from Sandford Road.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2017/0687/FUL - Conversion / change of use of existing previous vacant workshop building and redundant barn into 4 number residential dwellings including part additional first floors, roof lights, roof replacement, windows throughout and amenity space including access and parking provision - Withdrawn
- 6.2 2016/0684/PNC - Application for determination as to whether prior approval of details is required - Conversion of existing agricultural building to 3 no. dwellings, and for associated development - Refused

## **7.0 OBSERVATIONS OF CONSULTEES**

### **7.1 Environmental Health Officer (13/03/18)**

No objection to the principle of development. Conditions are recommended

### **7.2 LCC Highways (16/03/18 & 30/04/18)**

No objection in principle and consider the development would have a negligible impact on highway safety and capacity within the vicinity of the site. Comments are made in respect of the following matters:

#### **Public Right of Way**

Advice is given regarding the maintenance and access of the Public Footpath. The applicant is advised to contact LCC Public Rights of Way Section.

#### **Access**

In terms of highway safety regarding two way movements, the nature of the private road and open topography of the area means inter-visibility between drivers and pedestrian traffic is unlikely to be problematic. I do accept that there is always the possibility of conflict between pedestrians and vehicles. However vehicles would be travelling at low speeds due to the width and nature of the track and the adjacent grassed areas allow for a location for pedestrians to permit vehicular traffic to pass by.

Drivers approaching from Sandford Road would have clear views of oncoming traffic and would only have to reverse a short distance back onto Sandford Road or use the PROW entrance to allow oncoming traffic to pass. Towards the middle of the track vehicles approaching each other would have to reverse over an extended distance. This is not an ideal situation, however the limited scale of the development does mean the likelihood of vehicular conflict will be limited.

The current application is for residential dwellings following the conversion of agricultural and storage building which would see a degree of vehicle movements reduced and the nature of traffic utilising the road will alter from large agricultural based vehicles to private motor vehicles.

In terms of highway safety regarding the two way movements I am of the opinion that due to the restricted width, limited trip generation created by the small development and low speeds along the access road that would be involved, any impact would not be severe.

### Parking

Based on recommendations in policy IF2 I am of the opinion that the applicant has provided adequate parking for the size of development proposed.

### Refuse and Emergency Vehicles

The applicant has submitted satisfactory details of the turning facility as indicated on drawing no. 1433/SK/01 Rev B.

#### 7.3 MEAS - 20/03/18 and 19/04/18

No objection to the principle of the development. Several conditions have been recommended in respect of protected species and breeding birds.

I have reviewed both consultation responses (Merseyside & West Lancashire Bat Group and Mr S Irwin). I note that both responses are identical in terms of the matters raised.

I have reviewed the original report (ERAP Ltd, February 2018) and advise that MEAS's original comments remain valid (dated 20 March 2018).

#### 7.4 Lancashire Archaeological Advisory Service

The buildings are of historical significance. A condition to record the building is recommended.

### **8.0 OTHER REPRESENTATIONS**

#### 8.1 Up Holland Parish Council

Raise objections to the proposal in respect of the following matters:

Right of Way across the track from Sandford Road;

Highways matters including suitability of track, traffic conflicts, increase in number of vehicles, visibility along the track;

Drainage - lack of detail has been provided within the submission.

#### 8.2 Merseyside and West Lancashire Bat Group

Concerns regarding content of the Ecological Surveys which have been submitted.

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

Objection to change of use of agricultural buildings in the Green Belt;

Concern that development would be contrary to the Local Plan;

The approval of this application could lead to the threat of further development in the future;

Concern regarding impacts on users of the footpath/track and playing fields. Consider that the increase in traffic would be dangerous;

Some works to the barn were started in 2006. The buildings have been left largely empty and un-used since that time;

Concerns regarding content of the Ecological Surveys which have been submitted.

## **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**

SP1 – A Sustainable Development framework for West Lancashire

GN1 – Settlement Boundaries

GN3 - Criteria for Sustainable Development

GN4 - Demonstrating Viability

IF2 – Enhancing Sustainable Transport Choice

RS1 - Residential Development

EC2 - The Rural Economy

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;

Principle of development – Sustainability;

Design;

Impact on neighbouring properties;

Highways;

Drainage;

Biodiversity.

*Principle of development - Impact on the Green Belt*

- 10.2 The application is for the conversion of an existing stone building and redundant barn into four dwellings. Paragraph 90 of the NPPF states that the re-use of buildings in the Green Belt is not inappropriate development provided that the buildings are of permanent and substantial construction. Having regard to the information provided I am satisfied the buildings are of permanent and substantial construction and therefore criteria (a) of the SPD and the relevant part of paragraph 90 in the NPPF are met.

- 10.3 I acknowledge that there would be some domestication of the land surrounding the barn as a result of the proposed change of use. If the application is considered to be otherwise acceptable I recommend that permitted development rights for certain forms of development such as extensions to the building, garages or other outbuildings are removed which would substantially limit the harm to the openness of the Green Belt. Given that the yard is currently able to be used for purposes associated with the existing

agricultural use, I consider that any domestic paraphernalia which could not be restricted by condition would have a neutral impact on both openness and the purposes of the Green Belt.

- 10.4 I am satisfied the external alterations are acceptable and would be in keeping with the rural character of the area. Furthermore the character of the buildings and wider landscape setting would be maintained. I consider the development would be in accordance with the criteria set out in policy GB2 (1) of the SPD.
- 10.5 On that basis the principle of the re-use of the buildings is considered to be acceptable and would be in accordance with Paragraph 90 of the NPPF, policy GN1 of the Local Plan and policy GB2(1) of the SPD - Development in the Green Belt.

#### *Principle of development - Sustainability*

- 10.6 The government sets out its stance towards residential development in the countryside in the NPPF. Paragraph 55 advises that to promote sustainable development rural housing should be located where it would enhance or maintain the vitality of rural communities. Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances.
- 10.7 The site is located within 200m from the settlement boundary of Orrell which lies mainly within Wigan Metropolitan Borough. Bus services through the settlement are limited however there is a train station located approx. ¾ mile from the site which has frequent services to stations across the North West. In addition Orrell has some day-to-day facilities including primary schools, a high school, shops, pubs and medical services within walking distance of the site.
- 10.8 The site lies outside the boundary of any of the Borough's settlements. However, having regard to the proximity to local services and public transport, I am satisfied the proposed dwellings would be located in a sustainable location. I am satisfied the development would comply with the requirements of paragraph 55.

#### *Design*

- 10.9 The existing openings within the stone barns are to be used however some alterations are proposed to the fenestration of the larger barn. There are limited changes to the exterior of the buildings and overall I am satisfied that the finished appearance would be in keeping with the rural character of the area. The removal of the redundant Dutch barn at the rear of the larger barn would result in an improvement in the appearance of the site.
- 10.10 In terms of its design I am satisfied the proposal would comply with the requirements of policy GN3 of the Local Plan.

#### *Impact on residential amenity*

- 10.11 Due to the position of the nearest neighbours and the position of the fenestration I am satisfied the proposal would not result in any adverse impact on residential amenity of neighbouring properties.
- 10.12 The proposed layout allows for each property to be allocated an area of private amenity space. Each dwelling will have a private amenity area close to the building and plots 1 and 2 will also have an additional separate area accessed along a short path. I am satisfied that each dwelling would have adequate garden space in accordance with the requirements of the SPD - Design Guide.

- 10.13 There is potential for adverse impacts on future occupants caused by noise from the adjacent agricultural shed. Following the demolition of part of the shed, the entrance to the shed is to be moved to the opposite side of the building and a new stone wall is to be constructed to form the southern elevation. Given these alterations, I consider that a suitable condition to control the use of this building to storage use only would limit the impacts on future occupants to an acceptable level.
- 10.14 Overall I am satisfied that the development would comply with policy GN3 as it would provide acceptable amenity levels for future occupants and would not result in undue harm to the residential amenity of neighbouring properties.

#### *Highways*

- 10.15 Parking for eight cars, i.e. two per dwelling, can be provided within the car port. A suitable turning area for vehicles has been demonstrated within the site. This meets the requirements of policy IF2 and the Highway Authority consider this element of the proposal to be acceptable.
- 10.16 Concerns have been raised in regard to the use of the track to access four new dwellings and the general impact of the development on safety of users of the public open space. Several concerns have highlighted the absence of suitable passing places on the access track which would potentially result in vehicles being required to reverse an extended distance if they met an on-coming vehicle in the middle of the track.
- 10.17 The NPPF at paragraph 32 advises that development should only be prevented or refused on highway safety grounds where the cumulative impacts of development are severe. The Highway Authority have expressed the view that in terms of highway safety regarding two way movements, the nature of the private road and open topography of the area means inter-visibility between drivers and pedestrian traffic is unlikely to be problematic. Vehicles would be travelling at low speeds due to the width and nature of the track and the adjacent grassed areas allow for a location for pedestrians to permit vehicular traffic to pass by. Drivers approaching from Sandford Road would have clear views of oncoming traffic and would only have to reverse a short distance back onto Sandford Road. Whilst this is not ideal, the limited scale of the development means the likelihood of vehicular conflict will be limited.
- 10.18 Despite the concerns raised, the Highway Authority has confirmed that the impact of the development is not considered severe in terms of highway safety due to the small size of the development and the slow speed of vehicles. On that basis the Highway Authority is satisfied that the development should not be refused on highway safety grounds.

#### *Drainage*

- 10.19 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 foul water will be discharged to a septic tank and a sustainable drainage system would be provided to deal with surface water.
- 10.20 I recommend suitably worded planning conditions to require the submission of full foul and surface water drainage details prior to any works taking place.

#### *Ecology*

10.21 Policy EN2, Part 2, of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.

#### *Bats*

10.22 The application has been accompanied by ecology surveys which have been considered by the Council's Ecological Consultant. Evidence of roosting bats was found in both Barns A and B. Development affecting European Protected Species must be assessed in relation to the three tests set out in the Habitats Regulations. The three tests are:

10.23 Test 1: Regulation 55(1): "*preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment*"

The proposals would assist in delivering much needed housing in West Lancashire. This is in accord with the Local Plan and NPPF. This test has been satisfied.

10.24 Test 2: Regulation 55(9)(a): "*that there is no satisfactory alternative*"

The application site is not allocated for housing in the Local Plan. The buildings have been partly maintained and the bat roost has been retained irrespective of those works. Currently, the buildings are open, vacant and with no prospect of re-use for agricultural purposes. This option would retain the bat roosts, albeit the original roosts will be destroyed. This test has been satisfied.

10.25 Test 3: Regulation 55(9)(b): "*that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range*"

The proposal includes mitigation to retain bats on-site both during and post construction but will result in the destruction of the existing bat roosts. The Council's Ecological Consultant recommends that, as long as the mitigation recommended in the 19<sup>th</sup> June 2017 report is implemented, then this test would be satisfied.

10.26 Comments have been received expressing concerns about the content of the Ecological Surveys. The Council's Ecological Consultants have reviewed the concerns and confirmed that they are confident that subject to the imposition of conditions the development would not have a detrimental impact on bats. I am therefore satisfied that, subject to the conditions recommended the proposal would comply with policy EN2.

#### *Birds*

10.27 The Council's Ecological Consultant has recommended several conditions in respect of breeding birds which I consider would be appropriate to include. On that basis I consider the development would comply with the requirements of policy EN2 of the Local Plan.

### **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, subject to the following conditions.

### **Condition(s)**

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 SK/02, SK/03A and SK/05 received by the Local Planning Authority on 16th February 2018, plan reference SK/01B and SK/04B received on 19th April 2018 and Site Location Plan received on 30th April 2018.
3. No development shall commence until details of the design and implementation of an appropriate foul drainage scheme have been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of any of the new dwellings and shall be retained, managed and maintained as such at all times for the duration of the development.
4. No development shall commence 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.

Those details shall include, as a minimum:

- a) A drainage strategy including details of how the drainage scheme shall be managed and maintained thereafter by way of a management and maintenance plan;
- a) Evidence of an assessment of the site conditions to include any existing surface water flow routes, drains, sewers and watercourses (NB sometimes there are networks of isolated land drainage located within agricultural land which discharge to ground and have no connectivity to a waterbody. For the avoidance of doubt such drainage is not classified as an ordinary watercourse.), site investigation and test results to confirm soil infiltrations rates and greenfield runoff rates;
- b) Demonstration that surface water run-off will not exceed pre-development run-off rates and volumes;
- c) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
- d) Information about the lifetime of the development, design calculations using relevant storm periods and intensities (1 in 30 & 1 in 100 year + agreed allowance for climate change), discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in metres AOD;
- e) Evidence that flood flows resulting from rainfall up to and including a 1 in 100 year (including a + agreed allowance for climate change) rainfall event will be managed within the site at designated temporary storage locations unless it can be shown to have no material impact by leaving the site in terms of nuisance or damage, or increase river flows during periods of river flooding;
- f) Evidence that the design of the site ensures that, so far as is reasonably practicable, flows resulting from rainfall in excess of a 1 in 100 year rainfall events are managed in exceedance routes that minimise the risks to people and property;
- g) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mxd file format);
- h) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .dwg;
- i) Existing and proposed catchment areas in a suitable format i.e. Autocad .dwg; and



j) Details of water quality controls (e.g. oil separators or permeable paving systems), where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

5. Before any development takes place a copy of a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead shall be submitted to and approved in writing by the Local Planning Authority.
6. The development shall be undertaken entirely in accordance with the mitigation measures set out within section 11.5 of Report entitled Inspection & Assessment in Relation to Bats & Breeding Birds Dusk Emergence Survey Results, 19th June 2017.
7. Before the hereby permitted dwellings are first occupied if external lighting is required details of an appropriate lighting scheme that is designed so that it protects ecology and does not result in excessive light spill onto the habitats shall be submitted to and agreed in writing by the Local Planning Authority. Any lighting shall be installed in accordance with the approved scheme before the dwellings are first occupied and no further external lighting shall be installed.
8. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works shall take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected shall be submitted to and approved in writing by the Local Planning Authority.
9. None of the hereby permitted dwellings shall be occupied until details of bird boxes and timing of installation has been submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be installed in accordance with the approved scheme prior to first occupation of any of the approved dwellings.
10. No development shall take place until full details and samples of the external facing and roofing materials (including windows and doors) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
11. The hereby permitted dwellings shall not be occupied until full details and samples of the materials to be used in the construction of all areas of hardstanding have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before first occupation of the hereby permitted dwellings.
12. Before the first occupation of the hereby permitted dwellings details of the proposed boundary treatment for each property shall be submitted to and approved by the Local Planning Authority. Such boundary treatments shall be erected as an integral part of the development and completed to each dwelling before that dwelling is first occupied.
13. Before the first dwelling is occupied the car parking and turning areas shall be marked out in accordance with the approved plan and retained in the approved form for the duration of the development.
14. Before the first occupation of any the hereby permitted dwellings a turning area shall be provided in accordance with drawing no. SK/01B and SK/04B. The turning area shall be maintained as such and be kept clear and available for turning purposes at all times.
15. Before the first occupation of any dwelling at least one communal electric vehicle charging point shall be provided within the site together with an adequate charging infrastructure and cabling for each marked space which shall be retained for that purpose thereafter.
16. Before the first occupation of the hereby permitted dwellings works to reduce the size of the Hay / Silage Shed shall be completed in accordance with drawing nos. SK/01B and

SK/04B. Thereafter the Hay / Silage Shed shall be only be used for agricultural storage purposes.

