



Jacqui Sinnott-Lacey BA(Hons) PGDipWL
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Friday 20 December 2019

TO: COUNCILLORS **G DOWLING, A PRITCHARD, I ASHCROFT, MRS P BAYBUTT, A BLUNDELL, C COUGHLAN, V CUMMINS, N DELANEY, C DERELI, T DEVINE, D EVANS, S EVANS, J FINCH, D O'TOOLE, E POPE, J THOMPSON, MRS M WESTLEY AND MRS J WITTER**

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 9 JANUARY 2020** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JSL', written over a light blue horizontal line.

Jacqui Sinnott-Lacey
Chief Operating Officer

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** 545 - 546
 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** 547 - 550
 To receive as a correct record the minutes of the meeting held on the 28 November 2019.
- 7. PLANNING APPLICATIONS** 551 - 558
 To consider the report of the Corporate Director of Place and Community.
- 7a 2018/1190/FUL - THE BAY LEAF, LIVERPOOL ROAD, TARLETON, LANCASHIRE** 559 - 576
 To consider the report of the Corporate Director of Place and Community.
- 7b 2019/0211/FUL - FORMER PLAYING FIELDS, BARNES ROAD, SKELMERSDALE** 577 - 596
 To consider the report of the Corporate Director of Place and Community.
- 7c 2019/1032/FUL - BRIARS HALL HOTEL, 156 BRIARS LANE, LATHOM, ORMSKIRK, LANCASHIRE** 597 - 608
 To consider the report of the Corporate Director of Place and Community.
- 7d 2019/0516/FUL - LAND TO THE REAR OF THE DOG AND GUN INN, LONG LANE, AUGHTON** 609 - 618
 To consider the report of the Corporate Director of Place and Community.
- 7e 2019/1070/WL3 - LAND ADJACENT TO 47-63 SUMNER AVENUE, HASKAYNE, DOWNHOLLAND, LANCASHIRE** 619 - 622
 To consider the report of the Corporate Director of Place and Community.

8. **PROCEDURE FOR THE PUBLIC AND APPLICANTS WHO WISH TO SPEAK AT THE PLANNING COMMITTEE ON PLANNING APPLICATIONS THAT MIGHT AFFECT THEM** 623 - 628

To consider the report of the Corporate Director of Place and Community.

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

FIRE EVACUATION PROCEDURE: Please see attached sheet.

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

For further information, please contact:-

Jill Ryan on 01695 585017

Or email jill.ryan@westlancs.gov.uk

**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**.

	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, 28 November 2019

Start: 7.00 p.m.

Finish: 8.10 p.m.

PRESENT:

Councillor: G .Dowling (Chairman)
A Pritchard (Vice-Chairman)

Councillors: I Ashcroft D Evans
Mrs P Baybutt S Evans
A Blundell J Finch
C Coughlan D O'Toole
V Cummins E Pope
N Delaney J Thompson
C Dereli Mrs M Westley
T Devine D Westley

In attendance: Councillor I Rigby (Bickerstaffe Ward)
Councillor M Mills (Halsall Road)

Officers: Ian Gill, Head of Growth and Development Services
Catherine Thomas, Development, Heritage & Environment Manager
Ann Veevers, Principal Planning Officer
Judith Williams, Assistant Solicitor
Jill Ryan, Member Services/Civic Officer

67 **APOLOGIES**

There were no apologies for absence received.

68 **MEMBERSHIP OF THE COMMITTEE**

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

69 **URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN**

There were no items of urgent business.

70 **DECLARATIONS OF INTEREST**

Councillors Mrs Westley and D Westley declared a pecuniary interest in respect of planning application 0487/FUL relating to the Sports Pavilion and Memorial Playing Fields, Halsall Road, Halsall due to the close proximity of their property.

71 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

72 MINUTES

RESOLVED: That the minutes of the meeting held on the 17 October 2019 be approved as a correct record and signed by the Chairman with the amendment of Councillor Coughlan's surname,

73 PLANNING APPLICATIONS

The Corporate Director of Place and Community submitted a report on planning applications (all prefixed 2019 unless otherwise stated) as contained on pages 435 to 529 of the Book of Reports and on pages 531 to 541 of the Late Information Report.

Notes:

1. Councillor I Rigby spoke in connection with planning application 0069/FUL relating to Land to the East of Firwood Road, Lathom, Lancashire and left the Chamber at the conclusion of this application.
2. Councillors Mrs Westley and D Westley had declared a pecuniary interest in respect of planning application 0487/FUL, relating to the Sports Pavilion and Memorial Playing Field, Halsall Road, Halsall and therefore left the Chamber during consideration of this item.
3. Councillor M Mills spoke in connection with planning application 0487/FUL relating to the Sports Pavilion and Memorial Playing Field, Halsall Road, Halsall and left the Chamber at the conclusion of this application.

74 2019/0069/OUT - LAND TO THE EAST OF FIRSWOOD ROAD, LATHOM

RESOLVED: That in respect of planning application 0069/OUT relating to Land to the East of Firwood Road, Lathom:

- (i) That the decision to grant planning permission be delegated to the Corporate Director of Place and Community 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, subject to viability;

The terms and conditions of the affordable housing units;
Accommodation suitable for the elderly;
The terms and conditions of pre-site public open space;
Financial contribution towards the provision of/delivery of part of the Linear Park

- (ii) That any planning permission granted by the Corporate Director of Place and Community pursuant to the conditions as set out on pages 447 to 453 of the Book of Report.

75 **2019/0184/FUL - STATION HOUSE, RED CAT LANE, BURSCOUGH, ORMSKIRK, L40 ORA**

RESOLVED: That planning application 0184/FUL relating to Station House, Red Cat Lane, Burscough be approved subject to the conditions as set out on pages 460 to 463 of the Book of Reports.

76 **2019/0185/LBC - STATION HOUSE, RED CAT LANE, BURSCOUGH, ORMSKIRK, L40 ORA**

RESOLVED: That Listed Building Consent application 0185/LBC relating to Station House, Red Cat Lane, Burscough be approved subject to the conditions as set out on pages 467 to 469 of the Book of Reports

77 **2019/0487/FUL - SPORTS PAVILION AND MEMORIAL PLAYING FIELD, HALSALL ROAD, HALSALL**

RESOLVED: That planning application 0487/FUL relating to the Sports Pavilion and Memorial Playing Field, Halsall Road, Halsall be approved subject to the conditions as set out on pages 476 to 477 of the Book of Reports.

78 **2019/0990/FUL - 28 THE GREEN, HESKETH BANK, PRESTON, PR4 6SB**

RESOLVED: That planning application 0990/FUL relating to 28 The Green, Hesketh Bank, Preston be approved subject to the conditions as set out on page 482 of the Book of Reports.

79 **2019/0731/FUL - CAST NORTH WEST ECO CENTRE, COBBS BROW LANE, NEWBURGH, WN8 7SF**

RESOLVED: That planning application 0731/FUL relating to Cast North West Eco Centre, Cobbs Brow Lane, Newburgh relating to Cast North West Eco Centre, Cobbs Brow Lane, Newburgh be approved subject to the conditions as set out on pages 491 to 492 of the Book of Reports.

80 **2019/0371/OUT - LAND TO THE WEST OF TODDS LANE, TODDS LANE, BANKS**

RESOLVED: That planning application 0371/OUT relating to Land to the West of Todds Lane, Banks be approved subject to the conditions as set out on pages 500 to 503 of the Book of Reports.

81 **2019/0121/FUL - ST. ELIZABETH'S PARISH CENTRE, 10 HALL ROAD, SCARISBRICK, L40 9QE**

RESOLVED: That planning application 0121/FUL relating to St. Elizabeth's Parish Centre, 10 Hall Road, Scarisbrick be approved subject to the

conditions as set out on pages 511 to 513 of the Book of Reports.

82 2019/0392/FUL - LAND ON THE SOUTH SIDE OF JACKSMERE LANE, SCARISBRICK

RESOLVED: That planning application 0392/FUL relating to Land on the South Side of Jacksmere Lane, Scarisbrick be approved subject to the conditions as set out on pages 520 to 521 of the Book of Reports.

83 2019/0803/FUL - BLACKHURST BARN, 396 BLACKGATE LANE, TARLETON, PRESTON, PR4 6JJ

RESOLVED: That planning application 0803/FUL relating to Blackhurst Barn, 396 Blackhurst Lane, Tarleton, Preston be approved subject to the conditions as set out on pages 527 to 529 of the Book of Reports.

.....
Chairman



Report of: Corporate Director of Place and Community

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

SUBJECT: PLANNING APPLICATIONS

Background Papers

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

Equality Impact Assessment

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

Human Rights

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

CONTENT SHEET

<u>Report No</u>	<u>Ward</u>	<u>Appn No</u>	<u>Site Location & Proposal</u>	<u>Recommendation</u>
1	Tarleton	2018/1190/FUL	The Bay Leaf Liverpool Road Tarleton Lancashire PR4 6HQ Full planning permission for the demolition of existing building and erection of a foodstore (Use Class A1) and office development (Use Class B1) with associated car parking and servicing areas with hard and soft landscaping	Planning permission be granted.
2	Skelmersdale South	2019/0211/FUL	Former Playing Fields Barnes Road Skelmersdale Lancashire Erection of 60 No. two storey residential properties, together with provision of land for use as allotments, scouts hut and associated car parking.	Planning permission be granted.
3	Newburgh	2019/1032/FUL	Briars Hall Hotel 156 Briars Lane Lathom Ormskirk Lancashire L40 5TH Addition of an ancillary kitchen and events space to the existing building, new single storey structure to provide 22 guest accommodation units and associated landscaping. Relocation of bio-cabin	Planning permission be granted.
4	Aughton Park	2019/0516/FUL	Land To The Rear Of Dog And Gun Inn Long Lane Aughton Lancashire Erection of 9 dwellings and associated works.	Planning permission be granted.
5	Aughton And Downholland	2019/1070/WL3	Land Adjacent To 47-63 Sumner Avenue Haskayne Downholland Lancashire Change of use of grassed area and footway to provide new access road for nos 47-63 Sumner Avenue, Haskayne.	Planning permission be granted.



PLANNING COMMITTEE

9 January 2020

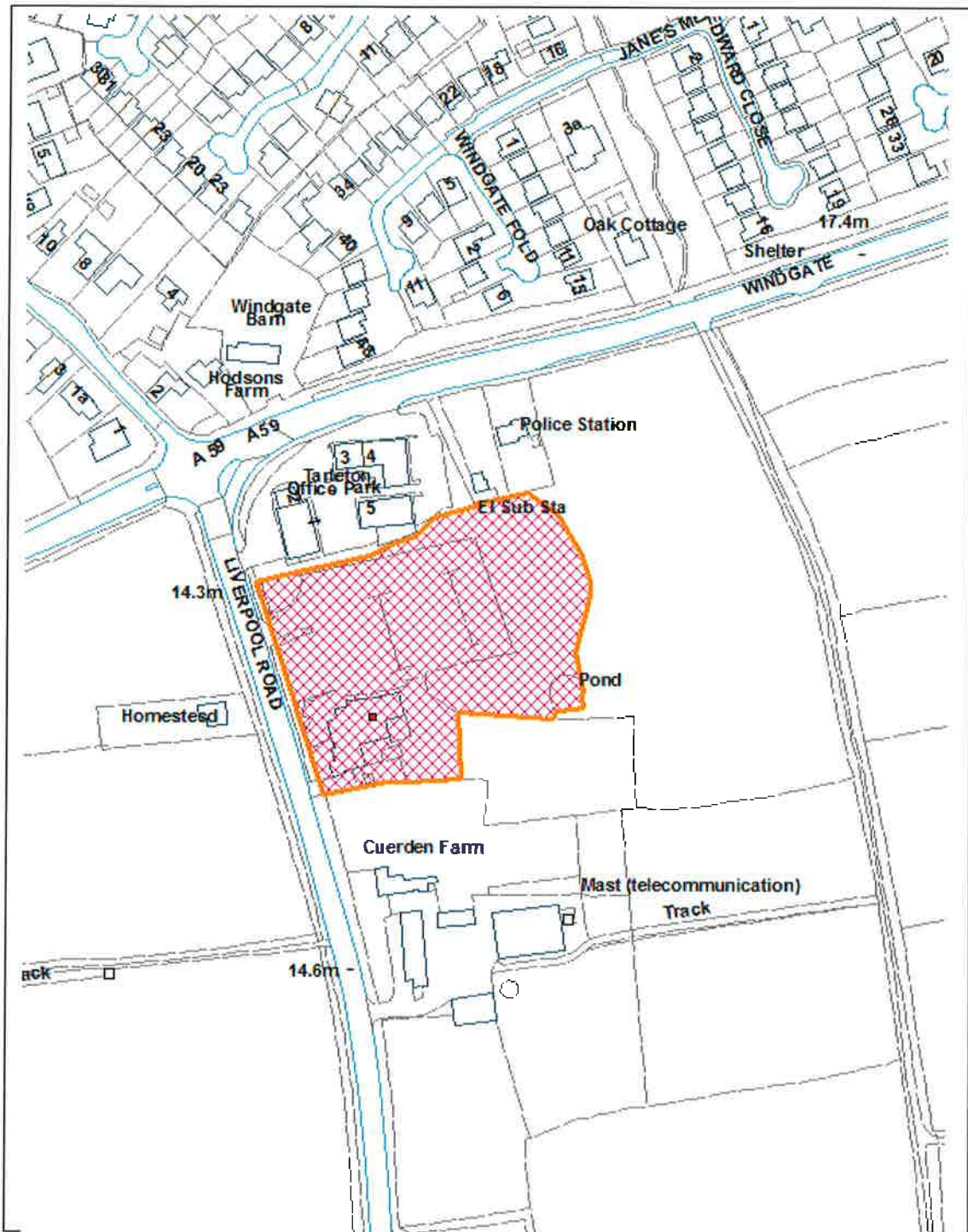
(Agenda Item 7)

