



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 6 October 2021

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

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 14 OCTOBER 2021** 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** 413 - 414
If a member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager 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** 415 - 420
To receive as a correct record the minutes of the meeting held on the 9 September 2021.
- 7. PLANNING APPLICATIONS** 421 - 434
To consider the report of the Corporate Director of Place and Community.
- 7a 2021/0348/FUL - AUGHTON LAWN TENNIS CLUB** 435 - 446
To consider the report of the Corporate Director of Place and Community.
- 7b 2021/0734/FUL - 38 GRANVILLE PARK, AUGHTON** 447 - 456
To consider the report of the Corporate Director of Place and Community.
- 7c 20210875FUL - 56 GRANVILLE PARK WEST, AUGHTON** 457 - 464
To consider the report of the Corporate Director of Place and Community.
- 7d 2021/0142/FUL - LAND TO THE WEST OF CHILDREN AND PARENTING SUPPORT SERVICES, FAIRLIE, BIRCH GREEN, SKELMERSDALE** 465 - 484
To consider the report of the Corporate Director of Place and Community.
- 7e 2020/0906/ARM - LAND TO THE EAST OF FIRSWOOD ROAD, LATHOM, LANCASHIRE** 485 - 498
To consider the report of the Corporate Director of Place and Community.

- 7f **2021/0817/FUL - MOSSHOLM, 36 WARPERS MOSS LANE, BURSCOUGH, ORMSKIRK, LANCASHIRE** 499 - 504
To consider the report of the Corporate Director of Place and Community.
- 7g **2021/0233/FUL - FORMER RAILWAY HOTEL, 1 STATION ROAD, PARBOLD, WIGAN** 505 - 520
To consider the report of the Corporate Director of Place and Community.
- 7h **2021/0849/HSC - BUFFALOAD, GILLIBRANDS ROAD, SKELMERSDALE, LANCASHIRE** 521 - 526
To consider the report of the Corporate Director of Place and Community.
- 7i **2021/0829/FUL - BUFFALOAD, GILLIBRANDS ROAD, SKELMERSDALE, LANCASHIRE** 527 - 532
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**.

Agenda Item 4

MEMBERS INTERESTS 2012

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

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

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

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

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

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

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

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

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

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

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

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

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

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

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

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

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

'a connected person' means

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

'body exercising functions of a public nature' means

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

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

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

Agenda Item 6

PLANNING COMMITTEE

HELD: Thursday, 9 September 2021

Start: 7.00 p.m.

Finish: 9.20 p.m.

PRESENT:

Councillor: D O'Toole (Chairman)
G Owen (Vice Chairman)

Councillors: Mrs P Baybutt J Finch
A Blundell G Johnson
N Delaney E Pope
D Evans J Thompson
S Evans Mrs M Westley
A Fennell

In attendance: Councillor N Pryce-Roberts (Skelmersdale South Ward)
Councillor V Cummins (Skelmersdale South Ward)
Councillor D West (Skelmersdale South Ward)

Officers: Heidi McDougall, Corporate Director Place and Community
Alan Houghton, Interim Head of Growth and Development
Ann Veevers, Principal Planning Officer
Mark Loughran, Principal Planning Officer
Judith Williams, Assistant Solicitor
Jill Ryan, Senior Member Services Officer

40 **APOLOGIES**

Apologies for absence were received from Councillor Upjohn.

41 **MEMBERSHIP OF THE COMMITTEE**

There were no changes to the membership of the Committee.

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

There were no items of urgent business received.

43 **DECLARATIONS OF INTEREST**

Councillor Mrs Baybutt declared a pecuniary interest in respect of planning application 2021/0390/ARM relating to ORM Works and Former Railway Tavern, Railway Road, Skelmersdale as the applicant was a personal friend of hers and therefore left the Chamber and took no part in the decision making process.

44 DECLARATIONS OF PARTY WHIP

There were no Declaration of Party Whip.

45 MINUTES

RESOLVED: That the minutes of the meeting held on the 22 July 2021, be approved as a correct record and signed by the Chairman.

46 PLANNING APPLICATIONS

The Corporate Director of Place and Community submitted a report on planning applications (all prefixed 2021 unless otherwise stated) as contained on pages 259 to 388 of the Book of Reports and on pages 403 to 412 of the Late Information Report.