17. Prior to the commencement of the use of the development hereby approved, unless required for purposes as an escape window(s), the first floor window(s) on the south-west elevation of plot 4 shall be fitted with obscure glass (Pilkington level 3 or equivalent) and be non-opening and shall remain so fitted at all times thereafter for the duration of the development. If required for escape purposes the window(s) shall be fitted with obscure glass (Pilkington level 3 or equivalent) and shall include a restrictor mechanism to prevent the window(s) from opening more than 50mm during normal use/non-emergency situations and shall remain so fitted at all times thereafter for the duration of the development.
18. 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, garden sheds, out buildings, greenhouses, swimming pools, hardstandings or means of enclosure shall be erected or undertaken without the express written permission of the Local Planning Authority.
19. 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 any of the hereby approved dwellings until details of the positioning, size and design have been submitted to and approved in writing by the Local Planning Authority.
20. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

#### **Reason(s)**

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 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.
5. 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.
6. 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.
7. 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.
8. 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.
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. 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.
11. To prevent unsightliness and visual intrusion and so ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To prevent unsightliness and visual intrusion and so ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. 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.
14. 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.
15. To ensure that the development complies with the provisions of Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. 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.
17. 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.
18. The character and location of the property are such that the Local Planning Authority wishes to exercise maximum control over future development to protect the openness of the Green Belt and prevent unsightliness and visual intrusion in order to comply with the provisions of Policies GN1(b) and GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
19. 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
20. As the site is of archaeological interest and in order to comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

#### **Note(s)**

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath/ Bridleway No. 42 in the Parish of Up Holland is within the site. The developer is advised to contact LCC Public Rights of Way Section for further information.
2. The programme of archaeological recording should comprise the creation of a record of the barn to Historic England level 2-3. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out in Understanding Historic Buildings (Historic England 2016).

#### **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  
 RS1 - Residential Development

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.

<b>No.3</b>	<b>APPLICATION NO.</b>	2018/0402/FUL
	<b>LOCATION</b>	11 Renfrey Close Ormskirk Lancashire L39 1QP
	<b>PROPOSAL</b>	Part two storey/part single storey extension to side/front of existing dwelling.
	<b>APPLICANT</b>	Mr Simon Dunlop
	<b>WARD</b>	Scott
	<b>PARISH</b>	Unparished - Ormskirk
	<b>TARGET DATE</b>	13th June 2018

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## **1.0 SUMMARY**

1.1 This application has been referred to Planning Committee as the applicant is related to a Council officer. The proposed two storey side extension including dormers and front extension is considered acceptable in terms of scale, form and design. It is not considered that any loss of amenity or privacy would result to any neighbouring properties. The extended property would have 4 bedrooms and on-site parking meets the requirements of Policy IF2 of the Local Plan. The proposed development is considered to be compliant with Policies GN3 and IF2 of the West Lancashire Local Plan 2012-2027 DPD.

## **2.0 RECOMMENDATION - APPROVE with conditions.**

## **3.0 SITE DESCRIPTION**

3.1 The site relates to a semi-detached dormer bungalow located to the east of Renfrey Close. The dwelling is located close to the head of the cul-de-sac. The dwelling has a front garden area with front drive leading to a side garage. The property has been extended to the rear by the addition of a conservatory.

## **4.0 PROPOSAL**

4.1 Planning permission is sought for a two storey side extension and a single storey front extension. To the front a new dormer is proposed within the side extension and to the rear the existing dormer is to be extended.

## **5.0 PREVIOUS RELEVANT DECISIONS**

5.1 None

## **6.0 OBSERVATIONS OF CONSULTEES**

6.1 None

## **7.0 OTHER REPRESENTATIONS**

7.1 None

## **8.0 RELEVANT PLANNING POLICIES**

8.1 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.

- 8.2 The site is located within the settlement area of Ormskirk designated as a Key Service Centre in the West Lancashire Local Plan.
- 8.3 NPPF  
Requiring good design
- 8.4 **West Lancashire Local Plan 2012-2027 DPD**  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development
- 8.5 **Supplementary Planning Document ‘Design Guide’ (Jan.2008).**

## **9.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

- 9.1 The main considerations for the determination of this application are;

Design / appearance  
Impact upon neighbouring properties  
Highways / parking

### **Visual appearance / design**

- 9.2 The general scale of the proposed extensions are considered appropriate and would appear as subordinate additions to the host building. The side extension would have a reduced ridge height and a set back from the existing roof plane. These elements ensure that a subordinate appearance is given. At first floor level a gap between the application property and its neighbour would still remain and as such the general pattern of development in the Close is maintained.
- 9.3 The extension of the rear dormer is considered acceptable. There are a number of examples of similar spaced front dormers within Renfrey Close and Grimshaw Lane and as such I do not consider that the positioning of the proposed front dormer would result in an incongruous feature or result in harm to the host building or street scene generally.
- 9.4 There are other examples of single storey front extensions within the Close notably the neighbouring property to the south, no.15. The proposed front extension would project out slightly more than its neighbour. I am however satisfied that this projection would not result in harm to the street scene or the host building.
- 9.5 I am satisfied that the proposal would accord with Policy GN3 of the Local Plan in regards to design and scale.

### **Impact upon adjoining land uses**

- 9.6 Owing to the location of the extensions to the southern side of the building it would be the dwelling of number 15 Renfrey Close which would be most impacted by the proposal. There are two secondary first floor windows on number 15 which face the proposed development. These house a bathroom and stairwell. There would be no windows within the facing elevation of the proposed extension and as such privacy to the neighbours' windows would be maintained. Furthermore I am satisfied that there is ample separation distance between the proposed extension and the neighbouring property to not result in a loss of light or an overbearing feel.
- 9.7 Similarly I am satisfied that the front extension would not result in harm to the amenity or privacy of the neighbour at number 15.

9.8 Therefore I am satisfied that the proposal accords with Policy GN3 of the Local Plan.

### **Highways / parking**

9.9 Policy IF2 of the Local plan sets out parking standards for new development based upon the number of bedrooms within a property. Where these standards cannot be met Policy IF2 identifies that evidence should be provided detailing local circumstances that justify a deviation from the policy.

9.10 The existing dwelling is a 3 bedroom dwelling, the proposed extension would increase that to 4. Policy IF2 identifies that for a 4 bedroom dwelling, 3 on-site parking spaces should generally be provided. The submitted plan demonstrates 3 on site spaces, 2 to the front of the dwelling and one within the garage and therefore I am satisfied that sufficient on-site parking has been provided. However in order to ensure compliance with Policy IF2, I consider it appropriate to require the parking spaces as shown to be provided prior to the development being brought into use. This can be achieved through a planning condition.

### **Summary**

9.11 The proposal accords with policy GN3 and IF2 of the Local Plan and as such is recommended for approval.

## **10.0 RECOMMENDATION**

10.1 That planning permission be GRANTED subject to the following conditions:

### **Condition(s)**

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  
SD003 Rev B  
SD002 RevB  
SD004  
received by the Local Planning Authority on 18.04.2018.
3. All external brickwork and roofing materials shall be identical to those on the existing building in respect of shape, size, colour and texture. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
4. The parking spaces as shown on plan reference SD 004 received by the Local Planning Authority on 18th April 2018 shall be provided prior to the first use of the development hereby approved.

### **Reason(s)**

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 the parking layout 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.

**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

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.



# Agenda Item 7c

<b>No.2</b>	<b>APPLICATION NO.</b>	2017/0756/OUT
	<b>LOCATION</b>	Leisure Lakes The Gravel Mere Brow Tarleton Preston Lancashire PR4 6JX
	<b>PROPOSAL</b>	Outline - Relocation of golf driving range, construction of holiday homes, floating holiday homes, static caravan pitches, golf club house and all associated car parks, roadways, footpaths, and cycle trails, and formation of new woodland areas and sustainable drainage infrastructure, served by existing access from The Gravel (including details of access).
	<b>APPLICANT</b>	Leisure Lakes Limited
	<b>WARD</b>	Tarleton
	<b>PARISH</b>	Tarleton
	<b>TARGET DATE</b>	26th October 2017

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## 1.0 SUMMARY

- 1.1 This application proposes a significant overhaul and expansion of the facilities at the Leisure Lakes tourism and leisure site to augment previously approved planning permissions for the provision of 49 chalets and service/amenity buildings on the site and an 18 hole golf course to the north. In essence, the application seeks permission for an additional area of caravan accommodation with the total caravan area being utilised for static caravans for holiday use and the construction of additional holiday homes/chalets sited on and about the East Mere to the south-eastern side of Mere Meanygate. Relocation of the existing driving range is proposed, also on the south-eastern side of Mere Meanygate, in addition to a club house to facilitate the driving range, the existing 9-hole and proposed 18 hole courses.
- 1.2 The application is made in outline and, due to its Green Belt location is found to be contrary to Green Belt policy and results in harm by virtue of inappropriateness, loss of openness and conflict with one of the reasons for including land in the Green Belt. Notwithstanding the identified harm to the Green Belt it is considered on the planning balance that very special circumstances exist sufficient to outweigh the resultant harm to the Green Belt. These circumstances are the cumulative benefits arising from the development in terms of job creation; the benefits to the local economy and enhancement of commercial opportunities; the long term improvement and management of the Biological Heritage Site within the application site and ecological enhancement of the surrounding areas; the benefits to local amenity through removal of activities regarded as local nuisances; the essential viability to support an existing local business; and, the unique site circumstances with respect to location, links and existing lawful use for the substantial area of the site for tourism and leisure.
- 1.3 For the reasons of securing long term mitigation, improvement and management of the Biological Heritage Site and surrounding land it is considered justification exists to outweigh the policy test in WLLP Policy EN2 requiring an 'overriding public need' justification. All other relevant planning considerations are considered to be consistent with the local development plan.

## 2.0 RECOMMENDATION

- 2.1 That the decision to grant conditional outline planning permission be delegated to the Director of Development and Regeneration subject to the confirmation of no objections by the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) 2009 Direction.

### **3.0 THE SITE**

- 3.1 The application site of approx. 67 Ha. includes an established mixed use site providing a variety of leisure and tourism uses and two areas of ley agricultural land located to the south of the Rural Sustainable Village of Mere Brow. The main site currently accommodates a touring caravan site, golf driving range, a bike shop, play areas, camping, open field leisure activities, water sport facilities, informal moto-cross, office and amenity buildings. The site consists of established woodland areas, lakes arising from historic sand extraction operations, and open field areas. 'Main river' watercourses and drains lie adjacent and within the site.
- 3.2 The site is accessed from The Gravel at a junction lying about 130 metres from the A565 Southport New Road. Footpaths 18, 21 and 70 lie on the site peripheries; footpath 19 follows the line of Mere Meanygate - the main straight of the access road, and continues along the internal site road between the two lakes. The site forms part of a wider landholding of Leisure Lakes Ltd., the other land lying mainly to the north of the main complex area that includes a 9-hole golf course and land with planning permission for an 18-hole golf course. The surrounding land is primarily flat, open, low lying land in arable agricultural use, with woodland pockets.
- 3.3 The area lies within a mix of Flood Zones (1-3) and is partially designated as a Biological Heritage Site on account of its mix of dry and wetland habitats, woodlands and remnant heathland. The woodland within the site is protected by a Tree Preservation Order ref. 02/2008. The agricultural land areas included within the application site are primarily Grade 4 (poor) agricultural land, although an area of Grade 2 land lies at the northern extent of the site.

### **4.0 THE PROPOSAL**

- 4.1 The application seeks outline planning permission to establish the principle of the following development of the site:
- 4.2 Relocation of the existing driving range from the land to the north-east of the touring caravan park to the unused agricultural field to the south-west of Tabby Nook (Zone 7); this would involve demolition of the existing range buildings, the construction of a new 21 bay range building; erection of boundary and ball-stop fencing; formation of bunkers and targets with associated car park and overspill; practice greens; landscaping and woodland planting. Within the same field and served by the same proposed parking areas it is proposed to construct a golf club house serving the approved 18-hole, existing 9-hole course and the relocated driving range. The indicative plan shows a building providing accommodation on two floors including changing/locker rooms, pro shop and driving range counter, admin offices & meeting room, members bar, kitchen and function room, & associated storage areas.
- 4.3 Construction of three additional zones of holiday homes/lodges (Zones 2, 3 & 4) to the areas north and south of the East Mere and floating lodges to the northern half of its shorelines. The area to the west of West Mere benefits from an extant planning permission – 2007/1512/ARM within existing woodland areas. A series of indicative lodge designs of 1 and 1.5 storey designs are included. Supporting infrastructure including vehicular access roads, drop off bays, pedestrian routes and new woodland planting are proposed. The majority of the lodges offer three bedroom accommodation on one or two floors with outside decking terraces. A small number of one bed units are also suggested. The indicative plans show a total of 140 new lodges (including 49 with extant planning permission).

- 4.4 Formation of a static caravan site in lieu of the existing touring caravan site and driving range areas to provide about 225 static caravan pitches and associated road and service infrastructure (Zone 5).
- 4.5 Installation of sustainable surface water drainage including mains foul connection and managed sustainable surface water systems.
- 4.6 New formalised footpaths and cycle trails within the existing and new woodland planting areas are proposed.
- 4.7 The application includes the detail of the proposed means of access to the development – being the unaltered existing access road from The Gravel.

## **5.0 PREVIOUS RELEVANT DECISIONS**

The Leisure Lakes site has an extensive planning history. Of most relevance are the following:-

- 5.1 2016/0936/SCR Not EIA Development (20.09.2016) Screening & Scoping Opinion - Proposed Leisure Development Masterplan.
- 5.2 2015/0098/FUL GRANTED (15.10.2015) Variation of Condition 2 of planning permission 2013/0385/FUL to enable the substitution of (i) revised proposed site plan and (ii) revised proposed site section drawings. - Substitution of approved drawing APSL-LL-2013-2 Rev.4 (received by the LPA on 26 November 2013) with updated drawing APSL-LL-2013-6; Substitution of approved drawing APSL-LL-2013-XS (received by the LPA on 12 April 2013) with updated drawing APSL-LL-2013-XS-A.
- 5.3 2013/0385/FUL GRANTED (07.08.2014) - Change of use of land to form an 18 hole golf course, including engineering works to alter existing ground levels; formation of water features and buggy tracks; erection of storm shelters and landscape planting.
- 5.4 2007/1512/ARM – REFUSED (20.05.2013) Reserved Matters - Siting of 49 self-catering holiday chalets; erection of central amenity/interpretation centre building, office extension and bungalow for park warden with associated car parking and landscaping; and, retention of replacement toilet block and maintenance building. ALLOWED ON APPEAL
- 5.5 1992/0473 GRANTED (04.02.93) - Outline-18 hole golf course and pitch & putt course.
- 5.6 1991/0917 Outline Planning Permission GRANTED (09.10.1991) - Leisure and holiday park - comprising 50 self-catering holiday chalets; extension to existing touring caravan park (maximum 25 caravans); central amenity court and building; children's' farm; children's' play area; staff accommodation, provision for fishing for the disabled, extension to existing offices; maintenance buildings, car parking and servicing; access and ancillaries such as w.c.'s, waste disposal units and maintenance compound.
- 5.7 1990/0044 GRANTED (27.04.90) - Golf Driving Range
- 5.8 E/2008/0428/UAU – Enforcement Notice and Injunction against the mixed use of the land for recreational motor vehicle activities, including bikes and cycles, and for motor vehicle racing activities, including bikes and cycles.