PLANNING APPLICATION ITEMS

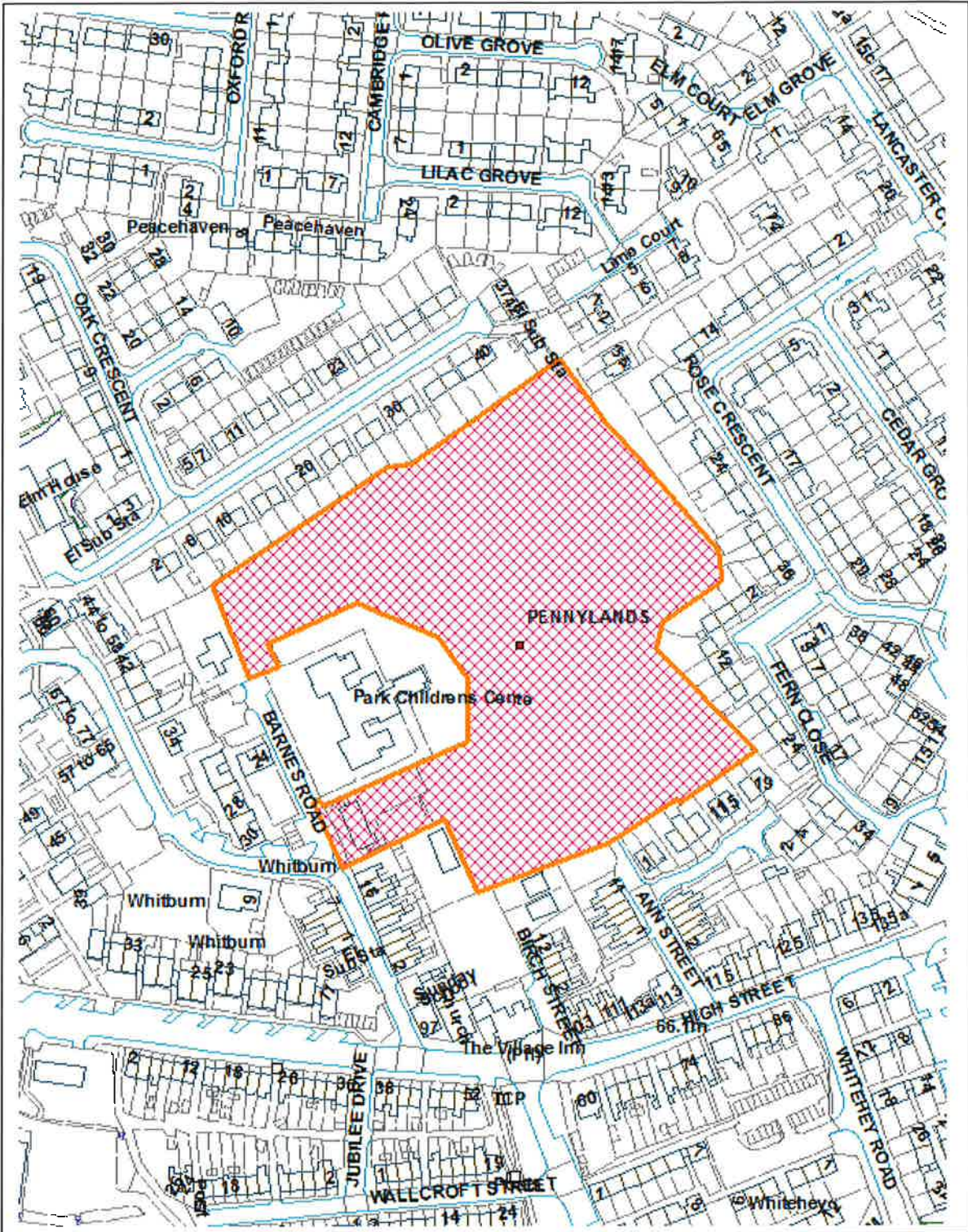
LOCATION PLANS

Report 1 : 2018/1190/FUL

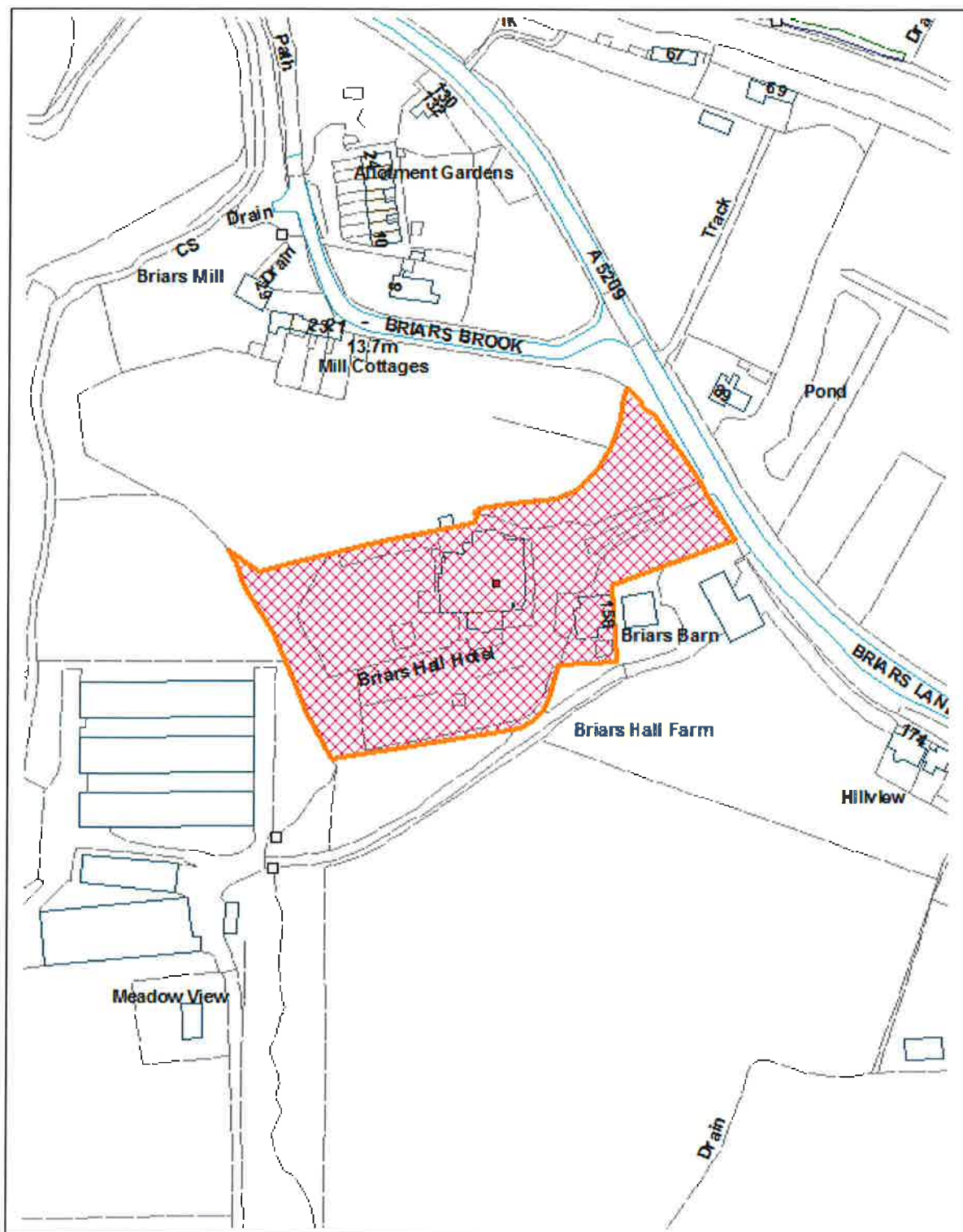
The Bay Leaf, Liverpool Road, Tarleton, PR4 6HQ.



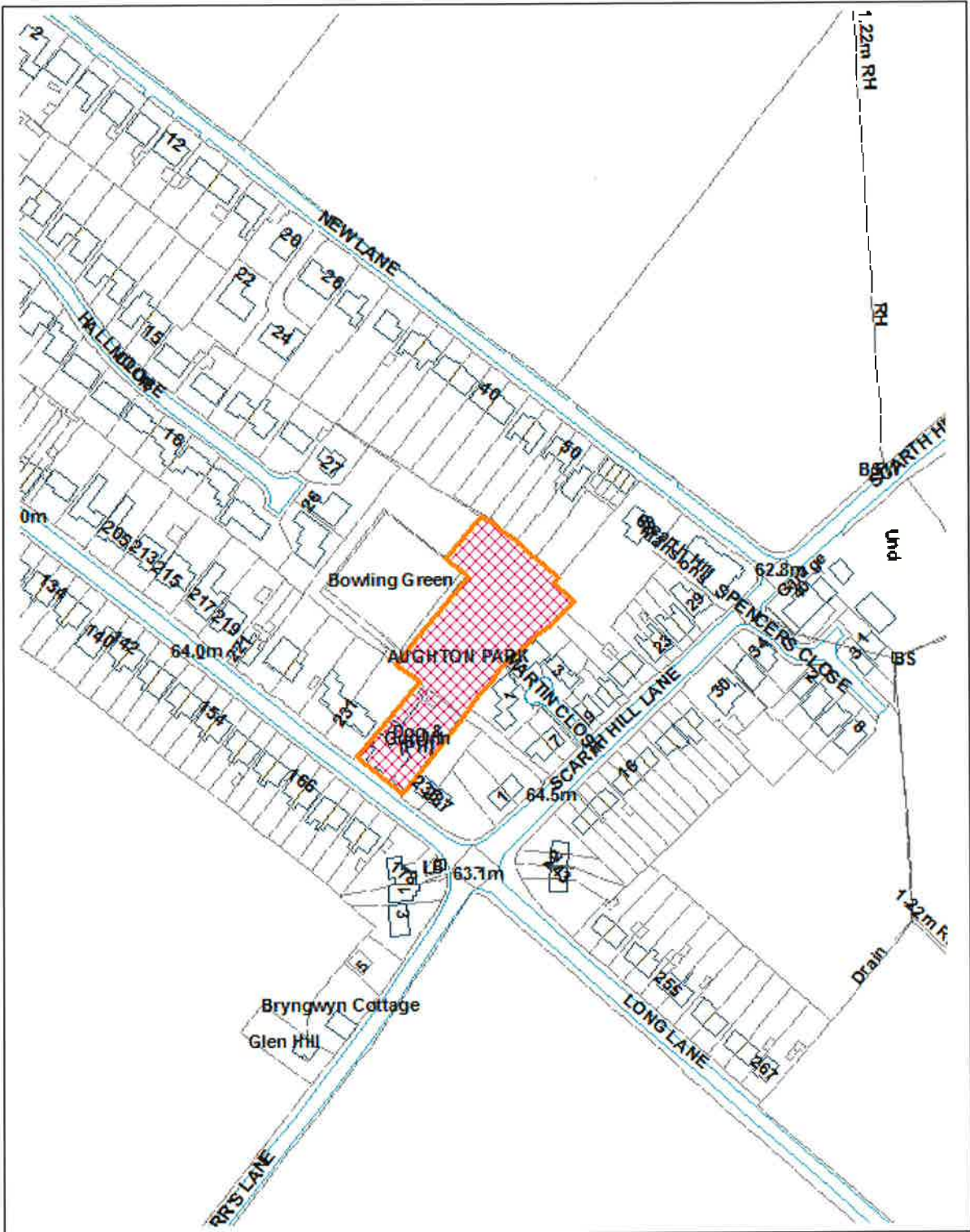
Former Playing Fields, Barnes Road, Skelmersdale, WN8 8HN.



Briars Hall Hotel, 156 Briars Lane, Lathom, L40 5TH.

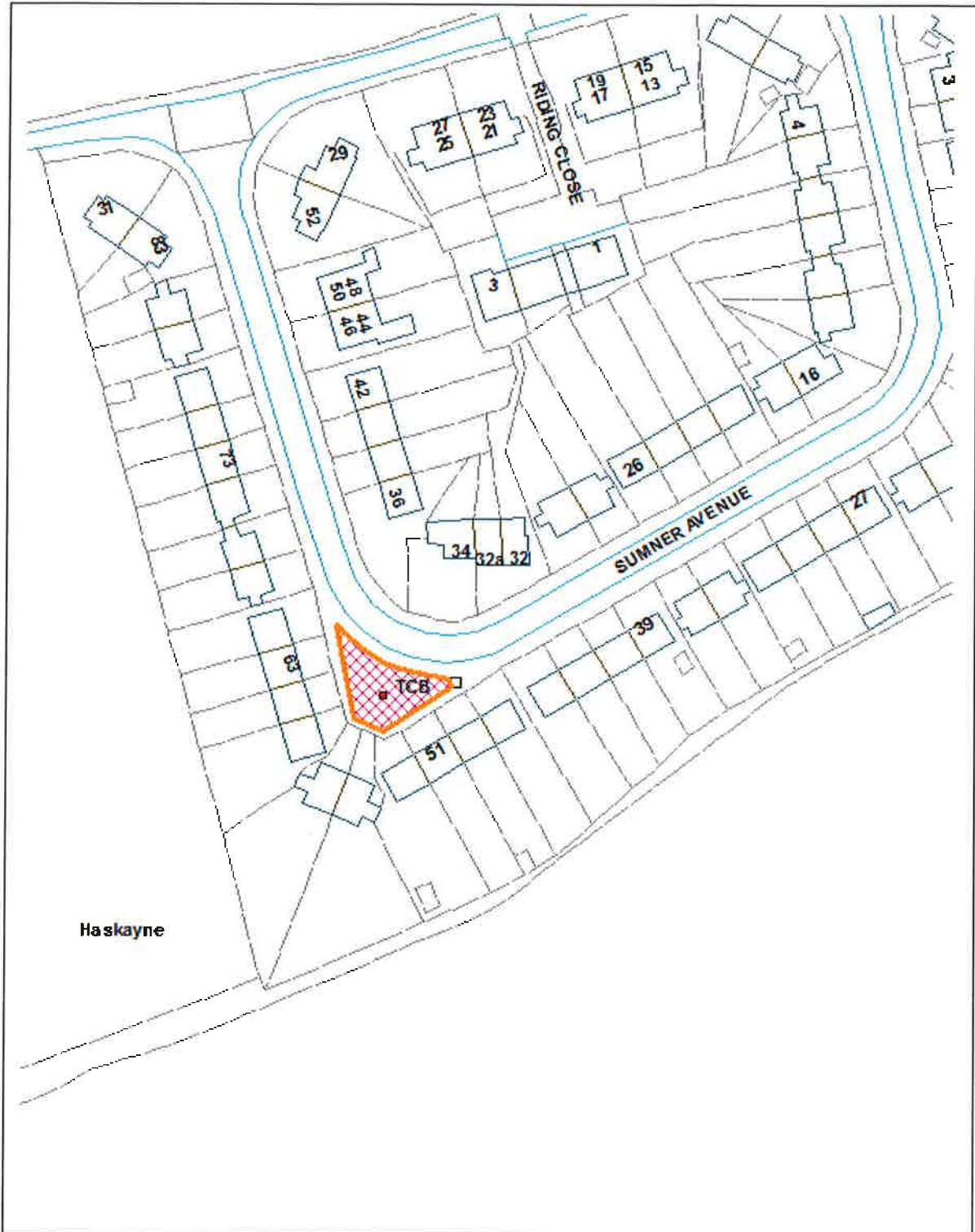


Land To The Rear Of Dog And Gun Inn, Long Lane, Aughton, L39 5AS.



Report 5 : 2019/1070/WL3

Land Adjacent To 47-63, Sumner Avenue, Haskayne, L39 7HY.



Agenda Item 7a

No.1	APPLICATION NO.	2018/1190/FUL
	LOCATION	The Bay Leaf Liverpool Road Tarleton Lancashire PR4 6HQ
	PROPOSAL	Full planning permission for the demolition of existing building and erection of a foodstore (Use Class A1) and office development (Use Class B1) with associated car parking and servicing areas with hard and soft landscaping
	APPLICANT	Mr Stuart Parks
	WARD	Tarleton
	PARISH	Tarleton
	TARGET DATE	22nd March 2019

1.0 **SUMMARY**

1.1 The application is for a retail store and office building. I consider that the proposal would not have a significant detrimental impact on the vitality or viability of existing retail centres, and would allow a local employer to expand operations within the Borough, and bring associated economic and social benefits. It would also give rise to environmental/biodiversity benefits and improvements to visual amenity. On balance, whilst the development would have an impact on the openness of the Green Belt and result in the loss of a heritage asset, it is considered that the very special circumstances put forward by the applicant outweighs the harm, and it is therefore recommended that planning permission be granted. The development would be acceptable in terms of drainage, highway safety, biodiversity and residential amenity.

2.0 **RECOMMENDATION: APPROVE subject to conditions.**

3.0 **THE SITE**

3.1 The application site is approximately 1.1 hectares and lies to the east of Liverpool Road close to its junction with Southport New Road and Church Road. The site is currently derelict and comprises the former Bay Leaf restaurant; a 17th century farmhouse (former Rams Head) which has been subject to numerous unsympathetic additions and modifications over the years, and a large car park containing flood lighting columns which was used in connection with the previous use. There is a pond to the south-eastern corner of the site. The existing buildings are part two/part single storey and are sited to the south-west of the site. The former Rams Head is a locally listed building.

3.2 The site is bordered by an office development (Tarleton Office Park) to the north with predominantly agricultural land on the remaining aspects. Homestead which is a residential dwelling is opposite the site on the opposite side of Liverpool Road, and Cuerden Farm is to the south of the site.

4.0 **THE PROPOSAL**

4.1 The proposed development involves demolition of the existing building on the site and the erection of an A1 foodstore with a Gross Internal Area of 1,786sq.m, and a Net Sales Area of 1,254sqm. In addition to this, it is proposed to erect a 2 storey B1 office building with a Gross External Area of 668sq.m and a Gross Internal Area of 620sq.m.

4.2 The proposed foodstore would be located to the north of the site with the rear servicing areas being located adjacent to the boundary with Tarleton Office Park. The retail unit would be constructed from red brick and planked timber cladding with a low-level brick

work plinth. The proposed office building would be positioned to the south of the site and would also be constructed from red brickwork and planked timber cladding. It is envisaged that the proposed foodstore would be operated by Aldi and the proposed offices occupied by GBA Services Ltd, a local company currently operating from Moss Lane in Tarleton.

- 4.3 Access to the site would be taken from a new access point off Liverpool Road. The existing vehicular access would be infilled and replaced by a new access located further south (approximately 30m) than the existing vehicular access. There would be a car park located centrally to the site which would accommodate 138 car parking spaces in total; 111 for the foodstore, and 27 car parking spaces for the office development.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2017/0794/COU - Change of use from A3 (restaurant) to B8 (light storage). GRANTED.
- 5.2 2015/0980/FUL - Demolition of extensions added to existing restaurant and change of use to B1 (Offices). Redevelopment of the site to provide a new headquarters of GBA Services Ltd incorporating office space and ancillary infrastructure including parking. GRANTED.
- 5.3 1991/0626 - Single storey kitchen extension at rear, new entrance and canopy on front/side elevation including internal/external alterations to form restaurant and bar. Alterations to vehicular access. GRANTED.

6.0 CONSULTEE RESPONSES

- 6.1 Lancashire Constabulary (03.01.19) – No objection.
- 6.2 Cadent (08.01.19 and 09.01.19) – No objection.
- 6.3 Lead Local Flood Authority (25.01.19 and 06.12.19) – No objection.
- 6.4 Highways (31.01.19 and 18.12.19) – No objection.
- 6.5 County Archaeologist (04.02.19) - No objection. Recommend a condition to secure a programme of archaeological works.
- 6.6 Merseyside Environmental Advisory Service (08.02.19, 25.04.19, 26.06.19 and 13.11.19) – No objection.
- 6.7 Environmental Protection (06.03.19 and 14.03.19) – No objection.
- 6.8 United Utilities (02.04.19) – No objection. Recommend a condition to secure a suitable foul and surface water drainage scheme.

7.0 OTHER REPRESENTATIONS

- 7.1 West Lancashire Conservation Area Advisory Panel (17.01.19) – Object on the grounds that the locally listed building is to be demolished as part of the proposals. The applicants should renovate and re-use the historic building.

- 7.2 Representations objecting to the proposals have been received, these can be summarised as:

Highway safety.

Trade diversion from Tarleton and Hesketh Bank.
 Encroachment in to the Green Belt.
 Obstruction to the vehicular entrance belonging to Homestead.
 Increase in traffic.
 Insufficient car parking.
 Tarleton is not sufficient to sustain a supermarket of that size.
 Loss of privacy to Homestead from the proposed GBA office overlooking the rear garden.
 Loss of view from Homestead.
 Light pollution.
 Anti-social behaviour.
 Increased air pollution.
 Noise pollution.
 Produce should be bought locally.
 Small businesses will be impacted.
 Existing small businesses should benefit from the new houses being built.
 Sufficient supermarkets in the surrounding area.
 Increased flooding.
 Heritage impacts.
 The site is in Green Belt and so alternative sites need to be considered.
 Detrimental impact on local economy.
 Impact on the openness of the Green Belt.

A letter of objection has been submitted by representatives of the Co-operative Group, which states that the applicant has failed to demonstrate that there are 'very special circumstances' to justify development in the Green Belt and also fail to pass the sequential assessment and retail impact tests of the NPPF and Local Plan.

7.3 Representations supporting the proposed development have been received, these can be summarised as:

It will tidy the site.
 Increased choice for retail customers.
 Increased jobs in the area.
 The increase in housing in the area means that facilities have to be improved
 Reduction in travel times.
 Reduction in air pollution.
 Existing shops are too expensive.
 Tarleton is big enough to sustain an Aldi in addition to other shops; Burscough is a smaller village and has as Aldi.
 The site is on a main bus route.
 The former use of the site would have generated the same noise as a supermarket and would have been open later into the evening.
 The introduction of a controlled pedestrian crossing will be of benefit to pedestrian safety.

8.0 SUPPORTING INFORMATION

8.1 Transport Assessment
 Geotechnical Report
 Statement of Community Involvement
 Noise Impact Assessment
 Landscape and Visual Assessment
 Heritage Statement
 Flood Risk Assessment
 Desk Study Assessment Report
 Design and Access Statement

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027. The following policies are relevant:

National Planning Policy Framework (NPPF)

Achieving sustainable development
Building a strong, competitive economy
Ensuring the vitality of town centres
Promoting sustainable transport
Making effective use of land
Achieving well-designed places
Protecting Green Belt land
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic 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
IF1 – Maintaining Vibrant Town and Local Centres
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets

SPD – Design Guide (Jan 2008)
SPD – Development in the Green Belt

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of development – Green Belt

- 10.1 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 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 the Framework taken as a whole, or, unless specific policies in the NPPF indicate development should be restricted.

- 10.2 Paragraph 145 of the NPPF relating to Green Belt development 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 land, whether redundant or in continuing use, which would:

Not have a greater impact on the openness of the Green Belt than the existing development.

- 10.3 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 of development land should be developed.
- 10.4 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. There is no active use of the site, however, for the purposes of planning interpretation the site is classified as previously developed, comprising of a former commercial use (restaurant) with its associated curtilage and parking areas. Therefore, redevelopment of the site is acceptable in principle provided the development does not have a greater impact on the openness of the site.