(Notes:

1. In accordance with Regulatory Procedure Rule 7(a), Councillor Pryce Roberts spoke in connection with planning application 2021/0390/ARM relating to ORM Works and Former Railway Tavern, Railway Road, Skelmersdale and left the meeting after consideration of this item.
2. Councillor Mrs Baybutt had declared a pecuniary interest in respect of planning application 0390/ARM relating to ORM Works and Former Railway Tavern, Railway Road, Skelmersdale and therefore left the Chamber during consideration of this item.
3. Councillor Johnson arrived during consideration of planning application 0418/FUL relating to Bank House, Ayrefield farm, Bank Brow, Roby Mill, Up Holland and therefore took no part in the debate and did not vote on this application.
4. A Parish Councillor and Agent spoke in connection with planning application 0418/FUL relating to Bank House, Ayrefield Farm, Bank Brow, Roby Mill, Up Holland and left the meeting after consideration of this item.
5. An Objector spoke in connection with planning application 0741/FUL relating to Tarleton Academy, Hesketh Lane, Tarleton and left the meeting after consideration of this item.
6. Councillor D Evans left the Chamber during consideration of planning application 0390/ARM relating to ORM Works and Former Railway Tavern, Railway Road, Skelmersdale and was not present for the remainder of the meeting.
7. An Objector and Agent spoke in connection with planning application 0390/ARM relating to ORM Works and Former Railway Tavern, Railway Road, Skelmersdale and left the meeting after consideration of this item.
8. The meeting was adjourned for a 5 minute comfort break at 8.10pm to allow Officers to bring in more speakers to the Chamber at the conclusion of planning application 0390/ARM relating ORM Works and Former Railway Tavern, Railway Road, Skelmersdale.
9. A Parish Clerk, 3 Objectors and the Agent spoke in connection with planning application 2020/0906/ARM relating to Land to the East of Firswood Road, Lathom and left the meeting after consideration of this item).

47 **2021/0418/FUL - BANK HOUSE, AYREFIELD FARM, BANK BROW, ROBY MILL, UP HOLLAND SKELMERSDALE**

RESOLVED: That planning application 0418/FUL relating to Bank House, Ayrefield Farm, Bank Brow, Roby Mill, Upholland, Skelmersdale be approved subject to the conditions and reasons as set out on page 277 to 278 of the Book of Reports.

48 **2021/0741/FUL - TARLETON ACADEMY, HESKETH LANE, TARLETON, PRESTON**

RESOLVED: That planning application 0741/FUL relating to Tarleton Academy, Hesketh Lane, Tarleton, Preston be approved subject to the conditions and reasons as set out on pages 286 to 293 of the Book of Reports and with the amendments to conditions 13 and 15 and reasons as set out on pages 403 to 405 of the Late Information Report.

49 **2021/0390/ARM - ORM WORKS AND FORMER RAILWAY TAVERN, RAILWAY ROAD, SKELMERSDALE**

RESOLVED: That planning application 0390/ARM relating to ORM Works & Former Railway Tavern, Railway Road, Skelmersdale be approved subject to the conditions and reasons as set out on pages 301 to 303 of the Book of Reports, and with the following additional 3 conditions and reasons:-

Additional Condition 9

Notwithstanding the submitted details, the location of the bin store specified in Plan Ref 17/064/BS01 shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall thereafter be sited prior to occupation of the apartments in the approved location and retained as such for the duration of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason

To protect the amenity of surrounding residents and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2021-2027 Development Plan Document.

Additional Condition 10

Notwithstanding the submitted Enclosures Layout ref: 17/064/EN01/D, the proposed 0.9m high picket fence along the eastern boundary of Plot 35 shall be substituted with a 1.8m high timber feather edged fence to match that proposed around

the rear garden of Plot 35. The boundary treatment to Plot 35 shall be implemented prior to occupation of the dwelling on Plot 35 and retained in situ thereafter.

Reason

To protect the privacy and amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Additional Condition 10

Notwithstanding the submitted site layout plans, details of the measures to prevent motorised vehicles, including motorcycles, from accessing the site from Taylor Street shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented prior to occupation of any dwelling on the site and retained in situ thereafter.

Reason

To prevent vehicles including motorcycles from accessing the site from Taylor Street in the interests of highway safety and residential amenity in accordance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

50 **2021/0439/FUL - PARK HOUSE, BLACK MOSS LANE, SCARISBRICK, ORMSKIRK, LANCASHIRE**

RESOLVED: That planning application 0439/FUL relating to Park House, Black Moss Lane, Scarisbrick, Ormskirk be approved subject to the conditions and reasons as set out on pages 314 to 321 of the Book of Reports and, with the amendment to paragraph 7.1 of the report as set out on page 407 of the Late Information Report and also with amendments to conditions and reasons 2 and 6 as set out on pages 407 to 408 of the Late Information Report.

51 **2021/0549/FUL - DELPH COTTAGE, CROW LANE, DALTON, WIGAN, LANCASHIRE**

RESOLVED: That planning application 0549/FUL relating to Delph Cottage, Crow Lane, Dalton, Wigan be approved subject to the conditions and reasons as set out on pages 326 to 328 of the Book of Reports.

52 **2021/0444/FUL - 3 AND 3A MOOR STREET, ORMSKIRK, LANCASHIRE**

RESOLVED: That planning application 0444/FUL relating to 3 and 3A Moor Street, Ormskirk be approved subject to the conditions and

reasons as set out on pages 334 to 335 of the Book of Reports.