## **6.0 OBSERVATIONS OF CONSULTEES**

- 6.1 Natural England (05.02.18) – no objections
- 6.2 MEAS (04.09.17 and 14.05.18) – No significant likely effects under the Habitats Regulations. Subject to protection measures and securing the proposed mitigation and management measures for the lifespan of the development then no objections on biodiversity/ecological grounds are made. Recommendations including conditions with respect to protection and management of ecological / biodiversity interests are provided.
- 6.3 MOD Safeguarding (02.10.17) – no objections
- 6.4 LCC Highways (09.02.18) – no objections on grounds of traffic generation
- 6.5 Lead Local Flood Authority (29.08.17) – objected on grounds the submitted FRA does not comply with the requirements set out in para. 30 of the NPPG and Para 103 of the NPPF insofar as it relates to impacts of climate change, flood emergency planning and flood storage. The LLFA were re-notified on submission of further flood risk information, however, no further response was available at the time of writing.
- 6.6 Environment Agency (10.11.17 (incorrectly dated 10.10.17)) – objection withdrawn following proposed revision to connect to mains foul drainage.  
(10.10.17) – original objection on grounds of flood risk withdrawn; objection sustained on grounds of proposed non-mains foul treatment in serviced area.
- 6.7 United Utilities (01.12.17) – No objections subject to conditions.
- 6.8 Director of Leisure and Wellbeing (02.11.17) – no objections subject to conditions.  
Acknowledges that the cessation of the use of the site for moto-x will benefit local amenity.  
Request for conditions and details in respect of noise, lighting and times of opening at the proposed driving range and golf clubhouse.  
Recommends times of opening for the on-site pub to protect user amenity.  
Details of lighting and electric vehicle charging points to be provided.  
Construction environmental management plan details requested.

## **7.0 OTHER REPRESENTATIONS**

- 7.1 One letter of support received:  
  
Would result in a great improvement to the locality
- 7.2 Two representations received stating the following concerns/objections:  
Tabby Nook remains a cul-de-sac with no access along this road  
Drainage capacity/problems in the locality  
Potential impact on future viability of existing facilities at Shaw Hall Caravan Park  
Detrimental impact on local highway safety  
Detrimental impact on local enterprises  
Loss of amenity to local residents  
Insufficient information provided – including matters of flood risk, energy use minimisation, highways impacts  
Development will increase and be susceptible to flood risk  
Possible site contamination arising from former uses  
Concern in relation to non EIA development determination  
Absence of viability justification  
Scale of development would adversely impact local character and visual amenity  
Inappropriate development in the Green Belt resulting in harm to openness  
Non-sustainable form of development

Insufficient parking provision  
Adverse impacts on biodiversity interests on the site

## **8.0 SUPPORTING INFORMATION**

8.1 The following documents are submitted in support of the application:

Design and Access Statement  
Planning Statement  
Ecological Impact Assessment  
Habitat Creation, Management and Maintenance Plan  
Land title information  
Waterco Statement – Response to Environment Agency and Lead Local Flood Authority Objections  
Maze Planning Supplementary Statement and Response to Consultee Responses and Third Party Objection  
Croft Transport Solutions Transport Statement  
Urban Green Supplementary Ecological Statement in response to Natural England concerns

## **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 will be assessed. The site lies within the Green Belt, a county Biological Heritage site, an Area of Landscape History Importance of County significance and minerals safeguarding area.

9.2 National Planning Policy Framework:

Building a strong, competitive economy  
Supporting a prosperous rural economy  
Promoting sustainable transport  
Delivering a wide choice of high quality homes  
Requiring good design  
Protecting the Green Belt  
Conserving and enhancing the natural environment

9.3 Relevant Local Plan Policies:

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EC2 – Rural Economy  
IF2 – Enhancing Sustainable Transport Choice  
IF3 – Service Accessibility and Infrastructure for Growth  
IF4 – Developer Contributions  
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

9.4 Additionally the following supplementary planning documents are relevant:

SPD – Design Guide (Jan 2008)

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

*Demolition of existing buildings*

- 10.1 The proposals include the demolition of the existing golf driving range bays, associated pro shop and café building. None of these structures are of any significant historic or architectural note and there is no objection to the principle of their removal. The buildings have been assessed for their potential to accommodate bats and have not been identified as offering suitable opportunity for bat roosting potential.

*Principle of Development – Green Belt*

- 10.2 The NPPF confirms that the construction of new buildings in the Green Belt should be regarded as inappropriate development. There are a number of exceptions to this including the provision of appropriate facilities for outdoor sport and outdoor recreation subject to the proviso that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
- 10.3 Of the built development proposed, only the golf driving range building and parts of the accommodation within the golf club house can be regarded as 'appropriate facilities' for outdoor sport and recreation. Due to the additional facilities within the golf club house (kitchen, bar, function room) I would conclude that the building would fall outside of any of the defined *appropriate* forms of development in the Green Belt, although it is notable that the proposal will replace more limited facilities in terms of a kitchen / servery located adjacent to the existing driving range. With respect to the driving range building, its very presence, will have an impact on the openness of that part of the Green Belt on which it is proposed to stand; however, it is material to consider that this building will replace some of the volume of buildings referred to at para. 10.1. If those volumes are equal, or the new development is less, then no net harm to the openness of the Green Belt will arise from this element of the proposals. Similarly, its relocation from one part of the Green Belt to another will not have any greater impact when considered against the reasons for including land in the Green Belt. I would therefore conclude that, subject to a volume limit, the driving range building can be considered an appropriate form of development in the Green Belt; however, the club house would result in harm to the Green Belt by way of inappropriateness and loss of openness.
- 10.4 Notwithstanding the lawful use of the site for leisure and tourism uses, the proposed erection of the chalets/lodges do not fall within any of the listed appropriate forms of development of the Green Belt and, save for the 49 units approved under application 2007/1512/ARM (or their equivalent), will give rise to a significant adverse impact on the openness of the Green Belt. However, as they lie within the area of the original planning permission I do not conclude that they will conflict with the reasons for including land in the Green Belt.
- 10.5 The impacts on openness arising from the siting of some of the static caravans within the boundary of the 1991 outline permission where touring caravans are currently present will be partly offset by the removal of the touring units; however, by virtue of their greater number and degree of permanence I consider that, in total, they will result in a net loss of openness of the Green Belt. Furthermore, the extension of the static caravan site area into the area of the existing driving range will result in additional losses of openness and conflict with one of the reasons for including land within the Green Belt. This area and the new driving range will result in changes of use of the land from agriculture and the existing driving range respectively. By absence of mention, change of use of land within the Green Belt are identified as an inappropriate form of development. It is notable that a consultation draft revision to the NPPF reintroduces a commentary on changes of use of land in the Green Belt and suggests a return to a status that changes are acceptable subject to protection of the openness and without conflict for the purposes of including

land in the Green Belt. If this position is adopted then, for the above reasons (esp. loss of openness) the caravan site extension will still constitute inappropriate development.

- 10.6 The engineering operations to provide the supporting road infrastructure and new parking areas are also subject to the tests of preserving the openness of the Green Belt and not conflicting with its purposes. This impact will depend on the nature of the proposed surfaces but, for the majority of the proposed development this will be of a permanent hard-wearing construction capable of accommodating visitor and service traffic throughout the year. This will give rise to further losses of openness but, save for the extended area for use by caravans and the new golf facility parking area, will not conflict with the reasons for including land in the Green Belt due to the extant permissions.
- 10.7 Notwithstanding the current lawful use of the majority of the site for tourism and recreational uses, for the reasons set out above the majority of the proposed development is inappropriate development in the Green Belt, will give rise to a loss of openness and, in parts, will conflict with the purposes of including land within the Green Belt by virtue of encroachment. Paragraph 88 of the NPPF advises that substantial weight should be given to any harm to the Green Belt. Inappropriate development in the Green Belt should only be allowed in 'very special circumstances' that will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

#### Very Special Circumstances

- 10.8 Under the terms of the NPPF, the overarching approach of the planning function is to contribute to the achievement of sustainable development and there is a presumption in favour of sustainable development. This requires consideration of the economic, social and environmental aspects of development. The NPPF requires that, being mutually dependent, these aspects of development should be looked at in the round in the context that economic growth can secure higher social and environmental standards (para 9). Within that context the applicant has submitted the following circumstances in support of the application:
- 10.9 Economic benefits – the applicant has provided evidence of the current status of the Leisure Lakes business that demonstrates that without subsidy from the owners other business enterprises the viability of the business would most likely fail and would not be capable of drawing sufficient levels of investment to secure a long term future. The proposals are aimed at achieving a programme of development for the long established tourism and recreation facility that will provide an economic critical mass with secure such viability and investment.
- 10.10 The proposals are aimed a mid-market niche that seeks to achieve a high quality destination that relies on the environmental benefits of the site's semi-natural assets and builds on the prospects arising from both the existing and approved golfing facilities. The site offers a unique opportunity for the proposed business model as it is an established facility, has excellent transport linkages and, due to environmental and Green Belt constraints, could not be delivered anywhere else within the Borough.
- 10.11 It is conservatively suggested that the proposals will generate and secure 15 full time-equivalent jobs including management, customer-facing roles, maintenance etc. with the possibility of additional opportunities as the phases of delivery of accommodation increase.
- 10.12 The project will also give rise to other economic benefits including – construction related jobs over the anticipated 8 year delivery plan; support of existing local jobs and creation of

new jobs as visitor numbers and their associated leisure spend increase; potential for new spin-off business generation – cleaning, servicing etc.

- 10.13 Using the assessment from a recent comparable appeal case in Cheshire, the applicant quotes that the delivery of a site less than half that proposed here would generate 40-50 full time equivalent job years in the construction element and a pro rata tourism spend of circa £12m.
- 10.14 With respect to the LPAs concern relating to the inclusion of 'non-appropriate' elements within the golf club house, the applicant states that a function room is considered commercially essential for the golf business to function; socialising is considered very much part of the golf experience and without this to facilitate the new course would be at a significant commercial disadvantage to other golf locations. These spaces also facilitate business functions, golf open days/seminars, classroom teaching and are considered essential to contribute to the business viability of the golfing facilities.
- 10.15 Social benefits – the current use of the Leisure Lakes sites provides a low level tourism and recreational offer including informal events and activities. Some of these activities cause local nuisance, others have led to antisocial behaviour on occasions. The proposed uplift in the site facilities and environment will substantially remove existing concerns (use of moto-x and jet skis will cease) and increase opportunities for social enhancements including the improved golfing and associated facilities and accessibility to the outdoors. The proposals will provide an alternative type of accommodation and facilities to those found elsewhere in the Borough and wider area and address a need arising from the increasing 'staycation' market.
- 10.16 Environmental benefits – this issue is covered in more detail below; however, the package of proposals includes protection, enhancement and management of the poorly performing biological heritage site within the application site in addition to significant habitat creation through the introduction of large areas of new tree planting, particularly about the proposed driving range areas and site peripheries.
- 10.17 In considering these matters I am mindful that the NPPF gives weight to supporting a strong rural economy in supporting the sustainable growth and expansion of all types of business and enterprise in rural areas. In West Lancashire, such facilities are inevitably going to be located within the Green Belt due to its unique geography. I consider that this adds weight to the above arguments and, taken a whole, consider that these circumstances describe an exclusive situation that must be attributed weight in the planning balance insofar as it relates to the Green Belt impacts.
- 10.18 The combined proposals are significant in scale and will require significant investment for delivery. The viability arguments both in respect of the necessity for a minimum standard of development relating to the golf club house, but also in terms of the critical-mass of development to successfully deliver the scheme as a whole, are accepted. In order to complement the golfing aspirations that build on the existing facility and planning approval for an 18-hole golf course, a suitable quantum and standard of facility will be necessary, as will the nature and quality of the accommodation to encourage players or holiday investors to attend, stay and/or invest in the locality. The proposed quality of the lodges and specialised nature of the floating homes indicate that the masterplan approach provides a suitably consolidated approach that is likely to drive its success.
- 10.19 The associated benefits arising from direct job creation, sustaining existing jobs and businesses, and providing opportunities for new business hold substantial weight. The proposals will assist in diversifying the local economy base and benefits both in the immediate vicinity and the wider area can be realistically anticipated.



- 10.20 At the same time investment in the biodiversity value of the site will be achieved and secured through a long term plan for protection, mitigation, enhancement and management of the existing and proposed ecological assets. In addition to the introduction of significant waterbodies under the terms of the golf course permission some 6.7 hectares of new woodland planting will take place in tandem with the development proposals providing a substantial uplift in biodiversity value within and about the allocated biological heritage site.
- 10.21 In combination, the benefits to the immediate and Borough-wide economy and local environment are highly likely to be significant and can be attributed substantial weight.
- 10.22 Additionally, the site benefits from being well located and serviced in terms of core infrastructure; has a long established lawful use for tourism and recreation; is situated where visual impacts can be suitably mitigated without significant harm to the character and quality of the landscape; will have limited scope for giving rise to amenity concerns; will provide an offer that is distinct from existing facilities within the Borough and could not be delivered elsewhere within West Lancashire; will complement existing consents; and, complement the nearby leisure and tourism attractions at Martin Mere, Mere Sands Wood, Hesketh Outmarsh and the offers in Southport.
- 10.23 The extent of new build and expansion of the built area of the site is cumulatively significant and the harm arising through inappropriateness, loss of openness and, in a limited part, conflict with the reasons for including land in the Green Belt is therefore also significant and, in accordance with the NPPF must be given substantial weight (para.88). However, the benefits described above are also substantial and are likely, in my view, to give rise to a sustainable form of economic development that is currently absent in West Lancashire but will substantially improve its tourism offer and achieve the over-riding aim of sustainable development in terms of economic, social and environmental benefits sufficient to outweigh the identified harm to the Green Belt. On that basis I consider the principle of development in this location acceptable in Green Belt terms.

#### Principle of Development – Flood Risk

- 10.24 The site includes areas within flood zones 1, 2 & 3. Under the terms of Policy GN3 and the NPPF certain forms of development require justification and demonstration that they are at limited flood risk and do not increase the likelihood of increased flood risk elsewhere. The majority of the proposed built development is located in flood zone areas that are compatible with their intended uses; however, that part of the site to the north-east of the existing touring caravan site - proposed as an extension to the caravan area constitutes a change of use of the land for the siting of static holiday caravans and is therefore subject to the Sequential Test requirement set out in Para. 100 of the NPPF to demonstrate that within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and if that test is fulfilled, the Exceptions Test, to demonstrate development is appropriately flood resilient, including safe access and escape routes where required, and that any residual risk can be safely managed.
- 10.25 A sequential test has been forwarded by the applicant and it is accepted that due to the calculated relative low risk in combination with the constraints of Green Belt and biodiversity policies there are no realistic and viable alternative locations within the development site that could be supported under the terms of the WLLP and the NPPF. For the floating homes, these are considered flood resilient by their design and sequentially inappropriate elsewhere (the premium arises from the fact that they are floating homes and designed to withstand flood risk incidents). The golf club house lies within Zone 2,

however, as a type of development defined as 'less vulnerable' this is not inconsistent with the flood allocation. Only the extension to the caravan area is considered at odds with its Flood Zone rating. However, the flood risk modelling, in combination with Green Belt and BHS restrictions substantially demonstrates that the proposed location would best serve the proposed facility. Furthermore, accounting for the necessary annual flooding probabilities and climate change projections, escape routes are shown to remain viable for the purpose of any necessary evacuation of the site during such extreme events. Given the submitted modelling and other policy constraints within the site I am satisfied that the development meets the necessary sequential and exceptions tests. The original objection by the Environment Agency has been removed.