Principle of Development - Impact on Openness

- 10.5 Paragraph 133 of the NPPF advises that a 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 can be taken to mean the absence of visible development.
- 10.6 Given the wording of paragraph 133 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. This is also reiterated through the Council's Development in the Green Belt SPD, 2015, Policy GB3: Redevelopment of Previously Developed Sites in the Green Belt.
- 10.7 The existing building on site would be demolished and the proposed retail store would be positioned to the north of the site (adjacent to the boundary with Tarleton Office Park), to the south of this would be the majority of the car parking associated with the retail store use. To the south of the site, adjacent to the boundary with Cuerden Farm would be the office building which would be two storey. The rear portion of the site (to the east) which includes a pond and landscaped bund would remain undeveloped.
- 10.8 The existing buildings of the former Bay Leaf are a maximum of two-storey high and are contained to the southern portion of the site. The existing footprint of the buildings which comprise the Bay Leaf is 504m², with buildings and paving covering an area of approximately 0.45 hectares, 41% of the total site area. The foodstore element of the proposals alone would have a footprint of 1,727sqm which clearly represents a far larger amount of development on the site.
- 10.9 The application includes supporting information which provides detail to explain the rationale behind the proposed location of the buildings on site. The foodstore building

location has been chosen so that it is seen in context with the existing buildings at Tarleton Office Park; the office building would be sited at the opposite end of the site, the rationale being that there would be sufficient gap between the building to break up the mass of development and allow views through the site, it would also allow adequate visibility for cars into and out of the site. This along with the single storey design of the foodstore and the use of glazing in both the foodstore and office building does help to reduce the overall scale and bulk of development on the site.

- 10.10 However, the redevelopment of the site would result in a north and eastwards outward spread of development from the position of the existing buildings, and the proposed net-built development is in excess of that which currently exists on the site at present. Whilst it is acknowledged that efforts have been made to ensure that the layout and scale of the development would not have an impact on the openness of the Green Belt, it is considered that the development would lead to a greater impact upon the openness of the Green Belt than that which currently exists from the existing development on site. As such the proposed development would be detrimental to the openness of the Green Belt, and therefore contrary to paragraph 145 of the NPPF. Therefore it will be necessary for the applicant to demonstrate very special circumstances to overcome the harm to openness and any other harm which will be discussed later in the report.

Principle of development – rural economy

- 10.11 Local Plan Policy EC2: The Rural Economy, advises that employment opportunities in rural areas are limited and that the continued use of such sites for employment purposes will be protected. In rural areas a wide definition of employment uses applies which is not restricted to B1, B2 and B8 uses.
- 10.12 The site would have created a level of employment when operating as a restaurant. However, the scale of employment proposed as part of this application would far exceed any former employment based at the site. Policy EC2 would therefore support the redevelopment of the site for an alternative employment use.

Principle of development – retail

Sequential Assessment

- 10.13 The proposal involves a major development for a town centre use (retail) in an out of centre location (it lies approximately 630m to the south of Tarleton Large Village Centre) and as such Local Plan Policies IF1 (Maintaining Vibrant Town and Local Centres) and GN5 (Sequential Tests) are relevant along with paragraphs 86 and 87 of the NPPF. Policy IF1 indicates that retail and other town centre uses will only be considered in an out of centre location if a specific local need is proven for the proposed development; and there is no suitable site available within a town, village or local centre. In addition to this, as the proposal is outside of a town centre and is above the locally set floorspace threshold of 1,000sqm gross for supermarkets, a retail impact assessment is required as part of the planning application. The application includes supporting evidence in the form of a Planning and Retail Statement and additional supplementary information which has been submitted during the course of the application.
- 10.14 Local Plan Policy GN5 (Sequential Tests) clarifies the requirements in relation to undertaking a sequential test for retail and town centre uses on sites outside town centres in line with national policy. In this respect, paragraph 86 of the NPPF requires such applications to be located in town centres, then edge of centre and out of centre locations with a preference given to accessible sites that are well connected to a town centre.

- 10.15 The applicant has submitted information in the form of a sequential assessment which considers if there are other preferable sites in nearby town centres for accommodating the proposed development. The Sequential Assessment considered sites within Tarleton, Hesketh Bank, and Banks. The sequential assessment concluded that there are no available sites in sequentially preferable locations that are suitable for the proposal.
- 10.16 I am content that based on the Sequential Assessment submitted there is no basis to resist the current application in relation to the sequential test and conclude that the proposal would accord with paragraph 86 of the NPPF and the relevant provisions of Policy IF1 of the Local Plan.

Retail Impact

- 10.17 In making a planning decision based upon an impact assessment, paragraph 90 of the NPPF advises that a planning application can only be refused where the proposal is likely to lead to significant adverse impacts.
- 10.18 Paragraph 89 of the NPPF requires proposed developments in edge and out-of-centre locations to be assessed against two impact criteria, namely the impact of the proposal on:

existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 10.19 Policy IF1 of the Local Plan requires proposals outside of town centres for comparison retail that involves, in the case of supermarkets/superstores an increase in floorspace of over 1000m² gross. The applicant has submitted a Retail Impact Assessment with the application, which includes a quantitative and qualitative assessment of the retail impact of the proposed scheme. This Retail Impact Assessment has been independently scrutinised on behalf of the Council by White Young Green.
- 10.20 The methodology of the Retail Impact Assessment is considered acceptable, including the use of a study catchment area of 10 minute drive time from the site. It concludes that based on this catchment area the proposed development is not likely to impact to a 'significant' degree upon other shops and facilities within either Hesketh Bank or Tarleton centres, and that they will continue to provide for the day to day retail and service needs of local residents following development of the application proposal.
- 10.21 The Assessment found that the Co-op foodstore in Tarleton is trading well, and whilst there would be an impact on trading post development, the store would still achieve sales above benchmark. In respect of the Booths, Hesketh Bank, this store is currently under trading which would be exacerbated by the proposed development. However, the assessment concluded that the anticipated level of trading impact would not fatally undermine the viability of the store, and a loss of convenience trade at the Booths store is not likely to undermine the vitality and viability of Hesketh Bank Village Centre as a whole.
- 10.22 I consider that the proposed development is not likely to impact to a significant degree upon other shops and facilities within either Hesketh Bank or Tarleton centres, and that they will continue to provide for the day to day retail and service needs of local residents following development of the application proposal. I am satisfied that the proposed development is not likely to lead to a significant adverse impact on the vitality and viability or Tarleton and Hesketh Bank Village Centres, or any defined centre, and is therefore in accordance with paragraph 89 of the NPPF and Policy IF1 of the Local Plan.

10.23 For the reasons outlined above I consider that there are no sequentially preferable centres which could accommodate the proposed development, and that potential trade diversion and associated impact on existing centres would not be 'significantly adverse' as required by the NPPF and as such the proposed development is acceptable in retail planning grounds.

Heritage and Archaeology

10.24 Paragraph 189 of the NPPF states that in relation to heritage in determining planning applications Local Planning Authorities should take account of:

The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent to their conservation;

The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

The desirability of new development making a positive contribution to local character and distinctiveness.

10.25 Paragraph 197 goes on to say that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. Local Planning Authorities are required to consider the scale or loss and the significance of the heritage asset in their balanced judgements.

10.26 Policy EN4 of the Local Plan advises that there will a presumption in favour of the protection and enhancement of existing non-designated heritage assets which have a particular local importance or character it is desirable to keep.

10.27 The former Rams Head Public House at its core is a C17 house which was altered and extended in the C19. Further modern additions have been added in more recent times to extend the ground floor footprint. The heritage significance is evidenced, on the whole, in the two storey part of the building including its internal layout. It is accepted that the building has been compromised by modern developments, however, it does retain some heritage value due to its architectural (aesthetic), historic and communal values.

10.28 I consider that the overall heritage significance of the current building is low to moderate, and in accordance with paragraph 197 of the NPPF this value needs to be given some weight in the planning balance, and its complete loss will need to be considered against other material aspects of the application, including any benefits derived from the development. This will be addressed later in the report in the 'Planning balance and very special circumstances' section.

Impact on Residential Amenity

10.29 The retail unit is proposed to be open from 0800 to 2300 Monday to Saturday and 1000 to 1800 Sundays and Bank Holidays, and so there is the potential for noise from customers and their vehicles from early morning, throughout the daytime and into late evening, there is also potential for noise from delivery vehicles and waste collections. In addition to this there may be noise from plant and/or store refrigeration systems.

10.30 A Noise Assessment report has been submitted which considers the impact of the proposed Aldi foodstore on existing residential dwellings, and identifies that noise from deliveries is likely to be the loudest source of noise. For this reason, the application is also accompanied by a Servicing Management Plan, which outlines proposed servicing hours and covers aspects relating to scheduling, responsibilities of store operatives and delivery drivers to minimise the potential impact from noise. The Council's Environmental

Health Officer has reviewed the Noise Assessment and associated Servicing Management Plan and is satisfied that provided the store operates in accordance with the Servicing Management Plan there will be no undue impact on nearby residents from increased noise and disturbance. This can be secured by planning condition.

- 10.31 The proposed retail unit and office building would be sufficient distance from the nearest residential neighbours to ensure that the development would not cause any significant harm to the amenities of neighbouring residents, through overlooking, overshadowing or creation of poor outlook.
- 10.32 I consider that subject to appropriate planning conditions, the proposed development would not have an undue impact on residential amenity, in accordance with Policy GN3 of the Local Plan.

Trees/Landscaping

- 10.33 A Tree Survey has been submitted with the application which covers all of the trees, shrubs and scrub areas on the site, as well as highlighting some of the trees off site.
- 10.34 There are a number of trees and scrub vegetation scattered across the site that are in a varying condition, the majority of which are either poor species or in an unmanaged state. It appears that the car parking area has been re-landscaped approximately 15 years ago and has been planted up with trees on a mounded bank. These trees are in good condition but are located into the original car parking area, effectively cutting off the land at the rear. The land on the eastern boundary is made up of native scrub in the form of a large area of Blackthorn with scattered Goat and Crack Willow as well as an unmanaged Hawthorn hedgerow.
- 10.35 The proposed development will necessitate the loss of some of the trees across the site. Some overgrown Hawthorn hedging to the northern boundary and approximately thirteen trees are to be removed. The proposed layout indicates that the natural area of scrub to the east is to be retained. This area of vegetation provides a biodiverse wildlife corridor along the boundary which links to the historic pond in the south west corner of the site.
- 10.36 The proposed landscaping scheme shows the planting of 30no. trees which would be a mixture of native and ornamental varieties, as well as a native hedgerow along the frontage of the site and two areas of native buffer mix to the south. I am satisfied that the proposed landscape scheme would provide adequate mitigation to compensate for the loss of trees across the site, and the retention of the wildlife corridor to the east will limit any potential negative ecological impact, in accordance with Policy EN2 of the Local Plan. Specific details of future planting, including stock and details of maintenance and management of the landscape scheme will be secured by planning condition.

Ecology

- 10.37 The application has been accompanied by several Ecology Surveys. These surveys have been found to be acceptable subject to the imposition of conditions including securing reasonable avoidance measures to be adhered to during the course of the development and the installation of bird boxes post development.
- 10.38 A Bat Survey has been submitted with the application which has found that there would be no impact on bats as a result of the proposed development. However, as a precautionary approach, the existing buildings on site should be demolished during the winter months (November to February) and if this is not possible a licensed bat ecologist would directly

supervise the removal of potential roost features as identified within the Extended Phase 1 Habitat Survey. This can be secured by planning condition.

- 10.39 I am satisfied that the proposed development would not result in an adverse detrimental impact on biodiversity, in accordance with Policy EN2 of the Local Plan.

Highways

- 10.40 The application has been accompanied by a Transport Assessment which indicates that in terms of new trips on the highway network, the proposed foodstore would generate an additional 63 two-way trips during the weekday AM peak, an additional 54 two-way trips during the PM peak, and 77 two-way trips during the Saturday peak. The Highway Authority consider that these additional trips can be accommodated on the highway network.
- 10.41 The proposed foodstore would provide 111 parking spaces, which comprises 87% of the provision indicated by the Local Plan. The proposed office unit would provide 27 parking spaces, which comprises 66% of the provision indicated in the Local Plan. There is clearly a shortfall when compared to Local Plan requirements in Policy IF2. However, the application includes a variety of measures to improve pedestrian access and accessibility to the site by means other than private car, including installation of a controlled pedestrian crossing, upgrading of bus stops and the extension of the 40mph speed limit on Liverpool Road. Detailed design of these will be agreed as part of a s278 agreement but have been agreed in principle by the Highway Authority, and would improve accessibility to the site by users and employers of both the office building and the retail unit, thereby reducing reliance on the car. In addition to this, the nature of an Aldi food store means that there is a quick customer turnover as trips tend to be relatively quick and in this case would not be linked to trips to other nearby facilities. This means that even during busy times car parking spaces tend to be available within a short space of time.
- 10.42 I am satisfied that the proposed development is acceptable and would not lead to a detrimental impact on highway safety, in accordance with Policy GN3 and IF2 of the Local Plan.

Drainage

- 10.43 It is proposed that foul drainage will discharge to the adopted sewer serving the site. A Flood Risk Assessment has been submitted with the application and concludes that surface water run-off should be suitably attenuated and drained to the existing culvert beneath Liverpool Road into the existing field drainage system on the western side of Liverpool Road. The Lead Local Flood Authority has reviewed these proposals and considers them to be acceptable. I am satisfied that an appropriate drainage strategy can be implemented on the site, in accordance with Policy GN3 of the Local Plan.

Very Special Circumstance and the Planning Balance

- 10.44 As the development is 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.
- 10.45 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 land in its present state does not serve the purposes of the Green Belt by preserving the character of the local area;

As the site has previously held development it no longer fully contributes to the protection of sprawl;

Given that the land cannot entirely be reversed to its former state (pre-development), the most appropriate use would be to redevelop;

The re-purposing of previously developed land is encouraged both within national and local policy (paragraph 134 of the NPPF and paragraph GB3 in the Green Belt SPD);

The design does not encroach further into the Green Belt than the current development on site;

The site does not currently reflect Tarleton in a positive light, and its redevelopment would enhance this key gateway into Tarleton;

There is local support for redevelopment of the site to upgrade its appearance;

The landscaping scheme will improve green infrastructure in the area;

The office element would allow GBA, which is a local business, the opportunity to expand whilst remaining in the area. Their existing site at Moss Lane operates as headquarters for the business but given its Green Belt location and proximity to residential properties, is not suitable for expansion. GBA have a commitment to employing local people and also take part in a school leavers apprentice programme. The development of an office building on the site would allow them to continue this commitment;

The site represents a more sustainable location for GBA than its existing site due to the transport links that already exist;

The extant permission for redevelopment of the site to provide a new headquarters of GBA Services Ltd, demonstrates that the site is suitable for development, provided that there are significant aesthetic and economic benefits;

The development will deliver a significant number of jobs including those during the construction phase which would be entry level positions;

The retail development would support up to 30-50 retail jobs; delivering indirect jobs through services that support the foodstore, including those at distribution centres and in freight movement;

Reduction in criminal activity on the site;

Employment generated by the development would enhance the economic impact that business currently generates in Tarleton; both Aldi and GBA would contribute to a multiplier effect that would help improve business rates in the area;

The overall enhancement of the site and provision of retail and office space will help drive economic growth within Tarleton;

The expenditure of employees will help to support the local businesses across Tarleton and the neighbouring area;

The scheme would result in negligible effects on the existing ecological conditions;

Environmental benefits would be provided throughout the site by breaking up existing areas of hardstanding with soft landscaping;

Local landscape character will improve, which will enhance this developed piece of land within the Green Belt;

Travel distance for shopping will be reduced for local residents, thereby reducing the impact on the environment and climate change;

By providing offices within a sustainable location surrounded by multiple neighbourhoods will additionally contribute to reduced commuting time and environmental impacts.

- 10.46 It is clear that there are potential benefits from the proposed development, in the form of social, environmental and economic benefits. The site is currently derelict and in a poor state of repair to the detriment of visual amenity. It is considered that the redevelopment of the site in the manner proposed, even though this will result in an increase in built development, offers the opportunity to reduce the overall impact on visual amenity from

the site. It would also allow the opportunity for enhanced native landscaping on the site and associated benefits to biodiversity.

- 10.47 It is proposed that the office building would be used by GBA Services, which is a local employer and the development of an office on the site would allow for the growth of the company. The proposals would assist in the fulfilment of GBA's expansion plans, meaning that a key local employer would be retained within the Borough. This would provide significant economic benefits for the community which alongside GBA and Aldi's commitment to employing local people would provide public benefits and improve employment provision within Tarleton.
- 10.48 There is a previous consent for redevelopment of the site for an office headquarters for GBA Services (2015/0980/FUL), which was for a building with a larger footprint and greater scale, and would consequently have a greater impact on the openness of the Green Belt than the proposed foodstore and office building included in this application. Therefore, the proposed development would not have a greater impact on openness than the 2015 approval.
- 10.49 Given the above, and the fact that the design and proposed positioning of the buildings seeks to limit the impact on openness by virtue of the use of a large proportion of glazing and the low level nature of the buildings, I consider the case put forward by the applicant on this occasion does amount to very special circumstances sufficient to outweigh the harm to the Green Belt.
- 10.50 The demolition of the former Rams Head Public House would result in the loss of a non-designated heritage asset as a result of the development proposals. The former Rams Head does retain a low to moderate heritage value and its loss needs to be weighed against the identified benefits that would follow from the proposed development. I consider that the loss of the heritage asset can be justified in this particular case given the benefits that have been identified as a result of the development. However, given the site's status I consider it appropriate to impose a condition requiring the implementation of a programme archaeological work which is to be agreed prior to commencement of development.

Conclusion

- 10.51 The development would not have a significant detrimental impact on the vitality or viability of existing retail centres, and would allow a local employer to expand operations within the Borough, and bring associated economic and social benefits. It would also give rise to environmental/biodiversity benefits and improvements to visual amenity. On balance, whilst the development would have an impact on the openness of the Green Belt and result in the loss of a heritage asset, it is considered that the very special circumstances put forward by the applicant outweighs the harm, and it is therefore recommended that planning permission be granted.