#### Principle of Development – Ecology, Biodiversity and Biological Heritage Site

- 10.26 Policy EN2 in the WLLP states that - *Development that would directly or indirectly affect any sites of local importance [including County Biological Heritage sites] will be permitted only where it is necessary to meet an overriding public need or where it is in relation to the purpose of the nature conservation site.* It also seeks to prevent damage to recognised conservation sites, prevent the loss of their undeveloped nature and avoid degradation of their value through severance or loss of function and links. Policy EN2 requires that necessary proposals within these areas result in improvement of the site's biodiversity value.
- 10.27 In assessing this aspect of the proposals it is notable that the chalets proposed within the woodland area to the west of West Mere benefit from an extant planning permission. This was granted on the basis that biodiversity enhancements through the provision of new areas of habitat creation and the introduction of a management regime for these and the existing areas within the BHS would provide biodiversity and ecological enhancements.
- 10.28 The areas of proposed additional development that would lie within the BHS area are: the floating holiday lodges within East Mere and the lodges in the woodland to the south of East Mere (Zones 2 & 3). The latter has seen significant degradation as a result of use of parts of the land in association with moto-cross activity undertaken and continuing under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and former iterations).
- 10.29 There is no overriding public need for development and therefore the proposals fail to meet the initial requirement of Policy EN2. With respect to the remainder of Policy EN2, potential conflict would arise from the introduction of built form in the identified areas and subsequently result in the loss of their undeveloped nature. However, there are a number of material planning considerations relevant in relation to the long term aims of the policy. Firstly, the presence of development within a protected site need not be incompatible with the aim of protecting or enhancing its ecological value. Secondly, it is significant that the submission is made partly on the grounds of long term commercial viability of the site. The site has a legitimate use for tourism and recreation purposes many of which are capable of resulting in further deterioration of the biodiversity value of the site. Historically, a number of managed and unmanaged uses taking place here have resulted in ecology asset losses through damage and displacement. Some legitimate ongoing uses – the moto-x and, to a lesser degree, jet skiing and camping continue to prevent full conservation or enhancement of the BHS. The Council is not able to impose requirements on the landowner to maintain or improve the biodiversity value of the site other than through the planning process and in conjunction with development requiring planning permission. The removal of the detrimental uses, the proposed mitigation through habitat creation and enhancement and, significantly, the active management achieved through the long-term investment will see a reverse in the downward trend of the condition of the BHS and thereby secure its long-term health. Thirdly, there are clear mutual benefits as

the nature of the proposals rely on the natural/semi-natural assets of the site within in its rural character location to be commercially successful. This opportunity is unlikely to exist should the BHS decline further.

- 10.30 The supporting documentation provided by the applicant includes measures to achieve a level of mitigation and compensation that outweighs any losses and brings about active management and enhancement of the identified ecological interests on and about the site for the duration of the development. Securing those benefits by planning condition will secure protection and enhancement of the biodiversity value of the site (beyond that agreed under the approach taken by the Planning Inspectorate in consideration of the reserved matters appeal for the chalets benefitting from the extant permission).
- 10.31 It is worthy of note that some of the enhancement measures will be provided outside of the designated BHS, however, this has value in extending the areas of interest and supporting the value and integrity of the BHS. It is concluded that the identified impacts of the development within the BHS can be offset within the application site; however, some – particularly in relation to Water Vole, will be better secured under the enhancements arising on the adjacent golf course site. As a 'masterplan' approach, it will be necessary to impose phasing conditions to ensure no nett loss of habitat during the implementation of the differing phases of the development.

#### Habitats Regulations Assessment

- 10.32 The development site lies near to the following statutory designated sites:

Martin Mere SPA  
Martin Mere Ramsar  
Martin Mere SSSI  
Mere Sands Wood SSSI  
Ribble Estuary SPA  
Ribble Estuary SAC  
Ribble Estuary SSSI

- 10.33 The area is also within an area which over-wintering birds (qualifying features of the designated sites) could potentially utilise as feeding grounds. It is therefore incumbent on the Local Planning Authority to assess any likely significant effects of the proposed development. These have been considered under the Habitat Regulations using the source-pathway-receptor model and it is concluded that there is no pathway that could give rise to likely significant effects on European sites for the following reasons:-

The affected areas of the site are enclosed by woodland which would deter qualifying species from the site; and

The waterbodies present on the site are currently subject to high levels of human disturbance and are highly unlikely to support significant numbers of qualifying bird species.

- 10.34 Consultation with Natural England confirms no objection.

- 10.35 In summary, consistent with the previous pragmatic approach agreed in relation to the previous grant of reserved matters planning permission for 49 chalet units, I consider that the proposals offer a mechanism to deliver realistic protection, mitigation and potential for significant enhancement of ecological interests on the site. The long term management and maintenance of the BHS and proposed wider supporting biodiversity mitigation proposals will give rise to an overall enhancement of the nature and scale of ecological

assets in the locality sufficient to outweigh the Policy EN2 presumptions against the development.

#### Agricultural Land

- 10.36 The significant majority of the site is proposed on Grade 4 agricultural land. A smaller area of about 1.0 ha. to the northern extent of the site is Grade 2 agricultural land and about 3.0 ha. to the southern limit is Grade 1. Policy EN2 seeks to protect the best quality agricultural land requiring planning permission be refused unless the development is strategic infrastructure, or development associated with the agricultural use of the land. Neither of these exceptions is applicable here, however, no irreversible fixed development is proposed in the Grade 1 & 2 locations and therefore, subject to retention of the existing soils here, there is no permanent loss or harm arising to that resource. I therefore consider the development is acceptable in that respect.

#### Landscape Impacts

- 10.37 The proposed development lies within areas classified as landscapes of historic importance of local and county significance. This classification primarily relates to the area of land reclaimed from Martin Mere and subsequently introduced field pattern. Due to the clear zoning of areas within the existing field pattern the proposals will result in little interference with this aspect of the landscape. Whilst some losses of existing trees will result it is envisaged that the extent of proposed tree planting will generally provide a quality benefit to the locality and views of it from the surrounding countryside. Such planting will also visually contain the areas of most intensive use.

#### Access, Parking and Public Rights of Way

- 10.38 It is proposed to utilise the current Leisure Lakes access road from The Gravel to access the proposed facilities. The linkage to the local strategic road network is excellent and the closest junction capacities and geometries are suitable to accommodate anticipated levels of additional traffic. Projections for traffic generation associated with the proposed uses taken in conjunction with existing and previously approved site uses suggest that the local road network is fully capable of meeting the needs of the development. It is not anticipated that the traffic associated with the proposed development will give rise to any significant concerns with respect to highway capacity or highway safety in the locality.
- 10.39 Whilst there are no prescribed parking standards within the WLLP for the type of outdoor recreation and tourism proposals included I consider that sufficient parking provision demonstrated to provide for the scale of the individual elements is provided and to ensure no out-spill on to the public highway network will occur. Parking for individual caravan/holiday homes will be based on a one-per-unit basis with additional visitor parking available.
- 10.40 The straight element of the access road adjacent to the line of the Mere Meanygate watercourse coincides with Footpath 19. Due to the straightness of the roadway and incorporated speed restriction measures inter-visibility between pedestrians and vehicles is generally very good. However, due to anticipated increases in traffic I consider that some mechanism for separation or definition of a footway would be of benefit to protect user safety. Given the outline nature of the application such detail can be sought by planning condition for consideration under reserved matters submissions and it is my intention, therefore, to recommend such a condition. It is not anticipated that the wider public right of way network will be adversely affected.

#### Impacts on adjacent land uses

- 10.41 Given the distance of the main activity area from neighbouring sensitive premises the main impacts are anticipated as those arising from traffic entering and leaving the site and the noise/light associated with the use of the driving range.
- 10.42 The striking of range balls used in the existing driving range and ball-collection vehicles may give rise to some noise that, given the orientation of the range, may be audible on the southern part of Tabby Nook; however, subject to controlled hours of opening it is not considered that any significant noise nuisance would arise to the nearest residential occupiers.
- 10.43 Lighting on driving ranges tends to be from behind the participants and illuminating the range. As this directs towards the Tabby Nook area detail will be required with any reserved matters submission to demonstrate no light spillage outside the confines of the range area (including upwards) will result that could give rise to light nuisance.
- 10.44 The access road lies approx. 28 metres from the nearest residential property situated close to where the existing security cabin is located to control vehicular access to (and from) the site. Increases in traffic will arise from the proposals with potential for small queues of traffic to develop on the access road with potential to give rise to amenity concerns to the closest residential properties. During daytime hours this impact is not considered to be significant. However, during late evening hours there is scope to cause to some noise impacts; whilst these are not likely to be significantly worse than the traffic generated from the current unconstrained uses on the site at unsociable times, some potential for disturbance exists. Nevertheless, I consider that sufficient scope exists to provide a landscaped buffer (incorporating screened acoustic fence if necessary) to mitigate any likely impact arising from activity in this locality. No other direct adverse impacts on surrounding land uses are anticipated.

#### Drainage

- 10.45 The site lies in an area well served by existing watercourses and main river lines adjacent to the site. Initial submissions proposed an on-site treatment plant for foul water with treated outputs and surface water to be directed to adjacent watercourses. Following concerns expressed by the Environment Agency and the Lead Local Flood Authority it is now proposed to direct foul to the local main sewer through a pumped system. Due to the outline nature of the site, surface water details are not provided at this stage, however, it is anticipated that sustainable surface water drainage is achievable on this site; full detail will be required at reserved matters stage should outline planning permission be granted.

#### Minerals

- 10.46 The site lies within a Minerals Safeguarding Area as identified in LCC's Minerals and Waste Site Allocation and Development Management Policies DPD. Within these areas, planning permission will generally not be granted for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals found on the land unless the applicant can demonstrate that the mineral concerned is no longer of any value or has been fully extracted, or there is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource. The site has previously been worked for mineral extraction (forming the existing mere lakes) and is assumed that any remaining mineral resource is not a commercially viable deposit. Additionally, the majority of the site has an established use with existing fixed infrastructure and a degree of protection arising from its recognised ecological value. The proposed development that lies within the established use area will not result in any greater sterilisation of any remaining resource. The areas outside the 1991 permission site

are either substantially reversible forms of development or lie in close proximity to existing residential development that would prevent the working of the resource on a commercially viable scale (proximal sterilisation). On that basis, it is considered that the proposals will not result in any greater prejudice to future mineral extraction in the locality than exists at present and therefore there are no grounds to refuse the application on that basis.

#### Other matters

- 10.47 A point of objection concerns the validity of the Environmental Impact Screening Opinion issued by the Council in September 2016. This opinion has been reviewed against the recently updated Town and Country Planning (Environmental Impact Assessment) Regulations 2017 Screening Matrix (Sept 2017) and, as previously concluded, confirmed to be a development not requiring a full environmental impact assessment.

#### Summary

- 10.48 In summary, it is considered that the principle of development and the detail of the means of access are consistent with Local Plan Policies SP1, GN1, GN3, IF2, IF3, IF4, EC2 and EN2, and the NPPF, and therefore outline planning permission should be granted.
- 10.49 Due to the location of the development in the Green Belt and the scale of the proposed development, if Members are minded to support the recommendation then, under the terms of The Town and Country Planning (Consultation)(England) Direction 2009 the Secretary of State must be consulted before such a decision is issued.

### **11.0 RECOMMENDATION**

- 11.1 That the decision to grant planning permission be **delegated to the Director of Development and Regeneration** subject to the confirmation of no objections by the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) 2009 Direction.
- 11.2 That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation 11.1 above be subject to the following conditions:

#### **Condition(s)**

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan references:  
11302-L01c Rev. PO1 received by the Local Planning Authority on 27 July 2017  
11302-L02 Rev. PO3 received by the Local Planning Authority on 30 April 2018  
11302-L03 Rev. PO3 received by the Local Planning Authority on 30 April 2018  
11302-L04 Rev. PO1 received by the Local Planning Authority on 19 July 2017.
3. Before any part of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority for the reserved matters namely the layout; scale and appearance of the building(s) and landscaping of the site.
4. 1. For each phase of development / reserved matters application the following details shall be provided:  
Updated protected species surveys relating to species having been identified within the Urban Green Ecological Impact Assessment (updated October 2017) and the Habitat

Creation, Management and Maintenance Plan as being present or potentially present (badgers) within the proposed phase area.

Specific details of the location and timescale of delivery of ecological mitigation measures to be carried out in accordance with the Urban Green Habitat Creation, Management and Maintenance Plan Rev C (April 2018) alongside the development of that phase/s.

Detailed assessment and eradication proposals for invasive species within the phase area.

Specific protection measures to prevent the disturbance, displacement or other loss of protected species and their habitats.

All detailed measures shall be recorded and incorporated into the Habitat Creation, Management and Maintenance Plan (HCMMP) which shall be submitted and approved in writing in its updated form for each application for reserved matters approval.

2. For each phase of development / reserved matters application including siting and/or appearance and/or landscaping the following details shall be provided:

Details of the type and locations of any external source of lighting (including temporary lighting for construction purposes)

Details of the type and location of any means of enclosure

Details of the siting, construction and surfacing of roads, pathways, tracks and vehicle parking areas.

All lighting, means of enclosure and hard surfaces shall be provided in accordance with the approved details and be retained in that manner for the duration of the development unless otherwise agreed in writing with the Local Planning Authority.

5. Prior to any engineering operations to alter final levels within the site taking place, details of those works shall be submitted to and approved in writing with the local planning authority. Any works to alter the levels within the site shall be in accordance with the approved details.
6. The proposed static caravans / chalets / holiday homes shall be used for the purpose of holiday accommodation only and shall not be used as a main or principal residence of any owner, occupier, or tenant of the caravans / chalets / holiday homes.
7. Within one month of first use of the driving range building hereby approved, the existing driving range building shall be demolished.
8. No development of the golf club house shall take place until the construction of the 18 hole golf course approved under planning permission 2015/0098/FUL (or any variation to or replacement of that permission for an 18 hole golf course on the adjacent land) has been completed with finished tees, fairways and greens to a playable standard.
9. Foul and surface water shall be drained on separate systems.
10. No development shall take place until a site-wide strategy for foul and surface water drainage has been submitted to and agreed in writing with the local planning authority. No development shall take place on any individual phase of development identified on the approved plans until details of foul and surface water drainage schemes for that phase of development as required by conditions 11, 12 and 13 has been submitted and approved in writing with the local planning authority in accordance with the approved site-wide foul and surface water drainage strategy.  
The strategy shall identify where drainage infrastructure will connect between different phases of development. There shall be no connection of drainage infrastructure between phases other than in accordance with the agreed strategy. Any drainage infrastructure within earlier phases of development on the application site shall be sized to accommodate the drainage flows from any interconnecting later phases as identified by the site-wide drainage strategy. Unless otherwise agreed with the local planning authority in liaison with the public sewerage undertaker, there shall be 1 foul water pumping station for the entire site and no surface water shall connect with the existing public sewerage system.
11. The development shall be strictly implemented in accordance with the approved strategy. No development shall take place to implement each or any phase of the development until the details of a foul water drainage scheme for that phase has been submitted to and

approved in writing with the Local Planning Authority in liaison with the public sewerage undertaker. The drainage details shall be in accordance with the details approved by condition 10 and include the following:

- a. the location of the point of connection for foul water to the existing public sewer;
- b. the timing arrangements for the pumped foul discharge;
- c. the storage requirements for the pumped foul discharge; and
- d. the rate of discharge for the pumped foul discharge.

There shall be no connection of foul water to the public sewer other than in accordance with the agreement reached with the local planning authority.

Prior to first use of each phase, the development shall be implemented in accordance with the approved details and be retained in accordance with the agreed details for the duration of the development unless otherwise agreed in writing with the local planning authority.

12. No development shall take place to implement each or any phase of the development until the details of a surface water drainage scheme for that phase has been submitted to and approved in writing with the Local Planning Authority. The drainage scheme shall be in accordance with the strategy required by condition 10 and the principles set out in the submitted Flood Risk Assessment (Ref No. w10352-170714, Dated July 2017) which was prepared by Waterco Consultants. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed strictly in accordance with the approved details and be retained in that form for the duration of the development unless otherwise approved in writing with the local planning authority.
13. Prior to first use of any of the development hereby approved a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
  - a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Site Management Company; and
  - b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.The development shall subsequently be completed, maintained and managed in accordance with the approved plan for its duration.
14. The golf driving range shall not be used other than between the hours of 09.00-20.00 Mondays to Saturdays (inclusive), and 09.00-18.00 hours on Sundays. Additionally, no plant, vehicles or equipment shall be operated on the golf driving range other than between the hours of 08.00-20.00 Mondays to Saturdays (inclusive), and 09.00-18.00 hours on Sundays.
15. The golf club house shall not be open for customers other than between the hours of 08.00-01.00 Mondays to Saturdays (inclusive), and 09.00-00.00 hours on Sundays.
16. The development shall proceed in accordance with the mitigation measures set out in the Leisure Lakes Flood Risk Assessment and Drainage Strategy (dated 14/07/2017, reference w10352-170714-FRA & Drainage Strategy) by Waterco Consultants.
17. 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 means of enclosure shall be erected until details of the siting and design have been submitted to and approved in writing by the Local Planning Authority.
18. Prior to implementation of any of the accommodation units, driving range building or golf club house, a scheme for the provision of electric vehicle charging points throughout the development and timescale for implementation shall be submitted to and approved in



writing by the Local Planning Authority. The development shall proceed in accordance with the approved scheme.

19. No development shall take place until a detailed construction environmental management plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall identify the steps, measures and procedures that will be implemented to minimise the creation and impact of noise, vibration, lighting, dust and disturbance resulting from the site preparation, demolition, groundwork and construction phases of the development.  
The document shall include protection measures of all sensitive ecological receptors and retained habitats (as identified in the Urban Green Ecological Impact Assessment (updated October 2017) and the Habitat Creation, Management and Maintenance Plan) in addition local residential amenity.
20. No tree felling, scrub clearance, hedgerow removal, demolition or construction works, or site clearance shall take place during the period 1 March to 31 August inclusive unless the absence of nesting/breeding birds is confirmed by an appropriately experienced ecologist. In the event that nesting/breeding birds are present a methodology specifying how they will be protected within the nesting season shall be submitted and approved in writing by the local planning authority. The agreed methodology shall be implemented in full in accordance with the approved details.
21. On commencement of any of the development hereby approved the applicant, or their successors in title, shall implement the Urban Green Habitat Creation, Management and Maintenance Plan (HCMMP) for The Mere, Mere Brow on behalf of Leisure Lakes Ltd April 2017 Rev C (April 2018) (or any later iterations agreed in writing with the Local Planning Authority) in accordance with a delivery timescale that shall have been previously been submitted and agreed in writing with the Local Planning Authority. The annual monitoring and review process and implementation of the HCMMP shall be actively implemented for the duration of the development and the results of annual monitoring and reviews, and any subsequent necessary amendments to the measures, shall be provided to and agreed in writing with the Local Planning Authority on request.

### **Reason(s)**

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policies GN1, GN3 and EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. The application is in outline and the matters referred to in the Condition are reserved for subsequent approval by the Local Planning Authority.
4. To ensure adequate information is available for the proper consideration of the detailed proposals and secure an appropriate form of development for the site circumstances in accordance with the requirements of the West Lancashire Local Plan(2012-2027) Development Plan Document and the National Planning Policy Framework.
5. To protect the local landscape and ensure floodwater holding capacity on the site is retained and thereby comply with the requirements of Policy GN3 in the West Lancashire Local Plan (2012-2027) Development Plan Document.
6. The creation of independent residential units in this location would conflict with the Local Planning Authority's policy of strict control of development within the Green Belt and modelled areas of flood risk as set out in Policies GN1, GN3 & RS1 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document and as drawn up in accordance with the National Planning Policy Framework.
7. To preserve the openness of the Green Belt and thereby comply with the requirements of Policy GN1 in the West Lancashire Local Plan (2012-2027) Development Plan Document and the National Planning Policy Framework.
8. The development is only justified by the implementation of planning permission 2015/0098/FUL, otherwise it would constitute an inappropriate form of development in the

Green Belt contrary to Policy GN1 in the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.

9. 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.
10. To prevent flooding and pollution and to ensure a holistic and coordinated approach to the construction of the detailed drainage infrastructure for the phased delivery of development and to ensure that the drainage infrastructure which is constructed for each phase is able to cope with the foul and surface water discharges from the entire development site and thereby 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.
11. To secure proper and specific drainage details and in order to manage the risk of flooding and pollution from the public sewerage system arising from foul water drainage for each phase of the development and thereby complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To secure a sustainable form of surface water management and 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.
13. To ensure suitable management and maintenance arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development and thereby accord with Policies GN3 and IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. To safeguard the amenity of nearby residential 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.
15. To safeguard the amenity of nearby residential 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.
16. To deliver a flood resilient form of development and therefore comply with the requirements of Policy GN3 in the West Lancashire Local Plan (2012-2027) Development Plan Document.
17. To protect the openness of the Green Belt, the visual amenity and character of the locality, and ensure the lateral movement of wildlife is not prevented, and thereby comply with the requirements of Policies GN1, GN3 and EN2 in the West Lancashire Local Plan(2012-2027) Development Plan Document and the National Planning Policy Framework.
18. In the interests of sustainability in accordance with Policy GN3 in the West Lancashire Local Plan (2012-2027) Development Plan Document.
19. To safeguard the ecological value of the site and the amenity of adjacent properties and the area generally and so comply with the provisions of Policies EN2 and GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
20. To protect nesting/breeding birds and therefore comply with the requirements of Policies GN3 and EN2 in the West Lancashire Local Plan (2012-2027) Development Plan Document.
21. To ensure the delivery of the necessary measures to mitigate and enhance the ecological value of the site and therefore comply with the requirements of Policy EN2 in the 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 - Criteria for Sustainable Development  
EC2 - Rural Economy  
IF2 - Enhancing Sustainable Transport Choice  
IF3 - Service Accessibility and Infrastructure for Growth  
IF4 - Developer Contributions  
EN2 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. Whilst the Local Planning Authority recognises that the proposal does not fully comply with Policy/Policies GN1 and EN2 in the West Lancashire Local Plan 2012-2027 DPD it feels that special circumstances exist, namely that the economic, social and environmental benefits of the proposals outweigh the planning harm identified. It is considered that these special circumstances justify approval of the application as set out in the Officer's report. This report can be viewed or a copy provided on request to the Local Planning Authority.



<b>No.4</b>	<b>APPLICATION NO.</b>	2017/0758/FUL
	<b>LOCATION</b>	Shaw Hall Caravan Park Smithy Lane Scarisbrick Lancashire L40 8HJ
	<b>PROPOSAL</b>	Upgrading the existing caravan park to include creation of two fishing ponds, enhanced landscaping, relocation and upgrading the bowling green and children's play area, replacement/upgrading of the existing office building to provide leisure facilities, tool shed/workshop and associated works.
	<b>APPLICANT</b>	Shaw Hall Caravan Park
	<b>WARD</b>	Scarisbrick
	<b>PARISH</b>	Scarisbrick
	<b>TARGET DATE</b>	15th November 2017

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## **1.0** REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor Jane Marshall has requested it be referred to the Committee due to issues surrounding flooding in the area.

## **2.0** SUMMARY

- 2.1 This is a full application for planning permission for a new office/leisure building, tool shed/workshop and the creation of two fishing ponds. Elements of the development would constitute inappropriate development in the Green Belt and would impact on openness, however, the very special circumstances put forward by the applicant have been found to outweigh this harm. The design of the proposed buildings would be acceptable and there would not be significant harm to residential amenity as a result of the development. Subject to suitable planning conditions there would not be an adverse impact on ecology and drainage.

## **3.0** RECOMMENDATION: APPROVE subject to conditions.

## **4.0** THE SITE

- 4.1 The site consists of Shaw Hall Caravan Park which is located to the north of Smithy Lane and surrounded by flat, low-lying open fields to the south, east and west. The caravan park is set back from the road frontage and lies adjacent to the Leeds Liverpool Canal which is to the north of the site. Beyond the canal (to the north) are the woods at the edge of the Registered Parkland at Scarisbrick Park and the Scarisbrick Park Conservation Area. To the south, across open fields, are the rear gardens of the dwellings on Smithy Lane. Access to the site is taken from Smithy Lane.

## **5.0** THE PROPOSAL

- 5.1 The application includes the replacement/upgrading of the existing office building to provide leisure facilities; the erection of a tool shed/workshop; the creation of two fishing ponds; and, the relocation and upgrading of the bowling green and children's play area.
- 5.2 The existing office building is a converted farm building which would be demolished. The new office building would be located on the opposite side of the main access road, adjacent to the existing vehicle barrier, opposite the existing visitor parking area. It would contain reception facilities, a shop, a swimming pool and a gym. As a result of the development of the office/leisure building, the existing bowling green and playground are

to be relocated to the south-west. The two fishing ponds would be sited to the east of the caravan park within what is currently an open field. The tool store would be located at the end of a row of caravans to the east of the site.

- 5.3 Following demolition of the existing office building, 8no. static caravans would be put in its place, and 5 static caravans would be sited in place of the playground, to the rear of the proposed leisure/office building.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 The planning history of the site is extensive and dates back to 1956. The most recent applications are as follows:

2014/0944/COU – Change of use of land for siting additional holiday static caravans. REFUSED 23.03.2015. APPEAL DISMISSED 19.01.2016.

2012/1225/LDC - Certificate of Lawfulness - Use of the flat above the bar complex and Cherry Tree Cottage for residential purposes. GRANTED 14.01.2013

2011/0955/FUL - Variation of Condition No. 2 imposed on planning permission 88/0943 and Condition No. 2 imposed on planning permission 90/0194 and Condition No. 4 of planning permission 2010/0155/FUL to allow year round use of the site. GRANTED 18.10.2011

2010/0155/FUL - Variation of Condition No. 2 imposed on planning permission 8/88/0943 and Condition No. 2 on planning permission 8/90/0194 to revise the period when the site can be utilised. GRANTED 13.04.2010

2007/0617/FUL - Erection of smoking shelter to clubhouse. REFUSED 19.07.2007

2007/0320/FUL - Extension to existing car park and provision of one passing place on main access road. GRANTED 16.08.2007.

## **7.0 CONSULTEE RESPONSES**

- 7.1 Lead Local Flood Authority (LLFA) (20.09.17) – No objection subject to condition.
- 7.2 Environmental Protection (02.10.17) – No objection subject to condition.
- 7.3 Environment Agency (23.08.17) – It is not necessary to consult the Agency about the development.
- 7.4 Highways (11.09.17) – No objection.
- 7.5 United Utilities (04.09.17) – No objection subject to condition.
- 7.6 Canal and River Trust (11.09.17) – No comments to make on application.
- 7.7 Ministry of Defence (25.09.17) – No safeguarding objections.
- 7.8 Merseyside Environmental Advisory Service (MEAS) (17.11.17 and 04.05.18) – No objections subject to conditions.
- 7.9 Natural England (13.12.17, 04.01.18, 05.01.18 and 30.04.18) – No objections subject to condition.

## **8.0 OTHER REPRESENTATIONS**

8.1 Several objections have been received. The main grounds of objection can be summarised as:

The play area has already been upgraded but should be re-sited to a more secluded part of the site;

The campsite exceeds the 28 days per year permitted for camping;

Reduction in Green Belt land;

There is ample land in the site for the development away from local residents;

Properties directly backing on to the proposed site have not been notified;

Impact on wildlife;

Added pressure on the existing drainage system;

Increase in traffic;

The fishing lakes will lead to loss of Grade 1 agricultural land;

Increase in noise;

Loss of privacy;

Overflow parking will be on Smithy Lane;

The site access is not adequate for the delivery of caravans;

The development would worsen the existing access situation for no.159 Smithy Lane;

There is disturbance from existing campers.

8.2 Scarisbrick Parish Council (08.09.17) – Object to the application. The proposed development is on Green Belt land. There is a loss of residential amenity with a loss of privacy for many residents and noise implications. Traffic on Smithy Lane will increase and there will be an increased risk of accidents. There are flooding concerns as the main drainage channel from Ormskirk (Sandy Brook) runs through the site via a culvert.

8.3 Several representations of support for enhanced leisure facilities on the site have been received.

## **9.0 SUPPORTING INFORMATION**

9.1 Planning Statement  
Flood Risk Assessment and Outline Drainage Strategy  
Design and Access Statement  
Preliminary Ecological Appraisal updated 11<sup>th</sup> December 2017  
Landscape and Visual Impact Assessment  
Landscape and Ecological Management Plan and Ecological Design Strategy  
Letter from United Environmental Services Ltd 22<sup>nd</sup> March 2018  
Wintering Bird Impact Assessment 22.03.18

## **10.0 RELEVANT PLANNING POLICIES**

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

10.2 The site lies within the Green Belt as designated in the Local Plan. The following policies are therefore relevant:

### ***National Planning Policy Framework 2012 (NPPF)***

Building a strong competitive economy

Supporting a prosperous rural economy  
Requiring good design  
Protecting Green Belt land  
Conserving and enhancing the natural environment  
Meeting the challenge of climate change, flooding and coastal change

### ***West Lancashire Local Plan 2012-2027 DPD***

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment  
EC2 – The Rural Economy

Supplementary Planning Document – Design Guide SPD (January 2008)

## **11.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

### **Principle of development – Green Belt**

#### *Erection of office/leisure building*

- 11.1 The office/leisure building would be sited on the part of the site that currently contains the playground and bowling green.
- 11.2 Policy GN1 of the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies. The NPPF advocates that the purpose of the planning system is to contribute to the achievement of sustainable development, by performing an economic, social and environmental role. The Framework re-iterates the fact that planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF is a presumption in favour of sustainable development and that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or, unless specific policies in the NPPF indicate development should be restricted.
- 11.3 Within paragraph 89 of the NPPF relating to Green Belt development, bullet point 6 states that local planning authorities should regard the construction of new buildings as inappropriate. One exception to this is:
- 'Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green belt and the purpose of including land within it than the existing development'.*
- 11.4 Annex 2 of the NPPF defines 'previously developed land' as being land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. The NPPF is clear in saying that it should not be assumed that the whole of the curtilage development land should be developed.
- 11.5 For the purposes of planning interpretation the part of the site that houses the playground and bowling green is classed as previously developed as it is within the curtilage of the



wider caravan park development. Therefore the principle of erecting a building in this location is considered acceptable, provided it would not have any greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

- 11.6 Paragraph 79 of the NPPF advises that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, with an essential characteristic being openness. Openness is not defined in the NPPF but has been clarified in Inspector's decisions as freedom from development and is an absolute test that does not depend on whether the development can be seen. Paragraph 80 of the NPPF sets out the purposes of the Green Belt, one of which is to safeguard the countryside from encroachment.
- 11.7 Given the wording of paragraph 89 of the NPPF, it is necessary to assess whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. If there is a greater impact, the proposals would be considered inappropriate development, and therefore harmful to the Green Belt.
- 11.8 The proposed office/leisure building would be sited on the existing playground and bowling green and whilst these are within the curtilage of the previously developed land they are free from permanent structures, and as such I consider that this aspect of the development would have an impact on the openness of the Green Belt. The application has been amended since its original submission so that the building would sit closer to existing buildings on the site, thereby minimising the potential impact as it would be seen within the context of other buildings on site and would only be single storey. However, whilst efforts have been made to ensure that the building would not have an impact on openness of the Green Belt I am of the opinion that the development would lead to a greater impact upon openness than that which currently exists. This would result in harm to the openness, in addition to that resulting from inappropriateness. However, in the context of the site I do not consider the development would conflict with the reasons for including land in the Green Belt.