11.0 RECOMMENDATION

- 11.1 That planning permission be GRANTED 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.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference
1715BOL-98 - Site Location Plan received by the Local Planning Authority on 09.11.18.
1715BOL-100 Rev E - Site Plan as Proposed received by the Local Planning Authority on 09.11.18.
1715BOL-101 - Proposed Unit A GA Plan received by the Local Planning Authority on 09.11.18.
1715BOL-102 Proposed Unit A Roof Plan received by the Local Planning Authority on 09.11.18.
1715BOL-103 Rev B - Proposed Unit A Elevations received by the Local Planning Authority on 09.11.18.
1715BOL-104 - Boundary Treatment Plan received by the Local Planning Authority on 09.11.18.
1715BOL-110 - Unit B GA Plans received by the Local Planning Authority on 09.11.18.
1715BOL-111 - Unit B Elevations received by the Local Planning Authority on 09.11.18.
102- Tree Retention, Removal & Protection Plan received by the Local Planning Authority 09.11.18.
V1715-LO1 Rev A - Landscaping Plan received by the Local Planning Authority 02.04.19.
Reason: 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. 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 in consultation with the LLFA.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
- b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate (which has been calculated at 12 litres per second for all events up to 1 in 100 + climate change). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change)
- d) Plan identifying areas contributing to the drainage network
- e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
- f) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

The scheme shall be implemented in accordance with the approved details prior to use of the proposed office building or retail store, 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.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on or off-the site resulting from the proposed development 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.

4. No development shall take place until a scheme for the repair/replacement of the on-site and off-site culverted drain that forms the proposed post-development surface water discharge point from the site to the existing ditch system on the western side of Liverpool Road is submitted to and agreed in writing by the Local Planning Authority, the repairs shall be implemented in accordance with the proposed scheme, prior to the buildings being brought into use.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on or off-the site resulting from the proposed development 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.

5. Foul and surface water shall be drained on separate systems.

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

6. 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.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

7. No development shall commence until details of method of protection to the bund to the east of the site are submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, no works shall be carried out within a minimum of 5 metres of the top of the bank. The development shall be carried out in accordance with the approved details.

Reason: These details are required prior to the commencement of development as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

8. No building shall be occupied/brought into uses until details of the number and location of bird nesting boxes and bat boxes to be incorporated into the scheme have been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed in accordance with the approved details prior to the buildings being brought into use.

Reason: In the interests of biodiversity conservation and to comply with Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. The development shall be implemented in accordance with the reasonable avoidance measures (RAMs) identified in the Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment.

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

10. The buildings hereby approved shall not be occupied until a scheme detailing the proposed lighting (including all floodlighting, external building lights and car park lighting) to be installed on the site has been 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.

Reason: To safeguard protected species and residential amenity to ensure that the development complies with the provisions of Policy EN2 and Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

11. The existing building on site shall be demolished during the winter months (November to February). If this is not possible a licensed bat ecologist is required to directly supervise the removal of potential roost features as identified within the Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment (Extended Phase 1 Habitat Survey & Baseline Ecological Impact Assessment: The Bay Leaf, Liverpool Road, Tarleton, Cameron S Crook & Associates, July 2018).
Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
12. A repeat preliminary bat roost assessment and presence/absence survey shall be carried out and the results together with a timetable for demolition shall be submitted to and approved in writing by the Local Planning Authority if demolition of the building has not commenced on site by May 2020. Demolition works shall be carried out in accordance with the agreed timetable.
Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
13. The food store shall not be open for customers outside the hours of 0800 to 2300 on Mondays - Saturdays and 1000 to 1800 on Sundays and Bank or Public holidays.
Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the food store (including waste collections), outside the hours of 0600 to 2300 Monday to Saturday and 0900 to 1800 hours Sundays and Bank and Public Holidays.
Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. The engine and any diesel-powered freezer/refrigeration unit on delivery vehicles serving the food store shall be turned off and kept off, whilst the vehicle is stationary.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
16. Any sound produced by reversing alarms or indicators on delivery or waste collection vehicles serving the food store shall not be clearly distinguishable above background noise at the boundary of any nearby residential premises.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
17. The rating level of noise from fixed plant on the food store shall not exceed 45dB(A)LAeq, between 0700 and 2300 hours on any day and 1hr 30dB(A)LAeq, between 2300 and 0700 hours on any day as 15 min measured or calculated at the boundary of any nearby residential dwelling, as determined in accordance with BS4142:2014.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
18. The office unit shall not be open outside the hours of 0800 to 2000 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
19. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the office unit (including waste collections) outside 0800 to 2000 Monday to Saturday and 0900 to 1800 on Sundays and Bank Holidays.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
20. No fixed plant, machinery or equipment shall be installed or operated within or in association with the office building, without the express consent of the Local Planning Authority.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

21. Prior to the occupation of the buildings hereby approved being brought into use, electric vehicle charge points shall be installed in accordance with the details submitted in a letter from Cameron Rose dated 02.4.19 and received by the Local Planning Authority 02.02.19. The agreed scheme shall be implemented and thereafter retained in situ throughout the duration of the development.
Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
22. All hard and soft landscape works shall be carried out in accordance with the approved details shown on V1715-L01 Rev A, received by the Local Planning Authority 02.04.19. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.
Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
23. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.
The development shall be carried out only in accordance with the agreed schedule of materials and method of construction.
Reason: 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.
24. The foodstore shall operate in accordance with the Servicing Management Plan (Liverpool Road, Tarleton, dated 30.05.19, ref 474/TN3).
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
25. No part of the development shall be occupied/open for trading until the new site access/junction to A59 Liverpool Road has been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway junction scheme shall include the provision of a signal controlled pedestrian crossing on Southport New Road junction with A59, the upgrade of 2no. bus stops on Liverpool Road close to the site (to full mobility standard with shelters), the extension of the 40mph speed limit on Liverpool Road to the south of Doctor's Lane (with associated gateway feature), and the installation of the new signal for the private dwelling Number 2 Church Road.
Reason: To ensure that satisfactory vehicular and pedestrian access is provided to the site before the development hereby permitted becomes occupied and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
26. The new site access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
Reason: To ensure that satisfactory access is provided to the site to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
27. Before the development hereby approved is first brought into use, existing redundant vehicular crossings from A59 Liverpool Road; shall have been permanently closed and

reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public & highway safety and the appearance & character of the streetscape and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

28. The development hereby permitted shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with plan ref 1715BOL-100 Rev E These areas shall be retained at all times thereafter.

Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

29. Before construction work in each phase of the site commences, facilities shall be provided within that part of the site by which means the wheels of vehicles may be cleaned before leaving the site. These facilities shall be retained until construction on that part of the site is completed, and shall be used to clean the wheels of all vehicles leaving that part of the site.

Reason: To prevent mud or other loose material being carried out on to the highways surrounding the site, in the interests of highway safety.

Note(s)

1. Trees T32 sycamore, T35 sycamore, T36 hawthorn (as identified in the Tree Survey TPM Landscape Ltd, Tree Survey, project no.3070, May 2018) should be soft felled under supervision of an ecologist.
2. Highway Notes
 - a) The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the LCC Highways Team at Cuerden Mill Depot, Cuerden Way, Bamber Bridge, Preston PR5 6BJ in the first instance to ascertain the details of such an agreement and the information to be provided.
 - b) The Applicant is advised to obtain the written approval of the Local Highway Authority for the details required under Condition 1, prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority.
 - c) The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.

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

IF1 - Maintaining Vibrant Town and Local Centres
IF2 - Enhancing Sustainable Transport Choice
IF3 - Service Accessibility and Infrastructure for Growth
EN1 - Low Carbon Development and Energy Infrastructure
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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

No.2	APPLICATION NO.	2019/0211/FUL
	LOCATION	Former Playing Fields Barnes Road Skelmersdale Lancashire
	PROPOSAL	Erection of 60 No. two storey residential properties, together with provision of land for use as allotments, scouts hut and associated car parking.
	APPLICANT	Southworth Construction
	WARD	Skelmersdale South
	PARISH	Unparished - Skelmersdale
	TARGET DATE	12th August 2019

1.0 **DEFERRAL**

- 1.1 The application was considered by Planning Committee on 17 October. Members resolved to **DEFER** consideration for officers to negotiate further on vehicular and pedestrian access to the site.

Existing access arrangements

- 1.2 Access to the application site was previously taken off Ann Street, from the southern boundary of the site, though this is currently fenced off. There is an access point to the former scout hut, located off Barnes Road, but this does not currently provide access to the wider site. There is currently no direct vehicular access to the site.
- 1.3 The application proposes the creation of a new access with priority junction on to the eastern side of Barnes Road at its junction with Whitburn close to the scout hut. The site is essentially enclosed to the north, east and south by residential properties/gardens and to the west by Park Children's Centre.

Further Consultation Responses

- 1.4 LCC HIGHWAY AUTHORITY (12/11/19) and 20/11/19) No objections. Detailed comments set out in assessment of Pedestrian access and Vehicular access below

Further Neighbour representations

- 1.5 1 letter of support from Manager of Nursery at Park children's Centre but raises following concerns: Barnes Road in terrible state –HGVs and more traffic will make this worse; should be pedestrian access to local schools and shops at opposite end of field; screen fencing around nursery during construction.

Pedestrian access

- 1.6 During debate members raised concerns that a pedestrian access should be provided to Lime Grove. Whilst the applicant's layout plan showed a possible future connection in the north west corner of the site through towards Lime Grove this is not currently feasible as it would be only possible using Council owned land and more problematically the residential garden of no 22 Barnes Road, outside the control of the applicant.
- 1.7 There is a possibility of creating a pedestrian route to Lime Grove through Council owned land in the north east corner of the site adjoining the substation and plot 44. This land currently serves as a vehicular/pedestrian access to the rear of properties in Lime Court and a pedestrian link between Lime Grove and Lime Court.

- 1.8 The applicants have now submitted an Amended Proposed Site Plan Rev7 which shows a new pedestrian footpath alongside Plot 44 linking to this Council owned land
- 1.9 LCC Highways state that the applicant should be aware that the pedestrian footpath now proposed in the Northern corner of the site connects to a proposed private shared driveway within the application site and therefore would not be considered for adoption by the Highway Authority.
- 1.10 There is a slight change of levels between the application site and this shared driveway area and the land is hard surfaced and lit by 2 existing lighting columns. This route would need to be made secure and safe for pedestrians to use particularly when dark. I would therefore expect that further details need to be agreed in respect of works to and delivery of this pedestrian route before commencement of development. This can be secured through an additional Grampian type condition which would ensure that the site better integrates with the surrounding area in accordance with Policy GN3.

Vehicular access

- 1.11 The Highway Authority has been consulted in respect of the use of Ann Street as a secondary access and further about the Amended Proposed Site Plan. LCC Highways is of the opinion that Ann Street in its current layout would not be suitable as an access to the proposed development for the following reasons:

For approximately the last 10m up to the application sites boundary the adopted highway reduces down to a width of under 4m. To be acceptable to LCC Highways this access would need to be at least 5.5m wide with footways on either side;

Parking currently occurs on both sides of Ann Street. This essentially reduces the road down to a single carriageway.

- 1.12 Currently there appears to be no other alternative/secondary vehicle access which would be suitable within the ownership or control of the applicant. LCC Highways are of the opinion that the level of traffic generated by this proposal should have a negligible impact on safety and capacity within the immediate vicinity of the site including Barnes Road.
- 1.13 Following the comments of LCC Highways received on 3 October 2019 the applicant has submitted an amended Proposed Site Plan Rev 7 which now fully addresses their remaining highway concerns in respect of the internal road layout, parking and manoeuvring of vehicles although these areas are not to be adopted. This has been formally confirmed by LCC Highways state who that the submitted revised drawing (L103-07 rev 07) is acceptable.

Government policy guidance set out in para 109 of the NPPF is that:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 1.14 I consider the access, road layout and parking arrangements to be acceptable and comply with GN3 and IF2 in this respect and the scheme would not have an unacceptable impact on highway safety.

PLANNING COMMITTEE REPORT

2.0 SUMMARY

- 2.1 The application is a major application with the majority of the proposed site to be used for the erection of 60no two storey dwellings with allotments (12 no), land for a replacement Scout hut, a Communal building and a communal car park with 12 spaces
- 2.2 The principle of a residential development on the site is acceptable within this part of Skelmersdale. In relation to the loss of playing fields I consider that the open space/recreation needs of the area are best served by using part of the site for allotment and community use. I consider the layout, scale, proportions and design of the proposed dwellings to be acceptable and the scheme would not adversely impact on neighbouring amenity of surrounding properties. Subject to conditions I consider that the development satisfactorily addresses highways, drainage, ecology and trees, contamination, coal risk and archaeology.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

- 4.1 The site is located within Skelmersdale, approximately 1.5km from the town centre and the total site is some 2.45 ha. The site lies to the east of Barnes Road and is bordered on three sides by residential development which is predominantly two storeys. To the west of the site is Park Children's Centre and an existing Scout Hut. The site is grassed with some trees mainly on the periphery and close to the Children's Centre. There is a change in levels across the site, dropping from west to east.
- 4.2 Access to the site is currently taken off Ann Street, from the southern boundary of the site, though this is currently fenced off. There is an access point to the former scout hut, located off Barnes Road, but this does not currently provide access to the wider site. There is currently no direct vehicular access to the site.
- 4.3 The site is designated as Open Recreation Space within the Local Plan and formerly comprised playing pitches. These however have not been used for at least 5 years and the open space is currently fenced off with no permitted public access.

5.0 PROPOSAL

- 5.1 The proposal comprises a number of elements with the majority of the site being used for the erection of 60no two storey dwellings with the provision in the south west corner of the site closest to the access for:

Allotments (12 no)
Communal building
Land for replacement Scout hut
Communal car park with 12 spaces

- 5.2 The proposed dwellings comprise:

21 2 bed dwellings
28 3 bed dwellings
11 4 bed dwellings

- 5.3 A new site access is to be provided on Barnes Road some 40m from its junction with High Street.

6.0 SUPPORTING INFORMATION

- 6.1 The application is accompanied by the following supporting documents:
- 6.2 Planning Statement;
Open Space Assessment;
Design and Access Statement (including Sustainability Statement, Site Waste Management Statement, Crime Impact Statement);
Flood Risk Assessment;
Geo-environmental Investigation and Appendix;
Coal Mining Risk Assessment;
Ecology Report;
Utilities Statement;
Transport Assessment and Travel Plan.

7.0 CONSULTEE RESPONSE

- 7.1 LCC HIGHWAYS (04/06/19) – No objections as level of traffic generated by this proposal should have a negligible impact on safety and capacity within the immediate vicinity of the site. Detailed Technical comments re access, parking and internal site layout
- 7.2 LCC LEAD LOCAL FLOOD AUTHORITY (25/07/19) no objection to the proposed development subject to condition re Appropriate surface water drainage scheme details.
- 7.3 LCC SCHOOLS PLANNING (21/05/19) An education contribution is not required at this stage in regards to this development.
- 7.4 LCC ARCHEOLOGY (15/05/19) No objections subject to a condition that the area of the development should be subject to a formal watching brief with the area of the former farm having a "strip map and record" survey.
- 7.5 LANCASHIRE CONSTABULARY DESIGNING OUT CRIME OFFICER (20/05/19) – A number of recommendations provided which should be incorporated into the design of the development in order to reduce the risk of crime affecting the residents, visitors, business units and locality, thereby promoting safer communities and reducing avoidable demand on policing resources.
- 7.6 SPORTS ENGLAND (05/06/19) - Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 97 of the NPPF. Not a statutory objection.
- 7.7 SPORTS ENGLAND (13/08/19) - The additional information from the Leisure Operations Manager talks about the supply of existing green open space within a 5-10 minute walk of the application site. This is an opinion based on an audit of supply. It does not take into account the quality of the surrounding sites, their ability to host matches, whether these sites are at capacity; and finally it does not take into account demand. This does not make reference to a robust and up to date Playing Pitch Strategy that specifically names the application site as being surplus to both current and future sporting requirements.

Sport England maintains its objection to this application. Sport England would suggest that the applicant makes a financial contribution (£290,000) for the loss of this site and that it is used to secure improvements at other playing field sites as mitigation for the loss of the playing field on the application site.

- 7.8 DIRECTOR OF LEISURE AND WELLBEING (31/07/19) In respect of the comments made by local residents regarding loss of open space and playing fields I would highlight the

proximity of Stanley Coronation Park (120 metres), Kiln Lane Playing Fields (200 metres) and Blaguegate Playing Fields (600 metres). These facilities provide green open space, playing fields (grass and 3G), bowling green, multi-use games areas and formal playground facilities within a 5-10 minute walk of the proposal site.

I would therefore consider that the locality already has sufficient public open space facilities to cater for the local population, and objections on grounds of loss of facility are not justified.

I would consider that the proposal site has no special significance to the interests of sport and the objection by Sport England is not justifiable.

- 7.9 DIRECTOR OF LEISURE AND WELLBEING (01/08/19) Whilst I would not consider the Barnes Road site as suitable for re-providing active sports facilities like playing fields the more passive community facilities of allotments has an unmet demand in the Skelmersdale area. Re-provision of a community building on the new site could provide a dual use building to continue use by the local scout groups as well as providing a community facility for the allotment users.

I would therefore fully endorse the proposal for the provision of an allotment site and community building as part of the development site.

- 7.10 DIRECTOR OF LEISURE AND WELLBEING (02/09/19) The "opinion" expressed was based not just on an audit of supply, but also on quality and availability of other pitches, as assessed in the West Lancashire Playing Pitch Strategy 2015-25, and subsequent Playing Pitch Strategy Review 2017. These documents also take into account current and future demand.

The Playing Pitch strategy makes no reference to the Barnes Road site, therefore, it may be correct to state that it does not name the site as being surplus to requirements. However, as the supply in Skelmersdale is shown in the Playing Pitch strategy as satisfying demand (save a small shortfall in small sided football which is currently being rectified) therefore it is concluded that the Barnes Road site is not required.

- 7.11 Scientific Officer (16/06/19) – No objections in relation to any land contamination.
- 7.12 LANCASHIRE FIRE AND RESCUE (20/05/19) – Noted and advice given in respect of access for fire appliances and water supplies for firefighting purposes to the site.
- 7.13 Principle Engineer (Drainage) (06/06/19) No objections.
- 7.14 THE COAL AUTHORITY (03/06/19) – No objection subject to condition requiring further intrusive site investigation works prior to commencement of development
- 7.15 UNITED UTILITIES (13/06/19) No objection subject to condition that the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
- 7.16 DIRECTOR OF LEISURE AND ENVIRONMENT (Environmental Health) (12/09/19) No objections in principle. Suggest conditions to protect future residents from noise, provision of electric vehicle charging points and construction management.

8.0 OTHER REPRESENTATIONS

- 8.1 There have been 10 objections from neighbouring properties raising the following issues:

Open Space and Recreation

Wrong area for housing;

Loss of open space. Loss of green areas. Land needs to be retained for recreational purposes and open space

Lack of Infrastructure/Facilities

Lack of facilities in area, police station, oversubscribed and overstretched doctors, dentists, schools, shops for extra 300+ people. 3 and 4 bed properties would result in these facilities (being oversubscribed). Development doesn't provide any new amenities/facilities

Residential amenity

Wagons and large machinery during construction cause no end of disruption;

Noise dust and pollution, disruption for all surrounding residents, residents of Barnes Road and flats opposite. Many work nights;

Loss of privacy, overlooking and loss of natural light. Not overlooked at present;

Loss of view;

Bought house because quiet and not overlooked. Development will cause noise pollution in garden

Affordability of housing and project

Cost of project means housing not affordable, too few homes under £100,000 with exception of 2 bed;

Viability Report states that zero allowance for any S106 and other contributions

Zero profit

Access, traffic and parking

Only one vehicle access road in/out of estate, dangerous if accident and fire engine access/delays;

Barnes Road a narrow street, woefully inadequate, poor access for bin lorries. Road collapsed twice in past. Pot holes and sink holes;

Increase in volume of traffic where users driving significantly above speed limit;

Only one pedestrian access in/out estate, no walkway from Lime Grove. Inconvenient to new residents long walk to facilities (Green Hill, community centre/church and schools.

Unfair to cut existing residents from new estate;

Too much traffic with existing residents, new residents and users of Children's Centre;

Development would add to existing parking problem an issue;

Site is in unsustainable location and Skelmersdale not well served by public transport.

Train travel to Liverpool and Manchester long and inconvenient. Towns design means travel based on car which is unsustainable;

Detailed comments on technical highway issues: Access into site onto Barnes Rd not offset will increase risk of collisions; not provided any vehicle swept path analysis of the site access junction; junction priority not shown correctly; refuse vehicle would have to reverse over relatively long distances (over 12m maximum) with added dangers to collection workers/public; pedestrian crossings do not follow desire lines; not typically expect parking opposite the main site access junction; not shown any priority control at the internal site access junctions; areas where pedestrian footways aren't provided on either side of the carriageway; all parking spaces of the communal parking area should be easy to access.

Archaeology

Old Farm House on land danger to heritage if no research/documentation before building starts

Drainage

No viability of infiltration methods

Wildlife/Ecology

Bats, hedgehogs and other animals live in fields and their habitat would be destroyed

Property Values

Affect property values in surrounding roads

8.2 There has been 1 comment from a neighbouring property raising no objection but requesting that their garden has access to the rear for fire escape and 1 comment asking whether houses are for Council Rent or to buy. 1 comment from a neighbouring property asking for coal mining risks to be properly addressed.

8.3 There have been 5 letters of support for proposals for the following reasons;

New housing in area

Boost for affordable houses

Wish to buy one of new homes

The scout/cub group will benefit from new scout hut

Allotments will be an opportunity to revitalise community

New residents will use and support local shops

New residents may assist local schools/further teaching spaces

Increase in population may help maintain bus routes, help doctors/dentists review services

9.0 RECENT RELEVANT PLANNING HISTORY

9.1 None relevant

10.0 RELEVANT PLANNING POLICIES

10.1 National Planning Policy Framework (NPPF) 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 Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD. It is also designated as Green Infrastructure/Open Recreation Space

10.3 National Planning Policy Framework

Delivering a sufficient supply of homes

Promoting healthy and safe communities

Achieving well-designed places

Promoting sustainable transport

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

10.4 West Lancashire Local Plan (WLLP) 2012-2027 DPD

Policy SP1 – A Sustainable Development Framework for West Lancashire

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy IF4 – Developer Contributions

Policy RS1 – Residential Development

Policy RS2 – Affordable and Specialist Housing
Policy IF2 – Enhancing Sustainable Transport Choice
Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment
Policy EN3 – Provision of Green Infrastructure and Open Recreation Space
Policy EN4 – Preserving and Enhancing West Lancashire's Cultural Heritage Assets

Supplementary Planning Document – Design Guide (January 2008)

Supplementary Planning Document – Provision of Open Space in New Residential Developments (July 2014)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The application raises the following issues:

Principle of Development – Residential Development
Principle of Development - Loss of Open Recreation Space
Affordable and Elderly Housing Provision
Design/layout
Residential Amenity
Highways
Drainage
Ecology and Trees
Contamination and Coal Risk
Archaeology

Principle of Development – Residential Development

11.2 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan re-iterates this approach. Policy RS1 of the WLLP states that within the Regional Town, residential development will be permitted on brownfield sites, and on greenfield sites not protected by other policies, subject to the proposals conforming with all other planning policy. Therefore, the principle of a residential development on the site within the settlement area is acceptable subject to other relevant planning policies. The provision of 60 extra houses in the area would help support the provision of local facilities and local infrastructure.

Principle of Development - Loss of Open Recreation Space

The policy context for open space, playing pitches and recreation provision

11.3 The site is designated as Open Recreation Space within the Local Plan. Policy EN3 of the Plan states that the Council will provide a green infrastructure strategy which supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play opportunities, allotments, flood storage, habitat creation, footpaths, bridleways and cycleways, food growing and climate change mitigation. Policy EN3 1.iv states:

In order to support this green infrastructure strategy, all development, where appropriate, should:

- i. Contribute to the green infrastructure strategy by enhancing and safeguarding the existing network of green links, open spaces and sports facilities, and securing additional areas where deficiencies are identified – this will be achieved through contributions to open space as outlined within Policy IF4;

- ii. Provide open space and sports facilities in line with an appraisal of local context and community need, with particular regard to the impact of site development on biodiversity;
- iii. Seek to deliver new recreational opportunities, including the proposed linear parks between Ormskirk and Skelmersdale, between Ormskirk and Burscough, along the river Douglas at Tarleton and Hesketh Bank and along the former railway line in Banks;
- iv. Support the development of new allotments and protect existing allotments from development;

Specifically, in relation to open space and recreation facilities part 2 of the policy goes on to say that:

- a) Development that results in the loss of existing open space or sports and recreation facilities (including school playing fields) will only be permitted if one of the following conditions are met:
 - i) The open space has been agreed by the Council as being unsuitable for retention because it is under-used, poor quality or poorly located.
 - ii) The proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or
 - iii) Successful mitigation takes place and alternative, improved provision is provided in the same locality.
- b) Development on open space and sports and recreation facilities will not be permitted where:
 - i) Development would affect the open character of the area
 - ii) Development would restrict access to publicly accessible Green Space
 - iii) Development would adversely affect biodiversity in the locality
 - iv) Development would result in the loss of Green Spaces, Green Corridors and the Countryside

11.4 The NPPF at para 97 states that Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Assessment of open space, playing pitches and recreation provision

11.5 Sport England have objected to the application as the development involves the loss of former playing pitches. However, as the pitches have not been used for over 5 years it is not a statutory objection which could lead to a call in by the Secretary of State. There is a disagreement between Sport England and the Director of Leisure Services over the loss of these playing pitches in this part of Skelmersdale and the issues raised are outlined in detail in the Consultation Responses at Section 6 of this report.

11.6 One issue facing the Council in respect of recreation space relates to deficiencies in certain types of open space and sports facilities, and poor access to these spaces for local

communities. In addition, problems relating to an oversupply of poor quality green spaces in areas such as Skelmersdale have led to poor maintenance and under-utilisation. There are existing facilities at Stanley Coronation Park (120 metres), Kiln Lane Playing Fields (200 metres) and Blaguegate Playing Fields (600 metres) which provide green open space, playing fields (grass and 3G), bowling green, multi-use games areas and formal playground facilities within a 5-10 minute walk of the proposal site. The Director of Leisure states that his comments are based on a thorough audit of supply and demand carried out in the West Lancashire Playing Pitch Strategy 2015-25, and subsequently the Playing Pitch Strategy Review 2017. He considers that the locality already has sufficient public open space facilities to cater for the local population, and objections by Sport England on grounds of loss of facility are not justified. Moreover, he agrees that the more passive community facilities of allotments have an unmet demand in the Skelmersdale area. Re-provision of a community building on the new site could provide a dual use building to continue use by the local scout groups as well as providing a community facility for the allotment users. The Director of Leisure fully endorses the proposal for the provision of an allotment site and community building as part of the development site.

- 11.7 With specific regard to POS, the Provision of Open Space in New Residential Developments Supplementary Planning Document (SPD) provides guidance on the required amount of POS to be incorporated in new residential developments, which is detailed in Policy OS1. The SPD states that for developments between 40 – 289 dwellings, developers are expected to provide 13.5 sqm of POS per bedroom developed. The proposed development would deliver 2790sqm of Public Open Space, including the provision of allotments. Whilst this figure also includes the open space allocated for the communal building/scout hut I consider overall the total open space to be provided meets the requirements of the SPD.

Conclusions on open space, playing pitches and recreation provision

- 11.8 In respect of Policy GN3 I consider that it has been demonstrated that the playing fields are unsuitable for retention because they were under-used, of poor quality and poorly located. Moreover, part of the site is to be used for more appropriate allotment/community uses relating to recreational demand in the area and this is part mitigation for the loss of formal playing pitches. Whilst this mitigation does not meet Sports England's compensation requirements for the replacement of playing pitches, I consider that the open space/recreation needs of the area and site have been properly evaluated, as required by the NPPF, and believe that they are best served by using part of the site for allotment community use. In this regard I consider the requirements of Policy GN3, the SPD and the NPPF have been met.

Affordable and Elderly Housing Provision

- 11.9 Provision of 20% affordable housing is required on sites of this scale under the terms of Policy RS2 of the Local Plan. In addition to this, Policies RS1 and RS2 also require that 20% of new residential units should be suitable for the elderly.
- 11.10 The applicant has submitted 2 different Viability Appraisals as they consider that the development would not be financially viable to provide any of the requested 20% affordable housing. The Council have employed independent Financial Advisers to evaluate the applicant's Viability Appraisal. The second Viability Appraisal now largely follows the methodology required by the recently updated PPG *Viability* but the Council's Financial Advisers disagree with the majority of the applicant's appraisal assumptions and calculations. Notwithstanding these deficiencies they have undertaken their own comprehensive analysis and assessment of the viability of the proposed scheme using the applicant's base information and their knowledge of the local housing market. There have

concluded that based on current costs and values that the application proposals are unlikely, largely because of weak sales values in this part of Skelmersdale, to be able to support any substantive planning obligations such as affordable housing.

- 11.11 The second part of Policy RS2 *Affordable and Specialist housing* requires 20% of all units to be designed specifically as accommodation suitable for the elderly. Policy is flexible as to how this requirement should be met but the units must be designed specifically for the elderly to live in without adaptation.
- 11.12 Whilst the dwellings themselves will not be constructed for use by the elderly without adaptation, they will be constructed to meet current Building Regulations with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. It is recognised that compliance with Part M of the Building Regulations, specifically M4(2) Accessible and adaptable dwellings would meet the test. *This development now meets those requirements.* I am satisfied that it would be in line with the expectations of Policy RS2 and is therefore acceptable.

Siting, layout and design

- 11.13 Policy GN3 in the Local Plan together with the Council's SPD Design Guide states that new development should be of a scale, mass and built form that responds to the characteristic of the site and its surroundings. New development is required to have regard to visual amenity and complement its surroundings through sensitive design, including appropriate siting, orientation and scale.
- 11.14 The proposed development for 60 dwellings equates to a housing density of around 30 dwellings per hectare, which is commensurate with the density of surrounding development. Various types and size of dwellings are proposed, including 2 bedroom houses and 3 and 4 bed houses as a mix of semi-detached and detached.
- 11.15 The dwellings are of brick construction and of typical modern estate design, similar to those surrounding the site. The proposed materials for the dwellings consist of concrete charcoal roof tiles, with facing brickwork with natural mortar, with black UPVC half round profile gutters and downpipes. It is proposed that windows will be constructed of white framed UPVC double glazed glass. The applicant has submitted a revised layout to address some of the concerns initially expressed over road layout/design, parking and the amount of hard surfacing at the front of properties, Dwellings in the main benefit from front gardens and all properties have off road parking for at least 2 cars, some at the front and some at the side, ensuring that there is not a complete dominance of hardstanding to frontages. The applicant has also submitted revised details of fencing around the allotments which is to be hit and miss timber fencing to enable greater surveillance. The design of the house types adjoining the allotments have been redesigned to provide some supervision from flank windows. All dwellings have adequate sized rear gardens and meet the spatial separation standards set out in the Council's SPD Design Guide. Boundary treatment will comprise of a 1.8m high featherboard fence. I consider that the layout, scale, proportions and design of the proposed dwellings to be an acceptable addition to this part of Skelmersdale and would thereby comply with Policy GN3 of the WLLP and the Council's SPD Design Guide.

Residential Amenity

- 11.16 Policy GN3 in the WLLP requires new development to retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor spaces for occupiers of the proposed and neighbouring properties. Further detailed advice on interface distances is provided within the Council's SPD Design Guide.

11.17 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. Where this is not the case, I am satisfied that the resulting impact has been designed out by ensuring that the main outlook is focused away from the neighbouring property. In terms of the impact on neighbouring residents, I am satisfied that there is sufficient distance to ensure no impact upon privacy or overshadowing. The Environmental Health Officer has suggested conditions to protect future residents from noise from the nearby Children's Centre and the proposed allotments. Given these are both suitable neighbouring uses I do not consider these conditions to be necessary or reasonable given the relationship to the proposed housing. I consider that the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity. The additional impacts of any significant development in this area would be during the construction phase in terms of noise. Whilst some noise will be generated during the construction phases, this will be temporary and subject to environmental control.

Highways

11.18 Policy GN3 of the Local Plan requires proposals for development to incorporate suitable and safe access and road layout design and ensure that parking provision is made in line with the standards set out in Policy IF2.

11.19 The site will be accessed via a new access with priority junction on to the eastern side of Barnes Road at its junction with Whitburn. Barnes Road (U570) has been categorised as a local access road with a 20mph speed limit and runs in a northerly direction from its junction with the High Street (U2574). High Street has been categorised as a link road and also falls within the 20mph zone. Whitburn (U571) has been categorised as a local access road with a 20mph speed limit. Visibility splays of 2.4m x 25m are required in both directions based on table 7.1 from Manual for Streets and the classified speed of the road. This level of visibility is achieved at the proposed access into the site and is acceptable. The proposed development does not affect any public rights of way.

11.20 A Transport Assessment and Travel Plan have been submitted to support the application and LCC Highways are of the opinion that the level of traffic generated by this proposal should have a negligible impact on safety and capacity within the immediate vicinity of the site. The applicant has submitted a revised layout to address the concerns initially expressed over the internal road layout, parking and manoeuvring of vehicles although these areas are not to be adopted. I consider the access, road layout and parking arrangements to be acceptable and comply with GN3 and IF2 in this respect.

Drainage

11.21 It is a requirement of Policy GN3 that new development does not result in unacceptable flood risk or drainage problems. The information from the Environment Agency Maps has determined that the site is located within Flood Zone 1. The drainage strategy and drainage plan indicate that the foul sewage will discharge to the mains drainage system in Barnes Road. The United Utilities sewer map indicates the presence of a combined public sewer beneath the Barnes Road carriageway and therefore, in principle, this proposal is considered satisfactory.

11.22 With regard to the disposal of surface water, the drainage plan indicates that this will discharge to the combined sewer in Barnes Road at a controlled rate of discharge, i.e. 6.3 l/s. A site investigation has been undertaken including percolation tests and the results indicate that ground infiltration techniques would not be feasible on this site. In addition, it would appear that there are no watercourses available in this area. The proposals

therefore, in principle, are considered satisfactory. I consider that subject to a suitable condition as recommended by the LLFA to require full details of the foul and surface water drainage systems that the development complies with GN3.

Ecology and Trees

- 11.23 Policy EN2 seeks to protect priority species and their habitats if significant impacts on any biodiversity area unavoidable, then mitigation or as at least compensation, is required to fully offset any impacts. The applicants has undertaken an Ecology Report Phase 1 Habitat Survey which demonstrates that this essentially urban, self-contained and formerly manicured grassland has limited ecological/habitat value. The small buildings to be demolished have limited potential for bats or nesting birds.
- 11.24 Policy EN2 seeks to protect trees of significant amenity, screening, wildlife or historical value. The submissions do not include an arboricultural impact assessment and therefore there is no information to demonstrate that the housing layout has taken into account root protection areas and above ground constraints. However the proposed layout in relation to the tree cover, does not appear to create any notable conflict with the existing tree cover. Tree cover is confined to the boundaries with some trees situated in adjacent properties with canopies that overhang into the site. The scheme has been designed to ensure that all existing trees on site have been retained on the north west of the site, with new landscaping proposed on the western boundary, which abuts the neighbouring children's centre. Additional pockets of tree planting have been included within the scheme to improve privacy and soften the street scene. An avenue of trees is proposed lining the entrance to the site extending along the perimeter of the allotments, scouts hut and associated car park. Subject to a condition for tree protection to be submitted prior to the commencement of any site operations and a full landscaping plan including species, numbers and size of stock I consider that the proposals comply with EN2.

Contamination and Coal Risk

- 11.25 It is a requirement of the NPPF under paragraphs 178-179 that the applicant demonstrates to the satisfaction of the Council that the application site is safe, stable and suitable for development. In addition the National Planning Practice Guidance in section 45 makes it clear that planning applications in the defined Development High Risk Area must be accompanied by a Coal Mining Risk Assessment. Policy GN3 requires that developments should minimize the risks from all types of contamination and to take account of land instability in former Coal Mining Areas.
- 11.26 The Scientific Officer has commented that there are no contamination issues. However, the site falls within the defined High Risk Area for mining and as a result the applicants have submitted a Geo-Environmental Investigation which has carried out intrusive investigations. The report recommends further works, specifically an extensive mine working investigation .These additional intrusive site investigations are required to indicate the depth of coal seams in the north-eastern part of the application site and to determine any evidence of mining and the residual risk related to the presence or otherwise of shallow workings. The Coal Authority are happy with this approach which can be addressed by condition which would accord with Policy GN3 and the NPPF.

Archaeology

- 11.27 Birches Farm has been identified on an old OS Map dated from 1849 but there may be evidence of earlier origin The creation of the playing fields are likely to have damaged and disturbed remains of the farmstead although deeper features of the site are likely to have survived and may contain evidence for the date and development of the farm. In this

respect the Archaeological Officer would recommend therefore that the area of the development should be subject to a formal watching brief with the area of the farm having a "strip map and record" survey during development to ensure that the area of the farmstead is investigated and recorded prior to any possible further damage during development of the site. Subject to this condition I consider the development would comply with the requirements and EN4 and the NPPF.