#### *Erection of tool shed*

- 11.9 The workshop/tool store would be located at the end of the row of static caravans on Bramwell Park; there is currently hardstanding on this part of the site and it appears that the site has been used for general maintenance and storage purposes. For the purposes of planning interpretation this part of the site is classed as previously developed as it is within the curtilage of the wider caravan park development. Therefore the principle of development is considered acceptable provided it would not have any greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. It is therefore necessary to consider if the erection of the tool shed would have an impact on openness.
- 11.10 The proposed tool shed would be sited on an area within the caravan park that is covered by hardstanding and has been used for the storage of unused static caravans. The tool store would be single storey with a maximum height of approximately 6m and would be seen within the context of existing static caravans within the confines of the wider site, and for this reason I consider that there would be some impact on openness but this impact would be limited.

#### *Siting of 13 no. static caravans*

- 11.11 Caravans, including static vans that fall within the prescriptive limits set out in section 29(1) of the Caravan Site and Control of Development Act 1960 are not classed as

buildings or operational development for the purposes of planning assessment. The 'development' associated with caravans is generally the use of the land for the siting of caravans. As the site benefits from the established use as land for the siting of caravans, the only relevant test under the NPPF would be to consider whether the development would impact on the openness of the Green Belt or conflict with the purpose of including land within it.

- 11.12 A total of 8no caravans would be located on the site of the existing office building following its demolition. The caravans would be smaller in scale than the existing building and would allow views through whereas the office building is a solid mass. I consider that the removal of the office building and its replacement with 8no. caravans would improve openness in this location, and given the location within the caravan site I do not think that any encroachment would result from this aspect of the development.
- 11.13 A total of 5no. caravans would be located on the site of the existing playground, they would be seen in the context of existing static caravans on the opposite side of the internal estate road and the existing buildings on site (dwelling and function room), for this reason I do not think that there would be a material impact on the openness of the Green Belt or encroachment would result from this aspect of the development.

#### *Fishing ponds*

- 11.14 Paragraph 90 of the NPPF includes engineering operations as being a form of development that is not inappropriate within the Green Belt providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. In my view the formation of the lakes, would not have any significant impact on the openness of the Green Belt or its character as the site will predominantly remain in a natural state, albeit managed, as the surrounding land is. There would be a pathway leading from the main site to the fishing ponds, this pathway would represent an engineering operation in the Green Belt and would impact on openness and therefore represent inappropriate development. However, given the size of the pathway this impact on openness would not be significant.

#### ***Very Special Circumstances***

- 11.15 As elements of the development (the leisure/office building and tool shed) are considered to be inappropriate development in the Green Belt, in accordance with the NPPF an assessment needs to be made to determine whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the 'very special circumstances' necessary to justify the development.
- 11.16 The onus rests on the applicant to justify why permission should be granted for development that is considered inappropriate by definition. The applicant has submitted a supporting case which centres on the following points:

The existing office building and recreation facilities are no longer fit for purpose and in need of replacement. It is not purpose built but a farm building conversion which is in need of considerable refurbishment and repair;

The existing building could not be used for a new leisure/office use;

The caravan park is an established local business and the enhancement of facilities on site is essential to the long term viability of this rural enterprise;

The development represents significant investment into an existing business. Without improved and additional on-site facilities and the ability to meet the growing demand for high quality leisure and tourism facilities on site, there is a danger that the application site will be 'left behind' with other sites having the ability to expand and grow;

The industry has evolved so that provision of a swimming pool, gym and fishing lakes is considered the standard level of leisure and recreation facilities to be provided on a caravan site;

The development will result in investment into the local area;

The development will create employment opportunities for 5 additional members of staff on site, construction jobs, plus wider economic benefits for local pubs, restaurants, services and facilities;

Visitor spend in the local area will increase, and the development will therefore aid economic growth;

The development would provide essential support for tourism in West Lancashire;

The application offers a good opportunity to significantly improve the quality of the built and natural environment on the site;

The development does not undermine the purpose of including the land in Green Belt.

- 11.17 Through the above assessment I consider that the overall harm arising from the proposed development to openness and visual impact on this part of the Green Belt would be limited. I am satisfied that the development would support economic growth in a rural area, and taking this into account and the fact that the design seeks to limit the impact on openness by the low level nature of the proposed development, I consider that the case put forward by the applicant on this occasion does amount to very special circumstances sufficient to outweigh the limited harm to the Green Belt that has been identified.

### **Principle of development – Loss of agricultural land**

- 11.18 Paragraph 111 of the NPPF encourages the effective use of land by reusing brownfield land provided that it is not of high environmental quality, and paragraph 112 indicates that significant development of agricultural land should be shown to be necessary and, where this is demonstrated, areas of poorer quality land should be used in preference to that of a higher quality. Policy EN2 of the Local Plan states that development on the best and most versatile land will only be permitted where absolutely necessary to deliver development allocated within the local plan or strategic infrastructure, or development associated with the agricultural use of the land.
- 11.19 The Agricultural Land Classification of England and Wales provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use. The principal physical factors influencing agricultural production are climate, site and soil. These factors together with interactions between them form the basis for classifying land into one of five grades; Grade 1 land being of excellent quality through to Grade 5 land of very poor quality. Grades 1, 2 and 3a are considered to be the best and most versatile land (BMV). In terms of Defra's Agricultural Land Classification (ALC) map of England and Wales, the site which would be developed for the fishing lakes is classified as Grade 1. These maps may not be accurate as they were created over 30 years ago, in the early 1980s and have never been updated. However, the applicant has not submitted any information to dispute the current grading of the land.
- 11.20 The piece of land which would be used to create the fishing lakes is agricultural land which was not productive at the time of making a site visit, and whilst Policy EN2 does not allow for any particular exceptions, the area of land to be used for the fishing lakes, and therefore the area of Grade 1 agricultural land that would be lost, is relatively small when considered in the context of the wider landscape. In addition to this, the area of land lies between the canal, caravan park and residential development and is therefore constrained for the purposes of modern agricultural practices. Furthermore, paragraph 28 of the NPPF advocates the support of sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the

character of the countryside. In this case the development of the site for fishing lakes would enhance the offer open to tourists staying at the caravan park and would benefit the business. I consider that on balance, the loss of agricultural land in this particular location can be justified and is acceptable in principle.

### ***Design and Appearance***

- 11.21 The proposed leisure/office building would be single storey and formed from two interconnecting elements with a smaller entrance link section. The part of the building that would house the shop would be constructed of brick and have a pitched roof, this would be connected to the swimming pool by a glazed link, the swimming pool would be clad in timber. I am satisfied that the design of the leisure/office building would be acceptable in this rural environment in accordance with Policy GN3 of the Local Plan.
- 11.22 The proposed tool store would be single storey and sited to the east of the site at the end of a row of static caravans. The building would be finished in timber cladding and the design is considered to be acceptable, in accordance with Policy GN3 of the Local Plan.

### ***Drainage***

- 11.23 The proposed development will increase the amount of impermeable area on the site and therefore, will increase the rate of surface water run-off. Flood risk management measures are to be put in place to ensure that the risk of flooding to areas downstream of the site is not increased as a result of the development.
- 11.24 Surface water would be discharged to Hurlston Brook and the watercourse to the east of the site, at discharge rates restricted to greenfield rates, with the necessary attenuation storage provided. Foul drainage would be discharged to the existing foul system which discharges into the foul sewer on Smithy Lane.
- 11.25 The Lead Local Flood Authority has assessed the proposals and has confirmed that they are acceptable subject to the submission of final details of the design which can be secured by planning condition. In respect of drainage I am satisfied that the Drainage Strategy submitted with the application is acceptable and that in terms of drainage the proposals comply with Policy GN3 of the Local Plan.

### ***Ecology and Landscaping***

- 11.26 Various ecology surveys have been submitted with the application, including a Preliminary Ecological Appraisal, an Overwintering Bird Survey and a Bat Scoping Survey.
- 11.27 The Preliminary Ecological Appraisal concluded that in terms of great crested newts, badgers, Hazel dormouse, otter and water vole there would be no/a negligible effect from the development and no further mitigation was necessary. In respect of reptiles the report suggests reasonable avoidance measures (RAMs) should be implemented during the construction phase of the development. These can be secured by a suitably worded planning condition.
- 11.28 The report also identified that built features or vegetation on the site may provide nesting opportunities for breeding birds; a condition will be imposed to ensure that no tree felling and other works to vegetation on site will take place during the bird breeding season unless works are carried out under the supervision of an ecologist.
- 11.29 The Bat Scoping Survey concluded that the quality of roosting habitats within the existing office building is low, with a small number of external potential roosting features (such as

gaps underneath raised bargeboards). The features were inspected as part of the survey work and found to be either unsuitable or superficial. Internally the building was found to have negligible potential for roosting bats with no suitable features. The building has a negligible potential to support roosting bats, and no evidence has been found to suggest present or historic use by bats. As such, no further survey or mitigation work is required in respect of bats.

- 11.30 An Over-Wintering Bird Survey has been submitted and based on the information contained in this survey Natural England considers that the proposed development will not have likely significant effects on the Ribble and Alt Estuaries Special Area of Conservation and Ramsar site, nor the Martin Mere Special Protection Area site and therefore has no objection to the proposed development.
- 11.31 Extensive non-breeding bird surveys of the Scarisbrick Hall School site (submitted in support of an application at Scarisbrick Hall, ref 2017/1269/FUL), adjacent to the proposed development site show limited evidence of qualifying species of the Special Protection Areas in the wider area. These surveys show qualifying species in flight over the site, but none were recorded on the ground within 500m of the proposed development. Due to the development's potential pathways a Habitats Regulations Assessment has been carried out and shows that the development would have no likely significant impact on the Martin Mere or Ribble and Alt Estuaries Special Protection Areas and Ramsar sites.
- 11.32 In terms of landscaping, I do not consider that the creation of the ponds and the associated landscaping would have a detrimental impact on landscape character of the area. Landscaping for the site could be designed to provide potential wildlife corridors across the site. Details of landscaping will be secured by planning condition.

### ***Impact on residential amenity***

- 11.33 The proposed leisure facilities would be for use by visitors staying at the site rather than visiting members of the public, and as such comings and goings to the site should not be increased by the provision of a swimming pool/gym and fishing lakes. The use of the facilities by those staying at the caravan park will be secured by condition.
- 11.34 The leisure building itself and the proposed fishing lakes would be sited some distance away from the nearest residents on Smithy Lane and as such there would be no undue impact on the amenities of these residents from the building itself and the use of the fishing lakes.
- 11.35 To make way for the leisure/office building the playground and bowling green would be relocated closer to the rear boundaries of properties on Smithy Lane. An approximate distance of 60m would remain between the rear boundaries of the dwellings and the bowling green and approximately 100m between the rear boundaries and the playground. I consider these distances sufficient to ensure that there would not be any significant detrimental impact on residents of Smithy Lane from the relocation of the bowling green and playground.
- 11.36 I am satisfied that subject to the imposition of suitably worded planning conditions the development would not have any significant impact on neighbouring residents in accordance with Policy GN3 of the Local Plan.

### ***Highway Safety***

- 11.37 The application is for enhanced facilities on the site which would not be open to visiting members of the general public, and as such visitor numbers would not significantly

increase and the site would not experience peak visitor times through the day unlike leisure facilities that are open to the general public. The Highway Authority have been consulted with regard to the proposal and are of the view that the development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The proposed development is considered to be in accordance with Policy IF2 of the Local Plan.

### **Conclusion**

11.38 The site is located within the Green Belt with some parts of the proposed development constituting inappropriate development. However, very special circumstances have been demonstrated to outweigh the total harm to the Green Belt, the design and appearance of the development is considered acceptable, as is the impact on neighbouring residential amenity, highways, ecology and drainage. I am therefore satisfied that the proposal complies with relevant NPPF and Local Plan policies.

## **12.0 RECOMMENDATION**

12.1 That planning permission be approved subject to the following conditions and reasons:

### **Condition(s)**

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 '17.1012SU (00)001B – location plan' received by the Local Planning Authority on 19.07.17.  
Plan reference '17.1012P (00)101B – proposed site layout received by the Local Planning Authority on 14.11.17.  
Plan reference '17.1012P (00)102A – Proposed leisure/office building floor plan', '17.1012P (00)105A', '17.1012P (00)104A – proposed leisure/office building W & N elevations', '17.1012P (00)103A – proposed leisure/office building E & S elevations', '17.1012(00)106B – proposed tools store plans and elevations' and '17.1012P (00)107 received by the Local Planning Authority on 09.08.17.
3. No development shall take place until full details and samples of the external brickwork 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.
4. Foul and surface water shall be drained on separate systems.
5. No development shall commence until final 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.  
Those details shall include, as a minimum:
  - a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
  - b) The drainage strategy should demonstrate that the post development surface water run-off rate will not exceed 5l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;
- f) Evidence of an assessment of the site conditions to include a site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via an ordinary watercourse will only be considered where infiltration is proved to be unsuitable.
- g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

- 6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

- 7. The gymnasium, swimming pool and fishing lakes shall be used by residents of the caravan park only and shall not be open to the general public.
- 8. The development shall be implemented in accordance with the details contained in the Landscape & Ecological Management Plan.
- 9. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works are to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they would be protected would be required.
- 10. Prior to construction a method statement in relation to Himalayan Balsam shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. The statement shall include the following:

A plan showing the extent of the plant(s)

The method(s) to be used to prevent the plant spreading further, including demarcation; and

The method(s) of control to be used, including details of monitoring.

- 11. No construction shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. 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). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. 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.

### **Reason(s)**

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 secure proper drainage and to manage the risk of flooding and pollution.
5. To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development.
6. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
7. 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.
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 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.
10. In the interests of ecological stability and in accordance with Policy EN2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
11. 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 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

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EC2 - The Rural Economy

together with Supplementary Planning Guidance and all relevant material considerations. Whilst the Local Planning Authority recognises that the proposal does not fully comply with Policy GN1 in the West Lancashire Local Plan 2012-2027 DPD it feels that special circumstances exist, namely the economic case put forward by the applicant. It is considered that these special circumstances justify approval of the application as set out in the Officer's report. This report can be viewed or a copy provided on request to the Local Planning Authority.



<b>No.5</b>	<b>APPLICATION NO.</b>	2017/1198/FUL
	<b>LOCATION</b>	Land To The North-West Of Mere Farm Holmeswood Road Rufford Lancashire
	<b>PROPOSAL</b>	Construction of an agricultural storage building.
	<b>APPLICANT</b>	Riccadonna Produce
	<b>WARD</b>	Rufford
	<b>PARISH</b>	Rufford
	<b>TARGET DATE</b>	10th January 2018

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## **1.0** **DEFERRAL**

- 1.1 This application was considered by the Planning Committee at their April meeting and was deferred to allow officers to explore with the applicant whether the siting of the building could be revised to move it further away from residential accommodation on the adjoining site. Amended plans have now been received to show the proposed building being further away from the dwelling at Mere Farm.

## **2.0** **REFERRAL**

- 2.1 This application was to be determined under the Councils delegation scheme, however, Councillor Gordon has requested it be referred to Committee to consider the siting of the development and its impact upon the occupants of neighbouring properties.

## **3.0** **SUMMARY**

- 3.1 The proposal is for an agricultural building on an agricultural holding which is acceptable development within the green belt. Subject to conditions, I consider that the proposal is in accordance with Policies GN1, GN3, EC2 and EN2 in the WLLP and the NPPF and recommend that planning permission be granted.

## **4.0** **RECOMMENDATION: APPROVE with conditions.**

## **5.0** **THE SITE**

- 5.1 The site comprises an agricultural field located to the north-east of Holmeswood Road, Rufford. It is characterised by extensive open flat agricultural land. There is an existing field access off Holmeswood Road. The site is located within the Green Belt.

### **THE PROPOSAL**

- 5.2 Planning permission is sought for the erection of an agricultural storage building. This will have dimensions of 36.7m x 18.3m x 6m (eaves) x 8.5m (ridge). The building will be a steel portal frame construction, clad with Laurel Green composite panel sheeting to both the roof and sides, together with one overhead door on the west elevation.

## **6.0** **PREVIOUS RELEVANT DECISIONS**

- 6.1 2015/1194/FUL Proposed access for agricultural vehicles. GRANTED
- 6.2 2014/1399/FUL Conversion of existing barn and agricultural building to dwelling including new link extension. GRANTED 12.03.2015

- 6.3 2014/0233/PNP Application for Determination as to Whether Prior Approval is required for Details - New road. WITHDRAWN 20.05.2014
- 6.4 2010/0596/COU Change of use of land to facilitate camping and re-use of redundant farm buildings to provide two holiday cottages, reception, shop, WC, washing and laundry facilities. WITHDRAWN 04.10.2010

## **7.0 CONSULTEE RESPONSES**

- 7.1 Lancashire Archaeology Advisory Service (18/01/18) No objection in principle. Conditions recommended to secure a programme of archaeological work.
- 7.2 LCC Highways (06/12/17) and (19/02/18) (12.03.18) No objection in principle. The development should have a negligible impact on highway safety and highway capacity in the vicinity of the site. Conditions recommended.
- 7.3 Director of Leisure and Wellbeing (02/03/18) No objection in principle. Conditions recommended to prevent noise and disturbance to nearby residents.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Parish Council (13/12/17)

Traffic issues at Holmeswood Road;  
Concerns regarding drainage;  
Development could be sited more sympathetically to benefit immediate neighbours.

- 8.2 The Council has received 33 letters objecting to the original proposal on the following grounds:

Inaccuracies, vagaries and misinformation;  
The plan is inaccurate as changes to the access road were made by the applicant when the land was purchased;  
The plan shows the applicant's farm road ending next to the proposed building when in fact it continues into the remaining 85 acres;  
Agent suggests the applicant has 180 acres but 85 acres at this site;  
The proposed development would alter the character of Holmeswood Village;  
The proposal is detrimental to the Green Belt;  
The site is visible from the road;  
The proposal would have an overbearing impact on the adjacent domestic dwelling house;  
The proposal would have a detrimental impact on light;  
The proposal would be highly visible in the landscape;  
The proposed building is approximately 10/12 metres from the domestic boundary of Mere farmhouse;  
The proposal would result in a loss of privacy;  
The proposal would result in a loss of view;  
The proposal would have a negative impact on the value of properties;  
The proposal would result in odours, vermin, noise, and light pollution;  
Toxic materials may be stored/mixed with risk of spillage/fumes/explosion;  
Entrance onto Holmeswood Road not wide enough for large machines and present risk of accidents;  
The proposal would result in a substantial increase in the number agricultural machines; articulated lorries; cars and workers;  
Increase in volume of traffic in this locality will have detrimental impact on condition of roadway necessitating road repairs;

Detrimental to both pedestrian (particularly young children) and road safety;  
Workers arrive early hours and are taken to various sites by mini bus;  
During summer months more than 30 vehicle movements per day into and out of site;  
Increase in activity;  
24 hour operation detrimental to amenity;  
Surface water drainage would not drain into a sluice /drainage ditch. The excavation was made to demarcate domestic dwelling and farm land;  
Development would result in flooding;  
No mention of water sewerage and electricity;  
Detrimental impact on wildlife including deer; birds and barn owls;  
Detrimental impact on flora/fauna;  
No social or economic benefits to Holmeswood;  
Development is purely for commercial gain and should not be allowed to have detrimental impact on the character of Holmeswood village or its residents;  
A condition should be attached preventing the site becoming a commercial centre for processing, packing and distribution;  
Increase in number of transient migrant works;  
Site could be used for 'temporary accommodation';  
What is the long term plan;  
The building and hardstanding is too big;  
The application forms do not state the hardstanding will not be used for outside storage of crops not originating from the 85 acres;  
No provision for car parking;  
Disturbance from machinery in mornings/evenings;  
What are arrangements for waste disposal;  
Jet cleaning agricultural machinery;  
Proposal should include landscaping;  
The site may be used 24 hours a day for processing, packing and distribution of produce;  
No noise impact assessment to provide factual evidence on noise;  
Without a noise assessment the development should be deemed harmful to residential amenity;  
If allowed the development would result in justified complaints. The Council would have to respond to complaints, which would be a restraint on the use of the building;  
It would be in the applicant's interest to move building;  
The visual impact cannot be softened by landscaping as there is insufficient space for landscaping;  
No space for articulated vehicles to turn around;  
Given the nature of the proposed use the restriction of hours of use by condition would not be reasonable. The only recourse is the Council refuse the application;  
The assertion the planning benefit to grouping buildings cannot apply because the agricultural use is incompatible with residential use.

Comments received in response to the revised plans will be reported in the late information paper.

## **9.0 SUPPORTING INFORMATION**

9.1 The applicant has submitted the following information in support of this planning application:

Design and Access Statement including Supporting Statement;  
Highways and Transport Statement;  
Additional Supporting Information received 11/01/18 and 07/02/18;  
Extended Phase 1 Survey and Evaluation;

Email (14/12/17) advising the land associated with the application site was recently acquired by the applicant and extends to approximately 85 acres. The proposed building at this site will serve as a satellite site, in support of the applicant's main holding located on Boundary Meanygate, Hundred End.

## **10.0 RELEVANT PLANNING POLICY**

- 10.1 National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) provide the policy framework against which the development proposals will be assessed.
- 10.2 The site is located within the Green Belt. The following policies are therefore relevant:

### **NPPF**

Supporting a prosperous rural economy  
Requiring good design  
Protecting Green Belt land  
Conserving and enhancing the natural environment

### **West Lancashire Local Plan 2012-2027 DPD**

SP1 – A Sustainable Development Framework for West Lancashire  
GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
EC2 – The Rural Economy  
EN2 – Preserving and Enhancing West Lancashire's Natural Environment

- 10.3 Supplementary Planning Document - Design Guide (2008)
- 10.4 Supplementary Planning Document, Development in the Green Belt (October 2015)

## **11.0 ASSESSMENT**

### Principle of Development

- 11.1 National policy for the control of development in the Green Belt is set out in paragraphs 89 and 90 of the NPPF. This lists the types of development which are considered to be appropriate within the Green Belt.

### *Erection of Agricultural Building*

- 11.2 Paragraph 89 in the National Planning Policy Framework states that local planning authorities 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*".
- 11.3 The applicant has submitted a Design and Access Statement including Supporting Statement. The information states the land associated with the application site consists of approximately 80 to 85 acres. However, the applicant farms a total of 180 acres over 5 separate sites, with double cropping occurring on two of the sites, therefore providing a total of 265-270 acres of planted /growing acreage. Currently agricultural machinery is stored at the Riccadonna site at Hundred End and within a rented, third party building in Halsall. The applicant indicates there is no alternative but to store some valuable equipment outside. Generally, the machinery and equipment has to be transported from the Riccadonna site to each satellite site on a daily basis. The applicant indicates that the building will not be used for refrigeration or cold storage but will be a general purpose agricultural building used for the storage of agricultural machinery and equipment,

produce (predominantly leeks and lettuce), fertiliser and boxes for the produce. Based on the information provided, I am satisfied that the proposed building is for agricultural purposes and is acceptable in principle in the green belt.

#### *Extension to driveway/access and creation of hardstanding area*

- 11.4 Paragraph 90 of the NPPF states that certain forms of development are not inappropriate within the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The creation of the hardstanding is an engineering operation which will result in limited harm to openness. Consequently, very special circumstances should be demonstrated for its provision.
- 11.5 In this instance, the main aspect of the proposed development is the erection of a building for agricultural use which is appropriate development within the Green Belt. It would therefore be perverse if such appropriate development was unable to have a hardstanding area to serve it. The hardstanding area has been kept as small as possible to allow HGV's to turn and manoeuvre within the site and allow the applicant to manoeuvre machinery such as an iceberg lettuce rig into and out of the building. Consequently, I consider the proposed hardstanding to be acceptable in principle and that very special circumstances have been demonstrated, to outweigh the limited harm to the green belt.

#### Siting, scale, design and Impact upon Visual Amenity

- 11.6 The building is proposed to be sited in the southern tip of the land it will serve. The applicant indicates that the location has been chosen due to its positioning alongside the existing access track and manoeuvring area and its close proximity to the existing buildings on the neighbouring site to the south. In my view locating the development within a group of buildings will assist in minimising its visual impact. The scale of the building is commensurate for its use and the land it will serve. The materials proposed are typical of similar agricultural development elsewhere in the Borough. I consider the siting, scale and design of the building appropriate.
- 10.7 The proposed hardstanding has been reduced and moved to the western elevation. I am satisfied this has been kept to the minimum necessary for operational purposes. Overall I am satisfied that the proposed development will not have a detrimental impact upon the visual amenity of the area.

#### Impact upon Residential Amenity

- 11.8 The nearest residential property to the proposed development is the property known as Mere Farm, which is located approximately 70m to the south-east. It is also noted that the redundant farm buildings approx. 40m to the south east have an extant planning permission ref 2014/1399/FUL for conversion to a dwelling. Given the separation distance between the existing and proposed dwelling houses and proposed agricultural building, I am satisfied there would not be poor outlook or loss of light. Concern has been expressed about noise and loss of privacy from workers arriving/leaving the premises during early and late hours. To address these concerns the applicant has amended the plans and moved the access from the east elevation to the west elevation. This amendment moves the main entrance door and activity further away from the existing and proposed residential properties. The building has also been relocated to the west so that the rear of the building lines up with the rear of an existing agricultural building on the adjacent farmstead. In my opinion the existing agricultural building at Mere Farm will act as a barrier to sound and reduce the potential for noise disturbance and loss of privacy.

- 11.9 The Council's Environmental Health Officer has given due consideration to the fact that the development would be positioned fairly close to an unrelated dwelling and a barn with planning permission for conversion to a dwelling. Whilst the application is for agricultural storage there are concerns the building may generate noise from movements to and from the facility and could in the future be used for other agricultural purposes such as cold storage which may require additional equipment. To control the potential for noise and light disturbance, conditions are recommended in respect of hours of delivery/collection of goods; number of HGV's visiting the site; noise from plant/machinery; and the submission external lighting details.

#### Biodiversity and Trees

- 11.10 Policy EN2 of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.
- 11.11 The applicant has submitted an Extended Phase 1 Survey Evaluation which recommended no further surveys are required in respect of vegetation/habitats; water voles; bats; nesting/wintering birds; badgers; and Great Crested Newts. The report did include a recommendation advising if Great Crested Newts are observed construction work must stop and an ecologist called for advice on how to proceed. The recommendations in the report have been included as a condition.
- 11.12 The supporting information advises the applicant is willing to provide a landscaping scheme to provide screening for the proposed building. In my opinion landscaping would help to assimilate the development into the surroundings and an appropriate condition is therefore recommended to secure the submission of a suitable scheme.

#### Archaeology

- 11.13 The proposed development lies on the southern edge of Holmeswood Moss, to the east of the former Martin Mere, in an area examined by the North West Wetland Survey in the 'The Wetlands of South West Lancashire' (2013). Such areas have the potential to contain intact archaeological material, undisturbed surfaces and waterlogged remains.

Lancashire Archaeological Advisory Service has recommended a programme of archaeological work, which can be secured by condition.

#### Drainage

- 11.14 Limited details have been submitted within the planning application on how the drainage of surface water would be dealt with. I have therefore attached a condition requiring details of surface water drainage.

#### Highways

- 11.15 Residents have expressed concern about the impact on highway safety. I have consulted with the Highway Authority on this matter and they are of the opinion that the proposal is acceptable in principle and should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The hardstanding is of sufficient dimensions to enable vehicles to enter and leave the site in a forward gear.

## Summary

- 11.16 The proposal represents appropriate development in the Green Belt that would not be detrimental to highway safety or have a significant impact on visual or residential amenity. It therefore complies with policies GN1, GN3, EC2 and EN2 in the WLLP and the NPPF.

## **12.0 RECOMMENDATION**

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

### **Condition(s)**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. All external finishes shall be as shown on the approved plans. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference P6017-01 received by the Local Planning Authority on 09/11/17 and site location plan received by the Local Planning Authority on 07/02/18
4. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.
5. No development shall commence until details of the design, based on sustainable drainage principles have been submitted to and approved in writing by the local planning authority.  
Those details should include:
  - a) A drainage strategy confirming the proposed means of surface water disposal together with a SuDS management and maintenance plan, if applicable;
  - b) Evidence of the existing site topography to include any existing surface water flow routes, drains, sewers and watercourses in a readable 3D Autocad .dwg format;
  - c) Evidence of site investigation, test results to confirm soil infiltrations rates and calculations to indicate existing SW runoff rates and volumes;
  - d) Demonstration that SW run-off will not exceed pre-development run-off rates and volumes - note: the discharge rate for this site should not exceed 3 l/s;
  - e) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
  - f) Design calculations using relevant storm periods and intensities (e.g. 1 in 30 & 1 in 100 year + agreed allowance for climate change), runoff discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control SW discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in metres AOD;
  - g) Evidence that flood flows will be effectively managed within the site during the lifetime of the development including the construction period, will have no material impact by leaving the site in terms of nuisance or damage, or increase watercourse flows during periods of river flooding;
  - h) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mdx file format). Any

flow control details should be modelled using the Depth/ Flow Relationship for the Control Type for MicroDrainage version 2015 or earlier;

i) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .dwg; and

j) Existing and proposed catchment areas in a suitable format i.e. Autocad .dwg.

The scheme shall be implemented in accordance with the approved details prior to completion of the development. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

6. The recommendations contained within Section 3 of the Extended Phase 1 Survey and Evaluation Report received by the Local Planning Authority on 11/12/2017 shall be implemented in full throughout the duration of the development.
7. Other than agricultural vehicles there shall be no delivery and collection goods vehicles entering or leaving the site outside the hours of 08:00 to 18:00 Mondays to Friday and 08:00 to 13:00 Saturdays, nor any time on Sundays, Bank or Public Holidays.
8. Other than agricultural vehicles, there shall be no loading or unloading of delivery and collection vehicles on site and no mobile plant vehicles shall be operated on the external yard outside the hours of 08:00 and 18:00 Monday- Friday and 8:00- 13:00 on Saturdays, nor any time on Sundays, Bank or Public Holidays.
9. The number of large or medium goods vehicles of Class C, C+E, C1 or C1+E (as categorized by the LGV/HGV Driving Licence Categories) visiting the site shall not exceed 1 in any one day. A record of all large or medium goods vehicles visiting the site shall be kept up to date and be made available for inspection at any time by the Local Planning Authority. For the avoidance of doubt this shall exclude agricultural vehicles.
10. The engines of any vehicles on site shall be turned off and kept off, whilst the vehicle is stationary.
11. There shall be no diesel powered vehicle/trailer mounted refrigeration or freezer units operated on stationary vehicles or trailers.
12. No plant, machinery or equipment shall be installed or operated within or in association with the building, without the express consent of the Local Planning Authority.
13. No mobile plant vehicles shall be operated on the site other than those with a 'white noise' type of reversing warning alarm system set to self-adjust to no more than 5dB above the ambient noise level; or an alternative system approved in writing by the Local Planning Authority. For the avoidance of doubt, this condition shall not apply to goods vehicles collecting produce from site, agricultural vehicles or waste collection vehicles.
14. A scheme detailing all the external lighting to be installed on the site shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme and as per manufacturer's instructions. There shall be no further lighting installed on site without the express consent of the Local Planning Authority.
15. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. 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). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. 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.
16. The building shall only be used for storage of agricultural equipment and machinery and for the storage of agricultural produce and packaging and for no other purpose.