12.0 **SUMMARY AND CONCLUSION**

12.1 The principle of a residential development on the site is acceptable within the settlement boundary of Skelmersdale. In relation to the loss of playing fields I consider that the open space/recreation needs of the area and site have been properly evaluated, as required by the NPPF, and believe that they are best served by using part of the site for allotment and community use. The Viability Assessment undertaken by the Council's Financial Advisers recognises that the development is not able to support any substantive planning obligations such as affordable housing but 20% of all units are to be designed specifically as accommodation suitable for the elderly. I consider that the layout, scale, proportions and design of the proposed dwellings to be an acceptable addition to this part of Skelmersdale and that proposed development would not adversely impact on neighbouring amenity of surrounding properties. Subject to conditions I consider that the development satisfactorily addresses highways, drainage, ecology and trees, contamination, coal risk and archaeology. The development complies with Policies RS1, RS2, EN3, GN3 and EN4 of the West Lancashire Local Plan

12.0 **RECOMMENDATION**

12.1 That planning permission be GRANTED 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:-
Drawing Ref
L111 Proposed Site Plan with Lifetime Homes indicated received by local planning authority on 4 October 2019
L103 Plan Rev 7 Proposed Site Plan received by local planning authority on 14th November 2019
L104 Boundary Treatments received by local planning authority on 24 September 2019
L109 -03 Plot 7 Balmoral Housetype received by local planning authority on 23 September 2019
L100 Location Plan.
L104 Proposed Site Sections
L110 Communal Building Plan
Proposed House Plans and Elevations:
L109 Balmoral Housetype.
L107 Chelsea Housetype.
L106 Kensington Housetype.
L108 Windsor Housetype.
received by local planning authority on 5 March 2019
3. Plots 1, 2, 21, 22, 25, 26, 39-44(inclusive) shown on L111 Proposed Site Plan with Lifetime Homes indicated shall be constructed to Lifetime Homes Standards as set out in the Applicants Commitment towards achieving Lifetime Homes Standards received by local planning authority on 4 October 2019

4. No development shall commence until full details and specification of the allotment and community uses shown on Proposed Site Plan L103 Rev 5 have been submitted to and approved by the local planning. This shall include a timetable for the delivery of the allotment and community uses
For the avoidance of doubt no dwelling hereby approved shall be occupied until the allotment area has been laid out and made available and the community use facilities provided and made available for use.
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 in consultation with the LLFA. Those details shall include:
 - a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
 - b) The drainage strategy should demonstrate that the surface water run-off must not exceed 6.3 l/s up to and including 1 in 100 year events and including an allowance of 40% increase for climate change. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
 - c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change) with allowance for urban creep.
 - d) Plan identifying areas contributing to the drainage network
 - e) Measures taken to prevent flooding and pollution of the receiving surface waters.
 - f) A plan to show overland flow routes and flood water exceedance routes and flood extents.
 - g) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicableThe 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 including any site preparation, clearance or demolition works 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. The programme of works should comprise the holding of a formal watching brief over the site and a "strip, map and record" over the site of the farmstead of Birches Farm. These should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance of the Chartered Institute for Archaeologists. A report on the work undertaken and its results shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record before any dwelling hereby approved is brought into first use.
7. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.
The access and visibility splays of 2.4m x 25m shall be constructed before any construction commences in accordance with a timetable agreed as part of any approved scheme.
8. No part of the development hereby approved including any dwelling shall be occupied until the approved access scheme referred to in Condition 7 has been constructed and

completed in accordance with the approved scheme details, unless otherwise agreed in writing by the Local Planning Authority

9. Prior to any part of the development hereby permitted taking place a scheme showing the areas for a site compound including the siting of office, storage of plant and materials and measures to prevent the transfer of mud out of the site shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented while any demolition/construction works are in operation.
10. No construction shall be commenced until details of the proposed ground and floor levels of all parts of the site, including the finished floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the finished floor levels of any proposed dwellings/buildings through which the sections run and shall extend beyond the site boundaries to include any surrounding adjacent properties.
The development shall thereafter be implemented in accordance with the approved details and method of construction.
11. No development shall commence on site until intrusive coal mining site investigation works are undertaken to establish the exact situation regarding coal mining legacy issues on the site. The results of these investigations shall be submitted to and approved in writing by the Local planning Authority in consultation with the Coal Authority. The submission of a report of findings arising from the intrusive site investigations shall include details of any remedial works necessary for approval. The remedial works identified shall be carried out in accordance with the approved details and timescales agreed.
12. No site clearance, preparatory work or development shall take place until a 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.
13. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.
The details shall relate to all land surfaces not built upon and shall include:
 - Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
 - hard surfaced areas and materials,
 - planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
 - existing plants / trees to be retained
 - A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.
Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted
14. Notwithstanding the provisions of Article 3, Schedule 2, Part 14 Class A; Part 15 Class A; Part 16 Class A; Part 17 Class G to the Town and Country Planning (General Permitted Development) Order 1995 (as amended) no substations or other buildings shall be provided within the site without the prior approval in writing of the LPA of the detailed siting and external appearance of the substations

15. The development shall be constructed from the materials detailed on the L109 Balmoral Housetype, L107 Chelsea House type ,L106 Kensington Housetype and L108 Windsor Housetype received by local planning authority on 5 March 2019
16. Notwithstanding any description of the facing materials in the application, no above ground construction works shall take place until samples and / or full specification of the brickwork to be used externally on any dwelling have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.
17. Notwithstanding any description of the roofing and facing materials in the application, no above ground construction works in respect of the Community Building/scout hut shall take place until samples and / or full specification of the roofing and brickwork to be used externally on the Community Building/scout hut have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.
18. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.
19. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.
20. The parking provision shown within the curtilage of each dwelling and the communal parking areas, for plots 55 -59, shown on the approved plans ref L103 Rev6 Proposed Site Plan; shall be provided prior to first occupation of the dwelling to which it relates. The parking areas shall be hardsurfaced and the communal parking areas marked and shall be made available for their intended use at all times thereafter.
21. The allotment and community uses hereby permitted shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans ref L103Rev5 Proposed Site Plan These areas shall be retained at all times thereafter.
22. No part of the development hereby approved shall commence until details of a pedestrian access between the north-east corner of the site, adjoining Plot 44 through to Lime Grove have been submitted to and approved in writing by the Local Planning Authority. These details shall include levels, surfacing, including materials and lighting. No dwelling shall be occupied until this pedestrian access has been constructed in accordance with the approved scheme and made available for pedestrian use.

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 the dwellings are designed specifically for the elderly to live in without adaptation in accordance with RS2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
4. In order to ensure the delivery of public open space and allotment/ community provision to meet the requirements of Policy GN3 of the West Lancashire Local Plan 2012 - 2027 Development Plan Document

5. These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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.
6. These details are required to be approved before the commencement of development to ensure any remains on site are properly recorded in accordance with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document
7. In order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner. 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 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
8. In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy of any development hereby approved. 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 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
9. To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and highway safety to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
10. These details are required prior to the commencement of construction to ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
11. These details are required prior to the commencement of development as the site is in a coal mining high risk area. Further investigations are required to shown the depth of coal seams in the north-eastern part of the application site and to determine any evidence of mining and the residual risk related to the presence or otherwise of shallow workings. In order to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. These details are required prior to the commencement of development to protect the trees/hedges and thereby retain the character of the site and the area and to ensure the development complies with the provisions of Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
13. To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
14. These details are required prior in order to ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
15. 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
16. 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.
17. 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.

18. In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
19. 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 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
20. In the interests of highway and pedestrian safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
21. In the interests of highway and pedestrian safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document
22. These details are required prior to commencement of construction to safeguard the safety and interests of users of the highway and to ensure the development integrates into the surrounding area in the interests of sustainability and to comply with policies GN3 and IF2 of 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:
 - Policy SP1 - A Sustainable Development Framework for West Lancashire
 - Policy GN1 - Settlement Boundaries
 - Policy GN3 - Criteria for Sustainable Development
 - Policy IF4 - Developer Contributions
 - Policy RS1 - Residential Development
 - Policy RS2 - Affordable and Specialist Housing
 - Policy IF2 - Enhancing Sustainable Transport Choice
 - Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 - Policy EN3 - Provision of Green Infrastructure and Open Recreation Space
 - Policy EN4 - Preserving and Enhancing West Lancashire's Cultural Heritage Assets

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

No.3	APPLICATION NO.	2019/1032/FUL
	LOCATION	Briars Hall Hotel 156 Briars Lane Lathom Ormskirk Lancashire L40 5TH
	PROPOSAL	Addition of an ancillary kitchen and events space to the existing building, new single storey structure to provide 22 guest accommodation units and associated landscaping. Relocation of bio-cabin
	APPLICANT	Mr M Higham
	WARD	Newburgh
	PARISH	Lathom
	TARGET DATE	15th January 2020

1.0 SUMMARY

- 1.1 The application relates to extensions to Briars Hall Hotel which is within the Green Belt and within the Briars Brook Conservation Area. The proposed development has been identified as being inappropriate development in the Green Belt which causes significant harm to the openness of the greenbelt. However, the applicants have put forward very special circumstances to justify this development. I do regard the economic case put forward to ensure the viability of the hotel and protect/boost local employment to bring significant benefits which I consider in this instance outweigh this harm to the green belt.
- 1.2 In terms of design I consider that the proposals meet the statutory duty under s72 of the Act, comply with the tests in the NPPF and meet Local Plan policies EN4 and GN3 in respect of conservation and design. The proposed development is acceptable in relation to residential impacts, highways, drainage, trees and ecology.

2.0 RECOMMENDATION That planning permission be **GRANTED** subject to conditions:

3.0 THE SITE

- 3.1 The site relates to the Briars Hall Hotel which is located in a recessed location on the west side of Briars Lane, near to the southern edge of Burscough. The hotel consists of the extended main building now consisting of 25 bedrooms, a restaurant/bar and two private dining areas and conference facilities. A coach house is located adjacent to the site access and is used by the owners/operators mainly for residential purposes, with a small ancillary office also in the building. A hair salon is located within a former garage adjacent to the coach house. At the rear of the Hotel is a garden which is enclosed by a tall brick wall which forms the northern boundary to the site.
- 3.2 The building is within a relatively isolated location being some 90m from the small Briars Brook residential enclave to the north and a collection of residential properties to the east on Briars Lane. The land surrounding the Hotel is largely agricultural with a stables and paddock close to the northern boundary. A brook with a small woodland forms the western boundary with large agricultural sheds beyond.
- 3.3 The site is located within the Green Belt and within the Briars Brook Conservation Area. The core of the hotel is an old hall which is a significant building contributing to the character of the area and occupying a prominent position in the Conservation Area.

3.4 The site is accessed from Briars Lane by a dedicated in/out access road which leads to a large car parking area to the south side of the hotel, with additional parking also provided at the front of the building.

4.0 PROPOSAL

4.1 The proposal comprises is a resubmission of a similar application 2018/1180/FUL which was formerly withdrawn. The current application comprises 4 elements:

4.2 The erection of a new single storey L shaped annexe to provide accommodation for 22 rooms. (Total 47) This is proposed on the undeveloped grassed area to the west of the main hotel to the edge of the woodland/brook which forms the site's western boundary. The annexe is designed to resemble a stable block and would be finished with red brick/timber facing and a slate roof to reflect the main building and its rural setting.

4.3 The erection of a single storey addition to the existing kitchen on the north side of main Hotel.

4.4 The erection of a single storey flat roofed events space linking to the existing function facilities as an extension to the west side of the existing main hotel. The event space is single storey glazed contemporary building with a green roof with circular rooflights.

4.5 The relocation of the bio cabin some 15m eastward towards the rear of main hotel kitchen to accommodate the redesigned annexe.

4.6 The new annexe accommodation has a footprint of 457sqm, the single storey events space extension 180sqm; and the kitchen extension 97sqm. The development will add 734sqm to the existing 1203sqm.

4.7 A landscaped courtyard garden area is to be created between the annexe and the proposed extended events space for entertaining guests.

5.0 SUPPORTING INFORMATION AND APPLICANT'S CASE

5.1 The applicant has produced the following supporting documents:

Planning Statement
Design and Access Statement
Heritage Statement
Biodiversity/Ecology Report
Arboricultural Method Statement
Arboricultural Impact Assessment

5.2 Briars Hall Hotel is a successful wedding, events and conference venue which has been trading as a hotel since 1972 with the current operators having owned the hotel for 15 years. The hotel presently has 25 bedrooms, all of which are on the first floor and only accessible by stairs. Access for disabled guests is therefore not currently available and this limits the capacity of the hotel to properly serve the needs of the community.

5.3 The additional 22 bedrooms proposed will overcome the accessibility issue and will also improve the capacity of the hotel (47 bedrooms,70 guests) to accommodate larger weddings and events, which are now the main focus of the hotel. In 2018 the hotel accommodated around 60 large weddings (just over one a week) and it is intended to increase this number once the additional rooms and other improved accommodation is

provided. The number of events/conferences is also to be increased when the additional facilities are available.

- 5.4 The proposed additional ancillary facilities proposed (i.e. the extended kitchen and the event space) are needed to improve the hotel's 'offer' and to properly compete with other venues in the area and further afield.
- 5.5 The hotel currently has around 25 full time staff and can employ an additional 15 or more part time staff for a large wedding or function. If the submitted proposals go ahead, another 10 or so full time staff and 20 part time staff would be employed. The vast majority of the staff lives within 10 miles of the hotel.

6.0 CONSULTEE RESPONSE

- 6.1 Environmental Health Officer (05/12/19) no objections in respect of extensions. Some concern over use of event space and suggests conditions to control noise.
- 6.2 Principal Engineer (19/11/19).The proposal to discharge foul wastewater to the existing foul/combined drainage system is acceptable. However, the plans for this application indicate that the intention is to discharge the surface water to the existing drainage system without considering the hierarchal approach.
- 6.3 United Utilities (07/11/19) In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
- 6.4 LANCASHIRE COUNTY COUNCIL - Highways (08/11/19) No objections.
- 6.5 HEALTH AND SAFETY EXECUTIVE (19/11/19). No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder.
- 6.6 Canal and River Trust (06/11/19) No comments.
- 6.7 Lathom Parish Council (25/11/19) No objections- need to ensure appropriate materials, trees protected and consult Cadent re gas pipeline.

7.0 OTHER REPRESENTATIONS

- 7.1 None.

8.0 RECENT RELEVANT PLANNING HISTORY

- 8.1 2018/1180/FUL Addition of an ancillary kitchen and events space to the existing building, new single storey structure to provide 22 guest accommodation units and associated landscaping WITHDRAWN.
- 8.2 2018/1852/OTHFPN GRANTED Conversion of a former garage to a hair salon.
- 8.3 2012/0223/FUL GRANTED First floor extension to create bedroom and ensuite.
- 8.4 2005/1554: REFUSED Retention of replacement windows
- 8.5 1999/0830: APPROVED Single storey extension to lounge.

8.6 1990/1136: APPROVED Two storey extension forming 23 bedrooms, swimming pool/jaccuzi/sauna & fitness centre for residents only & replacement effluent treatment plant.

9.0 RELEVANT PLANNING POLICIES

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

9.2 The site is located within Green Belt and within the Briars Brook Conservation Area as designated in the West Lancashire Local Plan 2012-2027 DPD.

9.3 National Planning Policy Framework

Building a strong competitive economy

Promoting sustainable transport

Achieving well-designed places

Protecting Green Belt land

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

9.4 West Lancashire Local Plan (2012-2027) DPD

Policy SP1 – A sustainable development framework for West Lancashire

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy EC2 – The Rural Economy

Policy IF2 – Enhancing Sustainable Transport Choices

Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment

Policy EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Environment

9.5 Supplementary Planning Documents:

Design Guide (Jan 2008)

Green Belt (Oct 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

. Assessment

10.1 The main areas of consideration in determining this application are:

Principle of Development in Green Belt

Design, Visual Appearance and Impact upon the Conservation Area

Impact upon adjoining land uses/residential amenity

Highways/parking

Ecology

Trees

Drainage

Principle of Development in Green Belt

- 10.2 The NPPF advises that in relation to Green Belts planning permission will not be given except in very special circumstances for the erection of new buildings other than for a limited range of purposes.
- 10.3 Paragraph 133 of the NPPF retains the government's view that great importance is attached to Green Belts. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.4 Paragraph 145 and 146 sets out those buildings that are not considered to be inappropriate and includes: *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building*; The Hotel started off as a modest conversion of the existing old hall building with 8 bedrooms and was substantially extended in the 1990's with the addition of significant extensions. The hotel presently has 25 bedrooms and significant areas for function and hotel recreational uses. In this context the extensions to create the events building and specifically the annex building would cover a larger footprint, and because of the 'L' shaped configuration, spread development to the south west of the site on an area of the site that has previously been undeveloped. I consider that the new buildings would be a disproportionate addition and as a result would have a greater impact on the openness of the Green Belt, and would therefore be found to be inappropriate development.

Very Special Circumstances

- 10.5 Paragraph 144 confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very Special Circumstances' 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.
- 10.6 The applicants in their Planning Statement have put forward the following as Very Special Circumstances:
- 10.7 The Business Case

Need ground floor bedrooms to cater for those with physical disabilities

Current mismatch between the capacity of Briars Hall Hotel in terms of guests who can attend a wedding or function/event and be comfortably catered for and the number who can be accommodated on site in bedrooms on the night of the wedding or function/event. Need more accommodation and extended event/conference facilities to offer an attractive events/wedding venue package.

Need to increase bedrooms and extend event/conference facilities to be viable and compete with other venues within and outside the Borough

Need more and extended event/conference facilities to offer wider range and larger conference facilities

The extended facilities will boost the local economy by employing another 10 or so full time staff and 20 part time staff thus complying with the NPPF paras 80-84 and Policy EC2. The vast majority of the current staff lives within 10 miles of the hotel.

The extended facilities will ensure the long term viability of the hotel protecting the existing 25 jobs

The extended facilities will result in the protection of existing and the promotion of new jobs amongst the hotel's local suppliers and the tourist trade generally

The hotel's accountants have confirmed generally the need for the proposals to maintain the viability of the business

10.8 The Travel Case

The lack of sufficient on-site accommodation results in guests having to travel to other accommodation off-site after the evening reception and potentially at other times during the day. This is not only inconvenient to the guests, but also leads to unnecessary trips which is not sustainable, and which also results in additional vehicle emissions.

The lack of sufficient on-site accommodation results in guests having to travel to other accommodation off-site after the evening reception and some additional noise and disturbance to surrounding residents.

The green belt balance

10.9 The proposed development has been identified as being inappropriate development in the Green Belt which by definition causes harm to the green belt. The kitchen extension creates minimal harm to openness as it largely replaces a collection of extensions and outbuilding within the rear yard area. The single storey extension to create the events building extends the footprint of what is already an extended hotel further and has some impact on openness. The relocated bio cabin would be a marginal improvement on openness. More specifically the annex building would cover a larger footprint, and because of the 'L' shaped configuration, spread development to the south west of the site into an area of the site that has previously been undeveloped. Taken together these developments are disproportionate additions which cause a significant harm to the openness of the greenbelt encroaching development further into the countryside. This would erode the openness of the green belt on the western side of the Hotel. I find parts of the applicant's case for Very Special Circumstances to be less than compelling. I do not find the travel case to carry any specific weight as the extended facilities themselves would create more vehicle movements/ emissions and given the location of the nearest residential properties the hotel does not create any significant late night amenity problems.

10.10 I do however regard the economic case put forward to ensure the viability of the hotel to be of significant benefit. I recognise that the wedding and event/function market is very competitive regionally and more locally in northwest Lancashire and Briars Hall needs to increase its offer if it is to remain viable and competitive in the area which has been confirmed generally by the hotel's accountant. Furthermore, increasing operational costs, including business rates, VAT, beer duty, the minimum wage and pension contributions are making it very difficult to successfully run a business and this has been reflected in the number of licensed premises which have closed recently. The additional bedrooms and extended event/conference facilities would provide more inclusive facilities. The extended facilities will ensure the long term viability of the hotel protecting the existing 25 jobs and employing an extra 10 or so full time staff and 20 part time staff thus complying with the NPPF paras 80-84 and Policy EC2. I consider these benefits are very special circumstances which outweigh the harm to openness of the green belt in this instance.

Design, Visual Appearance and Impact upon the Conservation Area

- 10.11 Whilst not listed the building (dates from around 1745) and has a remodelled 'Victorian' styled frontage. It is identified as being an important unlisted building in the Briars Brook Conservation Area Character Appraisal. Since it has been run as a hotel the original hall building has been substantially altered with modern extensions in differing designs. The Hall is set well off the main road frontage and is screened by existing trees.
- 10.12 The new kitchen is proposed at the rear and is screened by the existing two storey wing. The kitchen extension is an improvement on the current collection of outbuildings and temporary structures. Moreover the northern boundary is contained by the former garden wall and will have little or no impact on either the character or appearance of the CA. Details will however be needed on the proposed extraction systems as these could have an effect on the appearance of a building.
- 10.13 Whilst more noticeable the new events space extends west from the existing modern two storey 'wedding' block. The new flat roofed glazed block extends into the existing garden 'amenity' space and will be bounded by the existing car park. Given the landscape/walled enclosure provided to the existing site I do not feel the structure will be overly prominent visually and whilst it will be undoubtedly glimpsed at from outside the site the extension would largely only reveal itself from inside the site. The design is contemporary and an obvious contrast to the more formal architecture of the Hall. However given the rather simple architectural form, the use of quality materials and proposed finish should complement the more traditional form of the main building.
- 10.14 The new accommodation block forms an 'L' shape and sits within the remaining garden space at the Hall. The annexe is designed to resemble a stable block and would be finished with red brick/timber facing and a slate roof to reflect the main building and its rural setting. It is proposed that the space in between the new accommodation and the events extension will be a landscaped courtyard. Visually the new courtyard block will be contained within the site and will have a limited impact beyond the site. From Briars Brook it will be difficult to see the new accommodation although it may be glimpsed at from the south. Given the limited height of the building, only part of the slate roof may be visible. I note that such views are not regarded as being important in the Briars Brook Conservation Area Appraisal. Under such circumstances the harm to the appearance of the wider CA is likely to be limited and slight at worst.
- 10.15 In terms of the character of the area decision makers must give some significance to the fact that Briars Hall has an important historical association with the CA and remains an important building in the CA. I am however mindful that previous modern extensions have an adverse impact on the Hall and how it relates to its wider historic setting. In my view whilst the proposals are unlikely to cause additional harm, they add nothing to the 'character' of the building or wider CA.
- 10.16 The principle statutory duty under the P(LBCA) Act 1990 is to preserve the character or appearance of a conservation area" and its setting. s.72(1). I consider the development as a whole preserves the character of the Conservation Area, This requirement is a different test than that required under the NPPF (p134).
- 10.17 I consider that the proposal will cause a small degree (slight) of visual harm to the appearance of the Briars Brook CA. In terms of the NPPF I would regard the harm to be 'less than substantial' (P.196) and in this regard I consider the economic benefits of the development to the local area to outweigh the slight harm. I consider that the proposals meet the statutory duty under s72, comply with the tests in the NPPF and meet Local Plan policies EN4 and GN3 in respect of conservation and design.

Impact upon adjoining land uses/residential amenity

- 10.18 Policy GN3 of the Local Plan states that developments should 'retain reasonable levels of privacy and amenity for occupiers of neighbouring and proposed properties.'
- 10.19 The proposed development is within a relatively isolated location being some 90m from the small Briars Brook residential enclave to the north and a collection of residential properties to the east on Briars Lane. Owing to the location of the extensions and the relatively secluded nature of the site I am satisfied that the amenity and privacy for neighbouring properties and land users would not be significantly impacted by the proposal. The Council's Environmental Health Officer has raised some concern over the potential for late evening use of the event space/court yard and its relationship to the proposed accommodation block. I consider this relationship is no different from many hotels and do not consider it reasonable or necessary to impose conditions to protect guests in this regard. I consider the development complies with the requirements of Policy GN3 in respect of residential amenity.

Highways / parking

- 10.20 Policy GN3 of the Local Plan requires proposals for development to (amongst other things) incorporate suitable and safe access and road layout design and ensure that parking provision is made in line with the standards set out in Policy IF2. In terms of 'suitable and safe access', this should include provision for vehicles to enter and leave the site in a forward gear.
- 10.21 The site is accessed from Briars Lane by a dedicated in/out access road with parking provided at the front of the building. There is an extensive car parking area to the south side of the hotel. The current designated access arrangements are acceptable and can accommodate the extended numbers of visitors and patrons attending the site without detriment to highway safety. There is satisfactory existing parking provision for visitors and staff, 112 spaces to cater for the additional bedrooms and events. The Highway Authority have no objections to this application and I consider that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The proposal thereby complies with GN3 and IF2 in this respect.

Ecology

- 10.22 Policy EN2 seeks to protect priority species and their habitats. If significant impacts on biodiversity are unavoidable, then mitigation or as a least compensation, is required to fully offset any impacts.
- 10.23 Due to the rural location of the buildings it was necessary to carry out an ecological survey of the site and building to establish the presence or absence of any protected species and priority habitats. In this respect a Preliminary Ecological Appraisal was carried out. This identified within the main hotel building the presence of a maternity Pipistrelle (*Pipistrellus* sp.) roost. Two additional buildings within/ in close proximity to the developmental footprint were found to be absent of bat roost suitability. In order that the development does not have any impact upon the identified breeding roost, a series of mitigation measures have been recommended during construction to avoid any impact to this roost. The report also recommends that landscaping incorporates native plants as opposed to non-native species that are of significantly less benefit to wildlife. Subject to safeguarding and mitigating conditions I consider the development will accord with EN2 in respect of ecology.

Trees

10.24 Policy EN2 also seeks to protect trees of significant amenity, screening, wildlife or historical value. The previous application contained deficiencies in information in respect of the proposed location of the annexe and its impact on trees. There are numerous trees around the site that could be impacted upon during the proposed development. There is a group of high quality holly mixed with some conifers in the SE corner next to the existing hotel building and the shelterbelt of mixed broadleaf trees on the western boundary adjoining the brook is of a high grade. The annexe building has now been moved away from the shelter belt of woodland on the west of the site. In the resubmission application a more accurate site and tree survey has been submitted which now shows clearly the proposed development and its impacts on these areas of trees. Amendments have also been made to the Arboricultural Impact Assessment and Method Statement. These revisions in the resubmitted application are now acceptable subject to conditions and meet the requirements of Policy EN2.

Drainage

10.25 Policies GN3 and IF3 both seek to ensure flood risk is avoided / mitigated through development and that proposals for new development can be appropriately accommodated by existing water and drainage infrastructure. Paragraph 103 of the NPPF requires priority use to be given to SuDS and in accordance with Paragraph 80, Section 10 of the Planning Practice guidance, the preferred means of surface water drainage for any new development is via infiltration and then discharge to a watercourse.

10.26 The proposal to discharge foul wastewater to the existing foul/combined drainage system is acceptable. However, the plans for this application indicated that the intention was to discharge the surface water to the existing drainage system without considering the hierarchal approach. However, the applicant has confirmed his intention to use a more sustainable and feasible drainage solution utilizing the nearby brook and this can be dealt with by a pre commencement drainage condition. In this regard the proposal would comply with Policies GN3 and IF3.

11.0 CONCLUSIONS

11.1 The proposed development has been identified as being inappropriate development in the Green Belt which by definition causes harm to the green belt. Taken together the proposed extensions cause significant harm to the openness of the greenbelt encroaching development further into the countryside. This would erode the openness of the green belt on the western side of the Hotel. However, the applicants have put forward very special circumstances to justify this development. I do regard the economic case put forward to ensure the viability of the hotel and protect/boost local employment to bring significant benefits which I consider in this instance outweigh this harm to the green belt.

11.2 In terms of design I consider that the proposals meet the statutory duty under s72 of the Act, comply with the tests in the NPPF and meet Local Plan policies EN4 and GN3 in respect of conservation and design. The proposed development is acceptable in relation to residential impacts, highways, drainage and ecology. The issues in respect of the impact on trees have now been addressed and the development is now acceptable.

11.3 Subject to appropriate conditions I consider that the proposals accord with Policies GN1, GN3, EC2, IF2, EN2 and EN4 of the Local Plan and advice contained in the NPPF. As such the proposal is acceptable.

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.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans: -
Location Plan and Proposed Site Plan shown on Dwg No 220B received by the Local Planning Authority on 20.11.19
Ground Floor Proposed Dwg No 221 received by the Local Planning Authority on 14.10.19
First Floor Proposed Dwg No 222 received by the Local Planning Authority on 14.10.19
North elevation Kitchen/Conference Dwg No 116 received by the Local Planning Authority on 20.11.19
Event Space Elevation/Sections Dwg No 225 received by the Local Planning Authority on 14.10.19
Stable Block Elevations Dwg No 224 received by the Local Planning Authority on 14.10.19
Stable Block Sections Dwg No 227 received by the Local Planning Authority on 14.10.19
Reason: 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. No development above slab level shall take place until details and samples have been submitted to and approved in writing by the Local Planning Authority of all external materials including brickwork, render, roofing materials, rainwater goods, window frames and door frames. The approved details shall be implemented in full and maintained as such throughout the duration of the development.
Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policies GN3 and EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. Notwithstanding the submitted Drainage Plan Dwg No 118 no development shall take place until a strategy for the separate foul and surface water drainage of the development, including any necessary attenuation measures, maintenance, management proposals and phasing of delivery has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the relevant provisions of this Council's Planning Applications - Drainage, Flood Risk and Sustainability guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement standards. The drainage scheme shall be completed in accordance with the approved details prior to first use/occupation of the extended part of the hotel. In the event that infiltration is proven to be infeasible the peak rate of surface water discharge to the receiving surface water system is not to exceed 3.0 l/s. To aid the checking of calculations the mdx file for the surface water drainage design should be submitted, if available
The approved drainage system shall be retained, managed and maintained in accordance with the approved details at all times for the duration of the development.
Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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.
5. No part of the development hereby granted permission shall be commenced until details of a scheme to control the emission of fumes and odours from the premises including:
 - a. the provision of odour filters;
 - b. the siting of any external ventilation stack; and,

c. details of any measures which are necessary to attenuate noise from the ventilation stack;

have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed and operating prior to the development hereby permitted being first brought into use. It shall thereafter be retained, maintained and operated to the approved specification.

Reason: To safeguard the amenities of neighbouring occupiers, in respect of odour and noise generation and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

6. The development should not be brought into use unless and until a scheme to demonstrate how refuse and recycling will be stored and managed within the site has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented prior to first occupation of the development hereby approved and shall remain in place thereafter.

Reason: To reduce and manage waste generated from the development in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. The development shall be carried out in accordance with the Preliminary Ecological Appraisal by Tyrer Ecological Consultants Ltd received by the Local Planning Authority on 29 October 2019 and recommendations listed in Section 9.0 Conclusions & Recommendations of that report.

Reason: 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. The development shall be carried out in accordance with the tree protection measures detailed in the Arboricultural Method Statement by Mulbery Ref TRE/BHH/RevA, received by the Local Planning Authority 14 May 2019 and shown on Proposed Site Plan Dwg No 220B received by the Local Planning Authority on 20.11.19 .

Reason: To safeguard the health of the trees and so ensure that the proposed development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks

- hard surfaced areas and materials,

- planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.

- existing plants / trees to be retained

- A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the hotel accommodation hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 and EN3 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:

Policy SP1 - A sustainable development framework for West Lancashire

Policy GN1 - Settlement Boundaries

Policy GN3 - Criteria for Sustainable Development

Policy EC2 - The Rural Economy

Policy IF2 - Enhancing Sustainable Transport Choices

Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Policy EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Environment

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

No.4	APPLICATION NO.	2019/0516/FUL
	LOCATION	Land To The Rear Of Dog And Gun Inn Long Lane Aughton Lancashire
	PROPOSAL	Erection of 9 dwellings and associated works.
	APPLICANT	Marston's Estates Ltd
	WARD	Aughton Park
	PARISH	Aughton
	TARGET DATE	21st August 2019

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Dowling has requested it be referred to Committee to consider the size and scale of the development and impact on highway safety.

2.0 SUMMARY

- 2.1 This application is for a residential development of 9no. houses on land to the rear of the Dog and Gun Public House in Aughton. The proposed layout and design is considered to be acceptable. The development will not have a detrimental impact on highway safety and adequate parking has been provided. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. 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 site is located on the north east side of Long Lane and is roughly 'L' shaped. It is located to the rear of the Dog and Gun Public House which fronts on to Long Lane and has a car park, outbuildings and a bowling green to the rear. Access to the site is taken from Long Lane, with a secondary access from Scarth Hill Lane. The site has a small number of hedgerows along the site boundaries and comprises areas of hardstanding and scrub with allotments located to the north east of the site. Residential dwellings surround the site.

5.0 THE PROPOSAL

- 5.1 The application is for the erection of 9no. two-storey dwellings on the site. The outbuildings to the rear of the public house would be demolished, the public house and bowling green would remain. The new dwellings would be sited to the rear of the public house with access being taken from Long Lane, via the existing pub car park access.
- 5.2 The development would comprise 3no. pairs of semi-detached dwellings and a row of 3no. terraced dwellings. The dwellings would benefit from frontage car parking whilst car parking for the public house/bowling green would be sited directly to the rear of the public house and the southeast of the Bowling Green. The application has been amended since its original submission to include the barn to the rear of the public house, which would be demolished and the area used for car parking.

6.0 PREVIOUS RELEVANT DECISIONS

6.1 None relevant.

7.0 CONSULTEE RESPONSES

7.1 Highways (10.07.19) – No objection.

7.2 Lead Local Flood Authority (12.09.19) – No objection.

7.3 Merseyside Environmental Advisory Service (22.07.19) – No objection.

7.4 Environmental Protection (18.07.19) – No objection.

7.5 Highways (10.07.19 and 12.12.19) – No objection.

7.6 United Utilities (18.06.19) – No objection.

7.7 Lancashire County Council – Education Department (17.06.19) – An education contribution is not required.

7.8 Lancashire Fire and Rescue Service (17.06.19) – No objection.

8.0 OTHER REPRESENTATIONS

8.1 Aughton Parish Council (02.07.19 and 12.12.19) – The level of car parking proposed is inadequate. There is no parking provision for the users of the Bowling Green. The proposed access/egress is inadequate. The dwellings will be out of character in the area. The development will result in loss of privacy and overlooking. Planning Committee should make a site visit.

8.2 Objections have been received from local residents, the main grounds for objection can be summarised as:

Increased traffic.

Highway safety.

The placement of rumble strips will not deal with the issue of speeding traffic.

Inadequate parking for the public house/bowling green.

Increase in on street parking.

Overlooking and loss of privacy.

Impact on biodiversity.

Noise impact during construction.

Noise impact once the new dwellings are built.

Increased flooding.

Impact on trees.

Schools, dentists and GPs are oversubscribed.

Refuse collections will be an issue.

No affordable dwellings are proposed.

Shared access with the public house will be a hazard to pedestrians.

The land has been used by local residents for over 30 years as allotments.

9.0 SUPPORTING INFORMATION

9.1 Flood Risk Assessment and Drainage Strategy
Transport Statement
Preliminary Ecological Report
Preliminary Bat Roost Assessment

Pre-development Arboricultural survey
Phase 1 Preliminary Risk Assessment
Phase 2 Geo-Environmental Investigation, Risk Assessment and Remediation Strategy
Parking Survey Report
Material Schedule
Design and Access Statement
Arboricultural Method Statement

10.0 RELEVANT PLANNING POLICIES

- 10.1 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.
- 10.2 The site is located within the Key Service Centre of Ormskirk with Aughton as designated in the West Lancashire Local Plan 2012-2027 DPD.

NPPF

Delivering a sufficient supply of homes
Promoting sustainable transport
Making effective use of land
Achieving well-designed places
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment

West Lancashire Local Plan 2012-2027 DPD (WLLP)

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

SPD – Design Guide (Jan 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 11.1 Policy RS1 of the Local Plan states that residential development will be permitted within the Borough's settlements, including Key Service Centres, on brownfield sites, and on greenfield sites not protected by other policies. The site is within the Key Service Centre of Ormskirk with Aughton and as such the principle of a residential development in this location is acceptable subject to the proposal conforming to all other relevant planning policy.

Design/Layout and Scale

- 11.2 Policy GN3 of the Local Plan together with the Council's SPD Design Guide states that new development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.

- 11.3 Vehicular access to the site would be taken from Long Lane via the existing access serving the public house and bowling green; from this the 9no. properties would be arranged around an estate road. The residential units would be a mix of 2 storey and 2.5 storey. There are a variety of house types in the locality, including two storey dwellings and bungalows, and the public house itself is a substantial building which provides some screening of the site. The presence of the public house and the fact that the houses would be set into the site, surrounded by built development on all sides means that the proposed dwellings would not be overly visible from the public domain. The dwellings would be constructed from brick and incorporate soldier course headers and cills. Given the variety of house types in the area I consider that the design and scale of the proposed dwellings would be acceptable in accordance with Policy GN3 of the Local Plan. The proposed layout does show some areas of frontage car parking however, plots 4, 7 and 8 do show areas of planting to the front of the dwellings which helps to break up the hardstanding and would ensure that the development would not be dominated by hardsurfacing and have an unacceptable visual impact.
- 11.4 I am satisfied that the resulting layout is acceptable and would not appear incongruous within its surroundings or detrimentally affect the street scene. The proposal is therefore in accordance with Policy GN3 of the Local Plan.