#### **Reason(s)**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.



2. 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.
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 and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.
5. To ensure that the proposed development can be adequately drained;  
To ensure that there is no increase in flood risk on or off-the site resulting from the proposed development or resulting from inadequate maintenance of the proposed surface water drainage system including the SuDS;  
To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development for the ongoing maintenance of the proposed surface water drainage system including the SuDS;  
To identify the responsible organisation/body/company/undertaker for the proposed SuDS;  
To ensure that water quality is not detrimentally impacted by the development proposal; and so comply with policy GN3 in the West Lancashire Local Plan.
6. 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.
7. 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.
8. 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.
9. 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.
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13. 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.
14. 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.
15. 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.
16. To ensure that the development would not be harmful to the amenities of nearby residents and therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

**Note(s)**

1. The applicants intention is to store some 41 items of farming machinery and equipment. Although the equipment is intended to be stored indoors I am concerned that without the right measures in place there is a risk of pollution to groundwater and the local land

drainage system. Consequently I would advise the applicant to consult the Pollution prevention for businesses Guidance published by the Department for Environment, Food & Rural Affairs and Environment Agency.

### **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

EC2 - The Rural Economy

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.

<b>No.6</b>	<b>APPLICATION NO.</b>	2018/0241/FUL
	<b>LOCATION</b>	Aughton Institute Bold Lane Aughton Ormskirk Lancashire L39 6SG
	<b>PROPOSAL</b>	New two storey dwelling and integral garage.
	<b>APPLICANT</b>	Mr C Melia
	<b>WARD</b>	Aughton And Downholland
	<b>PARISH</b>	Aughton
	<b>TARGET DATE</b>	20th June 2018

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## **1.0** REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Westley has requested it be referred to Committee to consider the impact on amenity of adjacent residential properties.

## **2.0** SUMMARY

- 2.1 This is an application for a detached dwelling on a vacant piece of land to the rear of Aughton Institute. Members may recall that planning permission was granted in February 2017 for a similar proposal. This application seeks to amend the scale and design of the proposed dwelling. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. In my view the proposal complies with the relevant policies of the Local Plan.

## **3.0** RECOMMENDATION: APPROVE subject to conditions

## **4.0** THE SITE

- 4.1 The application site is a vacant piece of land situated to the rear of the Aughton Institute off Bold Lane in Aughton. It is bounded to the north and south by dwellings, to the east by a railway line and to the west by the bowling green associated with Aughton Institute.

## **5.0** THE PROPOSAL

- 5.1 This application seeks planning permission for a two storey detached dwelling with rooms in the roof space and integral garage. The scale and height of the dwelling has been amended during the course of the application and now proposes a dwelling which will measure 13.5m by 8.2m (approved measurements 13m by 8.5m) with a ridge height of 8.6m (8m previously approved) with a single storey rear extension measuring 13.5m by 4.2m (5m by 4.5m previously approved) and a height of 3.3m. An attached gym, garage and fourth bedroom will measure 6.3m by 9.7m (6.5m by 10m previously approved) with a ridge height of 6m with a two storey link measuring 2m by 2.8m. In summary the recent amendments submitted during the course of this application result in a reduction in the length of the proposed dwelling by 1.3m, the depth by 1.8m and the height by 0.5m.
- 5.2 Access to the site is proposed off Bold Lane, through the Aughton Institute car park adjacent to an established residential access serving number 39. It is proposed to take up a 5m strip of bowling green to the south in order to provide an access driveway; however it is proposed to extend the existing bowling green to the north.

- 5.3 Planning permission has previously been granted for a dwelling on this site under planning reference 2016/1008/FUL. The main differences between the two applications are summarised below:

Increase the ridge height of the main dwelling by 0.6m

Rooms within the roof space with windows

Increase the footprint of the main dwelling (by 0.5m and 0.3m)

Increase the ridge height of the garage annex by 1.5m to accommodate a first floor

Change the triple garage to a large single garage and gym.

Increase in the height of the single storey link to two storey

Change in footprint and design of the single storey extension

Additional windows and roof lights

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2017/0468/FUL GRANTED Variation of Condition Number 12 imposed on planning permission 2016/1008/FUL to read 'No development shall take place until full details of the extension to the Bowling Green, including any landscaping details, have been submitted to and approved in writing by the Local Planning Authority. The extension to the bowling green shall be constructed in accordance with a timetable to be agreed with the Local Planning Authority'.

- 6.2 2016/1008/FUL GRANTED Two storey dwelling with integral garage

## **7.0 OBSERVATIONS OF CONSULTEES**

- 7.1 Highways (21.03.18) No Objection

- 7.2 Network Rail (12.03.18) Advice given

## **8.0 OTHER REPRESENTATIONS**

- 8.1 I have received 2 letters of objection from neighbouring properties based on the plans originally submitted.

The landscaping plan shows a privet hedge that runs along my boundary to be retained - this has been removed and shows three large trees will be planted close to my wall which will overhang my property. I have a small garden and this will deprive me of any sunlight.

The hedge belongs to me and the trees will be on my land

Works have begun on site without a root protection plan and hedges have been ripped out

The new dwelling proposes 4 roof windows and three large bedroom windows looking directly into my property reducing my privacy

This new application proposes to increase the ridge height to 9.1m which no longer stays in keeping with the surroundings and especially the dormer bungalow at 11C Bold Lane which is the closest property. On this basis we request that height be maintained to the approved 8m.

The building footprint has also increased by approximately 27%. For a plot of this size and location this should be considered as being out of context with the plot size.

The proposal now includes a further level of accommodation at 2<sup>nd</sup> floor and the massing has increased significantly. This applications represents a 64% increase in accommodation area and highlights that this proposal is out of context now in terms of height and massing.

The building would be within 1m of our property line and results in loss of light and amenity

No swept path analysis is provided to demonstrate that an emergency vehicle could

access the site and maneuver to leave whilst remaining in forward gear.

A drainage plan should be submitted prior to any commencement. It is difficult to see how this property would connect to a public sewer without significant disruption to the Social Club and access for 39 Bold Lane. Again the 3m no construction zone from United Utilities for the public sewer that runs close to the boundary should be noted.

- 8.2 Aughton Parish Council (17.04.18) – Concern was raised on the previous application about scale and overdevelopment. This latest application shows a significant increase in the height and massing of the proposed dwelling which will result in loss of residential amenity to nearby properties.

## **9.0 RELEVANT PLANNING POLICIES**

- 9.1 The site is located within the settlement of Ormskirk and Aughton 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

RS1 - Residential Development

IF2 – Enhancing Sustainable Transport Choice

EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

### **Supplementary Planning Advice**

SPD – Design Guide (January 2008)

SPD – Development in the Green Belt (October 2015)

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

### Assessment

#### Principle of Development

- 10.1 The proposed development is situated within the Main Settlement Area of Aughton designated as a Key Service Centre in the Local Plan. The principle of development has been established by the granting of planning permission (2017/0468/FUL) as detailed above. I consider this greenfield site still provides suitable opportunity for residential development.

### Design, Layout and Impact on Amenity

- 10.2 There are a mix of dwelling types in the immediate area surrounding the site including detached, semi-detached, and dormer bungalows and the site itself is bounded by new build properties. The siting of this 'L' shaped dwelling remains as previously approved albeit with a marginally larger footprint and with a single storey extension extending across the rear of the dwelling. The height of the main dwelling has been increased by a 0.6m and the height of the triple garage has increased by 1.5m to accommodate living space within the roof. I note concern has been raised about the increased size and mass of the dwelling however, the minimum spacing distances prescribed in the Councils Design Guide are maintained with all neighbouring properties which surround the site. More than 21m would remain between the front elevation of the proposed property and the rear elevation of number 18 Ledson Grove and approx. 29m between the front elevation of the

proposed dwelling and the side elevation of number 39 Bold Lane. Whilst the height of the garage would increase adjacent to the boundary with number 18, I consider sufficient distance exists between the two properties not to result in an adverse loss of light.

- 10.3 I acknowledge the concern raised by number 11C Bold Lane in relation to overlooking and overshadowing. Amended plans received during the application shows a reduction in the length of the main dwelling by 1.3m, the depth by 1.8m and the height by 0.5m. Reducing the depth of the dwelling at first floor achieves a separation distance of 22.8m from the rear elevation at 11C Bold Lane which I consider to be acceptable. Whilst there would only be 19m between the ground floor elevation and number 11C, I am mindful that a 10m garden depth has been retained and a boundary of 2m high will be in situ which will prevent direct overlooking. Whilst I appreciate that there are clear views of the development, the proposal has been reduced in scale and results in only a marginal increase from the approved design. This amended street scene plan illustrates this. Overall, I am satisfied the amended plans reduce the overall impact of the dwelling and that no significant overlooking or loss of privacy will occur as the interface distances are compliant with the SPD Design Guide and Policy GN3, in the Local Plan.

#### Impact on Trees & Biodiversity

- 10.4 The site has numerous mature trees in and around the footprint of the proposed development as well as on and adjacent to land proposed for the new access. The submitted Arboricultural Impact Assessment indicates that several trees and a hedge will need to be removed to facilitate the development. The majority of these trees are classed as poor quality and the Council's Tree and Landscape Officer is satisfied that their removal is acceptable subject to replacement planting.
- 10.5 There are two trees in particular that are to be retained and protected during the development process. T6 Sycamore and T7 Cypress are off site and are shown to be fenced off. It is also shown that 'pile and beam' foundations are to be installed in the area around T7. The Arboricultural Officer is satisfied that appropriate planning conditions can mitigate the impact of the development on the trees to be retained in and around the site.
- 10.6 It is unfortunate that clearance works have taken place on site to create the new access prior to the discharge of the planning conditions but both the Enforcement Officer and the Tree and Landscape Officer have visited the site to inspect these works and the applicant agreed to cease works. An amended landscaping scheme with maintenance and management plan has been submitted which includes the planting of trees and native hedgerows along the boundary of the site. I have sought the advice of the Tree and Landscape Officer who is of the view that the scheme proposes adequate mitigation for the loss of trees and vegetation across the site and once established will add to the biodiversity of the area as a whole. Concern raised by number 11C regarding the loss of the hedgerow and the planting of trees close to his boundary has been addressed and the amended landscaping scheme proposes a replacement hedgerow. The landscaping scheme will also soften the impact of the development and provide a valuable screen. I therefore consider the proposed development complies with Policy EN2 of the Local Plan.
- 10.7 In terms of impact upon biodiversity, although a number of trees and hedgerow have already been removed from the site, compensatory native planting is proposed so I consider there will be no net loss of ecological value.

#### Highways

- 10.8 As per the previously approved application, access to the site is proposed through the car park of Aughton Institute. A similar arrangement exists for the neighbouring dwelling, and

whilst the development will result in an increase in cars visiting the site, I do not consider that this will have a detrimental impact upon highway safety due to the limited nature of additional traffic travelling to and from just one additional dwelling. Whilst the garage has been reduced from a three bays to one, I am satisfied there remains enough parking at the front of the site to satisfy the parking requirements and also allow vehicles to turn in order to enter and leave the site in a forward gear. The Highway Authority have been consulted with regard to the application and consider the access and parking arrangements to be satisfactory.

### Drainage

- 10.9 The drainage strategy approved under 2016/1008/FUL has been submitted with the application which states that *'The ground strata in the area comprises cohesive soils, which would be of low permeability, and thus soakaways would not be viable on this site. Furthermore, it is understood that the presence of the railway land to the east of the site would preclude the use of infiltration methods of drainage, as Network Rail would object to such a proposal in the proximity of their land'*. The Council's Drainage Engineer has requested to see evidence that a soakaway will not work through an appropriate assessment described above, or a written confirmation from Network Rail regarding the proximity of infiltration methods near their land is unacceptable. He also requires that prior to the commencement of development a surface water drainage scheme, based on the hierarchy of drainage options in the NPPF with evidence of an assessment of the site conditions is submitted to, and approved in writing by the Local Planning Authority. Drainage details will be requested by a planning condition.

### Adjustments to the Bowling Green Boundary

- 10.10 Policy EN3 seeks mitigation or alternative provision of recreation facilities on development proposals which result in the loss of existing recreation facilities. It is proposed to take up a 5m strip of bowling green to the south in order to provide an access driveway; however it is proposed to extend the existing bowling green to the north, so no net loss will occur. A condition will be imposed to secure this.

### Network Rail & Land Ownership

- 10.11 During the previous application Network Rail raised concern that part of the site appeared to be within their ownership. However the applicant clarified that none of the application site is within Network Rail's ownership and subsequently Network Rail confirmed that there is no land ownership issue in respect of the application and withdrew their objection. This application proposes no changes to the site boundary.

### Summary

- 10.12 I consider the proposed development acceptable in principle and that the details accord with Policies GN3, IF2 and EN2 and advice given in the Council's SPD Design Guide.

## **11.0 RECOMMENDATION**

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

### **Condition(s)**

1. The development must be begun not later than the expiration of three years beginning from 10th February 2017.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Plan reference Location Plan 127A received by the Local Planning Authority on 25th April 2018

Plan reference P.978.16.03C received by the Local Planning Authority on 26th April 2018

Plan reference 01C and 06A received by the Local Planning Authority 3rd April 2018

Plan reference 02B, 03A, 04A and 05A received by the Local Planning Authority 9th April 2018

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 extensions or out buildings shall be erected or undertaken without the express written permission of the Local Planning Authority.
4. No development above slab level shall take place until full details and samples of the external brickwork 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. No development shall take place until full details of the finished levels of all parts of the site, including the floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those details.
6. Details of the design and implementation of an appropriate foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul and surface water shall be drained on separate systems. The foul drainage scheme shall be provided in accordance with the approved details prior to occupancy of the dwelling.
7. A surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions should be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s. The dwelling shall not be occupied until the approved drainage scheme has been provided.
8. No development above slab level shall take place until full details and samples of the hardstanding have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the proposed hardstanding 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 curtilage of the dwelling house.
9. 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.
10. No development shall take place until an Arboricultural Method Statement detailing measures to be taken during construction to protect the health of the existing trees has been submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved Method Statement shall be fully implemented during construction. The Arboricultural Method Statement should demonstrate how the operations on site are to take place with due regard to tree protection and, in particular, working in proximity to the Root Protection Area. As described with the AIA, this statement will be required to address the finer details such as: potential for tree root damage by way of - vehicular access in to and out of the site, assessment of any level changes, installation of temporary ground protection, locations of any service runs, installation of any new hard surfacing, car parking and storage areas for any required materials.



11. Prior to commencement of any part of the development hereby approved, including site clearance, ground preparation, or drainage works, a facility shall be provided by which the wheels of all vehicles leaving the site can be cleaned. The wheels of all vehicles leaving the site during all stages of implementation shall be cleaned so that they do not carry any mud, soil, grit or other such materials onto the public highway.
12. No development shall take place until full details of the extension to the bowling green, including any landscaping details, have been submitted to and approved in writing by the Local Planning Authority. The extension to the bowling green shall be constructed in accordance with a timetable to be agreed with the Local Planning Authority

### **Reason(s)**

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 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.
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. 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.
6. This information is required before the commencement of development, 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
7. This information is required before the commencement of development, 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. This information is required 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
9. 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.
10. This information is required before the commencement of development to allow the Local Planning Authority to have sufficient information to assess the effect on the trees and thereby ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard for road users 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.
12. This information is required before the commencement of development, to ensure this recreation facility is retained and that the development, therefore, complies with the provisions of Policies GN3 and EN3 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 - Criteria for Sustainable Development  
RS1 - Residential Development  
IF2 - Enhancing Sustainable Transport Choice  
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.