Residential Amenity

- 11.5 Policy GN3 of the WLLP states that development should 'retain or create reasonable levels of privacy, amenity and sufficient garden / outdoor spaces for occupiers of the proposed and neighbouring properties'.
- 11.6 In terms of the relationship between the proposed properties, garden depths and interface distances are in accordance with the Design Guide SPD, and I am therefore satisfied that in terms of potential for overlooking and overshadowing, there will not be a significant issue for occupiers of the proposed new dwellings. In terms of the relationship between existing and proposed dwellings, the proposed interface distances recommended in the Design SPD would be adhered to. There are properties on Martin Close which back directly onto the application site, however, these appear to have been designed so that they do not feature main habitable room windows on their rear elevations, and as such there would be no detrimental impact on these dwellings through overlooking or creation of poor outlook.
- 11.7 The houses would be sited to the rear of the existing public house, and as such there would be potential for occupiers of the new dwellings to experience some noise and disturbance arising from the activities and patrons of the public house. Given that the site is within an urban area and already surrounded by residential properties this situation will already be occurring, and as the proposed houses would be set to the rear of the public house they would not be impacted by patrons leaving the public house on foot.
- 11.8 I am satisfied that both new and existing properties will benefit from adequate levels of privacy and amenity, in accordance with Policy GN3 of the Local Plan.

Ecology

- 11.9 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, make provision for their needs.

- 11.10 A Preliminary Ecological Appraisal has been included as part of the application submission which concluded that the proposed development would not have a detrimental ecological impact, it did however identify the need for bat emergence surveys if the barn building to the rear of the public house was to be impacted by the development proposals. The proposed development has altered since its original submission and now includes demolition of the barn building, and for this reason Dusk Emergence and Dawn Re-Entry Bat Surveys have been submitted and conclude that there are no bat roosts present in the barn building.
- 11.11 I am satisfied that the proposed development would not have an adverse impact on biodiversity, various reasonable avoidance methods and recommendations for ecological enhancement are made in the Ecological Appraisal; these can be secured by planning condition.

Drainage

- 11.12 It is proposed that foul drainage will discharge to the adopted sewer serving the site. A Flood Risk Assessment has been submitted with the application and concludes that surface water run-off should be discharged via a pump to the existing culvert to the site's northern boundary. The Lead Local Flood Authority and the Council's Principle Engineer have reviewed these proposals and considers them to be acceptable. I am satisfied that an appropriate drainage strategy can be implemented on the site, in accordance with Policy GN3 of the Local Plan.

Highway Safety

- 11.13 Policy GN3 of the West Lancashire Local Plan DPD (2012-2017) states that developments should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access; ensure parking provision is in line with IF2 of the West Lancashire Local Plan DPD (2012-2017); and incorporate suitable and safe access and road layout.
- 11.14 The proposed dwellings would each have 2no. off road parking spaces which is in accordance with the requirements of Local Plan Policy IF2. The level of car parking to be provided for the public house and Bowling Green has increased since the original submission from 15no. spaces to 23.no spaces, which is an increase in the number of formal car parking spaces than currently existing on the site. I acknowledge that concerns have been raised by local residents in respect of car parking for the public house, but as the uses on site currently exist and the level of car parking proposed as a result of the development is not dissimilar to that which is currently experienced on site, I do not think that there would be a significant impact on highway safety through increased on street parking. Furthermore, 23 car parking spaces is in excess of the 16no. car parking spaces required by the standards for restaurants/drinking establishments given in the Local Plan. I consider that sufficient car parking would be provided for both the proposed dwellings and the public house/Bowling Green, in accordance with Policy IF2.

Conclusion

- 11.15 I am satisfied that the principle of the proposed development is acceptable, and that the appearance of the development would be satisfactory and the scheme would not have a detrimental impact on residential amenity, biodiversity and highway safety. I consider that the proposed development complies with all relevant policies in the Local Plan.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED 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.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference
07 Rev D - Proposed Boundary Treatment Plan
06 Rev E - Refuse Strategy
04 Rev F - Proposed Site Plan
received by the Local Planning Authority on 05.11.19.
B-01 Rev B - House Type B - Floor Plans and Elevations
E-02 Rev A - Housetype E Elevations
E-01 Rev B - Housetype E - Floor Plans and Sections
received by the Local Planning Authority on 22.05.19.
Reason: 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. Foul and surface water shall be drained on separate systems.
Reason: To secure proper drainage and to manage the risk of flooding and pollution and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. The drainage for the development hereby approved shall be carried out in accordance with the approved surface water drainage scheme as shown on drawing 18-7453-102 T2, including refurbishment / replacement of the existing culvert. The surface water drainage scheme shall be fully implemented prior to occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
Reason: To ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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.
5. Prior to occupation of the development 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) 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;Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.
Reason: To ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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.
6. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall

propose measures to mitigate environmental biodiversity effects during the construction phases of the proposed development.

With regard to ecology the EMP should include:

Reasonable Avoidance Measures for protected and notable species (including common toad, hedgehog, brown hare and breeding birds);

Invasive species method statement;

Pre-commencement inspection of ditches for water vole.

The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development to as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No dwelling shall be occupied until a scheme detailing the proposed lighting (including all floodlighting, external building lights and car park lighting) to be installed on the site has been 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.

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

8. No part of the development shall be occupied until the site access/ junction to Long Lane has been constructed in accordance with a scheme which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway junction scheme shall include the provision of a junction table at the Long Lane/ Scarth Hill Lane junction.

Reason: 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 West Lancashire Local Plan 2012-2027 Development Plan Document.

9. The new estate road/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: 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 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

10. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until a private management and maintenance company has been established.

Reason: To ensure future management and maintenance of the proposed streets is secured as the site is not suitable for adoption by the highway authority (under Section 38 of the Highways Act 1980).

11. Before construction work commences, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. These facilities shall be retained until construction is completed, and shall be used to clean the wheels of all vehicles leaving the site.

Reason: To prevent mud or other loose material being carried out on to the highways surrounding the site in the interests of highway safety.

12. Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out using only the agreed materials and method of construction.

Reason: 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 West Lancashire Local Plan 2012-2027 Development Plan Document.

13. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- hard surfaced areas and materials,
- planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- existing plants / trees to be retained
- A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and in the interests of biodiversity conservation to comply with Policy GN3, EN2 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

14. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.

Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Note(s)

1. Highway Notes

a) The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the LCC Highways Team at Cuerden Mill Depot, Cuerden Way, Bamber Bridge, Preston PR5 6BJ in the first instance to ascertain the details of such an agreement and the information to be provided.

b) The Applicant is advised to obtain the written approval of the Local Highway Authority for the details required under Condition 1, prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority.

c) The applicant is advised that to discharge condition *3* the Local Planning Authority requires details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

d) The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.

e) This consent does not give approval to a connection being made to the County Council's highway drainage system. The applicant is further advised that highway surface water drainage system must not be used for the storage of any flood waters from the adoptable United Utility surface water system, or any private surface water drainage system.

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.

Agenda Item 7e

No.5	APPLICATION NO.	2019/1070/WL3
	LOCATION	Land Adjacent To 47-63 Sumner Avenue Haskayne Downholland Lancashire
	PROPOSAL	Change of use of grassed area and footway to provide new access road for nos 47-63 Sumner Avenue, Haskayne.
	APPLICANT	West Lancashire Borough Council
	WARD	Aughton And Downholland
	PARISH	Downholland
	TARGET DATE	30th December 2019

1.0 SUMMARY

- 1.1 The proposed development is for the change of use from grassland open space to new access road for no's. 47-63 Sumner Avenue. The proposal will allow vehicular access to nine residential properties. The application also includes the associated laying of tarmacadam and new kerbs.
- 1.2 It is considered that the proposal will not have any significant impact on the street scene or visual amenity of the area. The proposed development is therefore considered compliant with the NPPF and Policies SP1, GN1, 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 comprises of a triangle shaped parcel of grassland open space that is located on the bend to the southern side of Sumner Avenue.

4.0 PROPOSAL

- 4.1 The application seeks planning permission for change of use from grassland open space to a new access road for no's. 47-63 Sumner Avenue.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 None.

6.0 OBSERVATION OF CONSULTEES

- 6.1 Council's Drainage Officer has no objection (09.12.2019 and 17.12.2019).
- 6.2 LCC Highways has no objection (29.11.2019).

7.0 OTHER REPRESENTATIONS

- 7.1 Downholland Parish Council has no objection (11.12.2019).
- 7.2 One neighbour representation (support) has been received on 25.11.2019.

8.0 RELEVANT PLANNING POLICIES

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

8.2 **National Planning Policy Framework (NPPF)**

Achieving well-designed places

8.3 **West Lancashire Local Plan (2012-2027) (DPD)**

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF2 - Enhancing Sustainable Transport Choice

Supplementary Planning Document (SPD)

Design Guide (January 2008)

9.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Assessment

9.1 The main considerations for this application are:

Impact on parking and highway safety

Loss of greenspace/visual amenity

Residential amenity

Drainage

Impact on parking and highway safety

9.2 Policy IF2 of the West Lancashire Local Plan (WLLP) provides detailed criteria relating to transport choices in development. It states that proposals for additional parking provision should consider local circumstances to justify a proposal, which include levels of local parking provision and any local parking congestion issues.

9.3 There is currently a shortfall in parking provision along Sumner Avenue, with many of the properties not having dedicated parking spaces. It was clear at the time of a site visit that there are problems associated with parking in the area. As a consequence there are significant levels of on-street parking including half-on, half-off verge parking. These sporadic arrangements can obscure visibility from existing driveways and inter-visibility between vehicles and pedestrians. Access to no's. 47-63 Sumner Avenue is informally taken over the grassland open space, which has resulted in some areas being cut-up which detracts from the visual amenity of the area.

9.4 I consider there is a clear need and justification to provide a new access road for no's.47-63 Sumner Avenue, the proposed development will allow residents the ability to park their vehicles within their curtilage, reducing the pressure for street parking. The proposal to create a new access road would improve parking provision for residents, and alleviate pressure on remaining landscaped areas. The Highway Authority have commented on the proposed development and raised no objections. LCC consider that the proposed development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the application site. I am satisfied that the proposal meets with the requirements of Policies GN3 and IF2 of the WLLP.

Loss of greenspace/Visual amenity

- 9.5 The proposed development would involve the removal of grassland open space which contributes to the overall quality of the appearance of the estate. I note that due to the significant parking pressures here that some parts of the grassland has already been informally used for access to residential properties, during wet weather this has resulted in some areas being cut-up which detracts from the visual amenity of the area. The creation of a new access road should reduce the necessity to drive over the remaining grassed area and will improve the visual appearance of this part of Sumner Avenue.

Residential amenity

- 9.6 I am satisfied that the proposed development will not result in any significant adverse impact on neighbouring land uses. Whilst the new highway will be in close proximity to the residential properties adjoining the site, the scheme brings positive benefits, improving residential amenity by facilitating in curtilage parking.

Drainage

- 9.7 Drainage information has been submitted with this application indicating that the new access road is intended to be adopted on completion under a Section 278/Section 38 agreement with Lancashire County Council and will include drainage gullies connected to the existing surface water system in line with LCC Highways specification. The Council's Drainage Officer has assessed the application and raised no objection, I consider that the proposed development complies with Policy GN3 of the WLLP.

10.0 CONCLUSION

- 10.1 Overall I consider that the benefits of creating a new access road outweigh the loss of grassland open space and therefore the process is compliant with the NPPF and Policies SP1, GN1, GN3, and IF2 of the West Lancashire Local Plan 2012-27 and is recommended for approval.

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 with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference: Proposed Access Road to no's 47-65
received by the Local Planning Authority on: 18th October 2019
Reason: 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.

Note(s)

1. The applicant is advised that the new accesses, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal.

Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Lancashire Highways by e-mailing highways@lancashire.gov.uk.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choice

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



PLANNING COMMITTEE:

9 January 2019

Report of: Corporate Director of Transformation and Resources

Contact: Mrs. J.A Ryan (Extn.5017)
Email: jill.ryan:@westlancs.gov.uk

SUBJECT: PROCEDURE FOR THE PUBLIC AND APPLICANTS WHO WISH TO SPEAK AT THE PLANNING COMMITTEE ON PLANNING APPLICATIONS THAT MIGHT AFFECT THEM

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider a request received from LALC (West Lancs Area Committee), to extend the time limit for Parish Council representatives to speak at Planning Committee from 3 minutes to 5 minutes..

2.0 RECOMMENDATION

2.1 That consideration be given to the request from LALC (West Lancs Area Committee) to extend the time limit for Parish Council representative's speaking at Planning Committee from 3 minutes to 5 minutes.

3.0 BACKGROUND

3.1 At Council on 11 December, members considered the report of the Corporate Director of Transformation & Resources with regard to the Parish and Town Council Charter for West Lancashire – Review. One of the recommendations arising from this report was to note the request received from LALC (West Lancs Area Committee), asking for the time limit offered to Parish Councils to speak on Planning Applications be increased from 3 minutes to 5 minutes, in line with the time allowed for Borough Councillors to speak on planning applications in their Wards.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendix

Constitution 14 – Procedure for the Public and Applicants who wish to speak at the Planning Committee on Planning Applications that might affect them.

PROCEDURE FOR THE PUBLIC AND APPLICANTS WHO WISH TO SPEAK AT THE PLANNING COMMITTEE ON PLANNING APPLICATIONS THAT MIGHT AFFECT THEM

The Council wants to improve the opportunity given to people in West Lancashire to have their say about planning applications that affect them.

Writing in with your comments is still the most effective way of ensuring that your views are known and that they are considered before a decision is taken. The Council have decided that people should also have the opportunity to reinforce their views by talking to the Councillors who make the decision at Planning Committee. This leaflet tells you how to go about it.

1. Development Management - what it is and why we need it

Development Management is a way of facilitating building or other work that affects the environment. In this way we can make sure that developments are suitable for the location they are in.

The Council deals with most planning applications, but there are some - usually those involving quarrying and waste treatment and disposal, or for County Council buildings - that the County Council handles.

We have a Committee of 18 Councillors who meet approximately once a month at the Council Offices in Ormskirk to look at planning applications. Meetings commence at 7.00 p.m.

The Planning Committee do not consider all applications – only those of wider public interest.

2. How can I have my say on Planning Applications that affect me?

(a) Writing to us

Any comments you wish to make should be sent by e-mail to plan.apps@westlancs.gov.uk or can be made online at www.westlancs.gov.uk or you can write to the Corporate Director of Place and Community, Council Offices, 52 Derby Street, Ormskirk, Lancashire, L39 2DF or e mail us on

(b) Informing your Borough Councillor

You may also wish to inform your Borough Councillor.

(c) Speaking at Committee

In those cases where applications are to be considered by the Planning Committee and if you fall into one of the 3 categories of persons listed at paragraph 3 below you may also request to speak to the Committee at the relevant meeting

You will firstly need to find out whether or not the application on which you wish to speak is to be considered by the Planning Committee. You can do this by ringing the Planning Division on 01695 585115.

You will need to give at least 3 working days' notice prior to the day of the Committee meeting that you want to address the Committee (i.e. by 5pm on the Monday of the week of the Committee meeting) (contact details are at the end of this leaflet). Please also give a brief outline of the points you wish to make. A pro-forma is available for your assistance.

3. Who can speak at meetings - and what can I say?

The people who can request to speak at meetings are:

- anyone who has written objecting to the planning application and who has been consulted under the neighbour notification process by the Council, or his/her representative;

Note: Consultees/Organisations that have been formally consulted on the application will not be invited to speak, as their views will be set out clearly in the Committee reports.

- the Clerk to a Parish Council, or his/her representative where the Clerk is unavailable, to express the view of the Parish Council;
- the applicant or his/her representative but only where it has been agreed that a third party objecting to the proposal may speak.

Note: The minimum age for people to address the Committee under this procedure is 16 years.

If there is more than one speaker in any category then the Chairman of the Committee will decide how many can speak. This will be done the day before the meeting and the Member Services Officer will notify you of the Chairman's decision. Groups (e.g. of residents) are asked to nominate one person to speak on their behalf.

Each person will be limited to three minutes. This may not seem very long, but the Chairman has to get through the whole Agenda and give

everyone a fair hearing. Speakers should not circulate any supporting documentation at the Committee meeting.

What you say must be relevant to the planning application only - nothing damaging or personal. You are asked to avoid duplicating points made by other speakers. You should address the meeting, please do not enter into a debate with Councillors.

4. What will happen at the meeting?

If you feel nervous or uncomfortable at speaking in public, then you can ask someone else to do it for you. You can also bring an interpreter if you need one.

When you get to the meeting, the Member Services Officer will show you where to sit and let you know when you will be able to speak. There may be others speaking as well. After you have spoken the Committee may ask you questions and may discuss what you have said along with all other information, and make a decision.

5. General Information

- If you have made an objection to a planning application, and if the application is to be considered by the Planning Committee, we will write and tell you when it is likely to go before the Committee. You can also ring the “named officer” on the consultation letter to see how the application is progressing; or go to the Council’s Website www.westlancs.gov.uk and look at the Committee Agenda. This will be available five working days before the Committee sits.
- The Committee may postpone a decision to gather more information or make a site visit. No decision is taken at site visits - they are purely to help Councillors understand the issues better. If the Committee postpones a decision, you will not be allowed to address the meeting again, or address Members at their site visit, but your views will still be considered.
- In some cases planning applications are withdrawn from the Agenda on the day of the meeting. We will try to notify you as soon as possible if this happens.
- After a decision has been made the Council’s website will be updated and we will write to those who contacted us about the application and requested notification of that decision. If we have turned down a development, the applicant can appeal against our decision. If this happens, we will tell you how you can make your view known at the

appeal. If we grant planning permission, there is no right of appeal for objectors.

6. Who to contact

If you wish to request to speak to the Committee about an application, (see paragraph 3), Member Services will help you with arranging this. Don't forget you need at least 3 working days' notice. Please contact:-

Member Services, West Lancashire Borough Council, Council Offices, 52 Derby Street, Ormskirk, Lancashire, L39 2DF

Telephone: 01695 585017

E Mail: memberservices@westlancs.gov.uk