53 2021/0113/ARM - LAND TO THE EAST OF TOLLGATE ROAD, BURSCOUGH, LANCASHIRE

RESOLVED: That planning application 0113/ARM relating to Land to the East of Tollgate Road, Burscough be approved subject to the conditions and reasons as set out on pages 348 to 353 of the Book of Reports.

a 2020/0906/ARM - LAND TO THE EAST OF FIRSWOOD ROAD, LATHOM, LANCASHIRE

RESOLVED: That planning application 2020/0906/ARM relating to Land to the East of Firswood Road, Lathom be deferred to allow the applicant to meet with local residents

54 2021/0142/FUL - LAND TO THE WEST OF CHILDREN AND PARENTING SUPPORT SERVICES, FAIRLIE, BIRCH GREEN, SKELMERSDALE, LANCASHIRE

RESOLVED: Planning application 0142/FUL relating to Land To The West Of Children And Parenting Support Services, Fairlie Birch Green, Skelmersdale had been removed from the agenda to allow time for Officers and interested parties to consider the additional information and the application will be brought back to a future Planning Committee.

55 THE PLANNING SERVICE REVIEW - UPDATE

Consideration was given to the report of the Corporate Director of Place and Community as contained on pages 389 to 402 of the Book of Reports, which outlined the proposed actions and updated Members on the progress with implementing the recommendations of the planning services review.

The Corporate Director of Place and Community outlined the report and explained that a Working Group, made up of cross departmental representatives, led by the Corporate Director Place and Community had met on a regular basis to drive the implementation of the recommendations which had been categorised into short, medium and long term actions.

In discussion comments and questions were raised in respect of:

- That a further interim report was going back to an extra Executive Overview and Scrutiny Committee in January 2022 to continue monitoring the review and whether this should also come back to Planning Committee.
- Additional capacity needed in the Planning Department was imperative
- Timescales involved for all of the reviews – 81 in total

PLANNING COMMITTEE

HELD: Thursday, 9 September 2021

- Weekly lists for planning applications – members found these very useful
- Call in procedures – members not understanding this process
- Responsibility of each section in the plan – which officers were responsible.
- Planning Applications down for refusal and being called into Planning Committee – if down for refusal why bring to Planning Committee.

RESOLVED: That the comments be noted.

56 **DATES OF FUTURE MEETINGS**

AGREED: That the future dates of Planning Committees be noted.

.....
Chairman



PLANNING COMMITTEE
14 OCTOBER 2021

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	Aughton And Downholland	2021/0348/FUL	<p>Aughton Lawn Tennis Club Granville Park Aughton Ormskirk Lancashire L39 5DT</p> <p>Reconfiguration of 3 no. lawned tennis courts to 2 no. all weather surface tennis courts. Removal of trees in poor condition, replaced with new planting. New floodlighting to 3 no. courts. Replacement entrance gate to enable accessibility.</p>	Planning permission be granted.
2	Aughton And Downholland	2021/0734/FUL	<p>38 Granville Park Aughton Ormskirk Lancashire L39 5DU</p> <p>Extensions to the property including part single-storey side/rear, part two-storey, part first floor and basement garage extensions to side</p>	Planning permission be granted.
3	Aughton And Downholland	2021/0875/FUL	<p>56 Granville Park West Aughton Ormskirk Lancashire L39 5HS</p> <p>Demolish existing conservatory, replace with proposed extension to rear and side. Extend above existing rear extension and proposed. Dormers to FF bedrooms. Porch to front elevation.</p> <p>2020/0317/FUL Approval was granted for the above description. The new application is as the original application but with a small office added to the original side single storey extension.</p>	Planning permission be granted.

4	Ashurst	2021/0142/FUL	<p>Land To The West Of Children And Parenting Support Services Fairlie Birch Green Skelmersdale Lancashire</p> <p>Erection of residential 50 dwellings with associated parking and new access road onto site.</p>	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 a planning obligation under Section 106 of the Town and Country Planning Act 1990 being entered into.
5	Bickerstaffe	2020/0906/ARM	<p>Land To The East Of Firwood Road Lathom Lancashire</p> <p>Reserved Matters - Erection of 130 dwellings and associated works including details of appearance, landscaping, layout and scale.</p>	Reserved Matters be approved.
6	Burscough East	2021/0817/FUL	<p>Mossholm 36 Warpors Moss Lane Burscough Ormskirk Lancashire L40 4AQ</p> <p>Retrospective detached ancillary building</p>	Planning permission be granted.
7	Parbold	2021/0233/FUL	<p>Former Railway Hotel 1 Station Road Parbold Wigan Lancashire WN8 7NU</p> <p>Change of use of former public house from sui generis to Class E (retail), external alterations, demolition of existing extension, erection of new extension, development of 3 no. apartments, formation of new access to Broadmead and associated works</p>	Planning permission be granted.
8	Skelmersdale North	2021/0849/HSC	<p>Buffaload Gillibrands Road Skelmersdale Lancashire</p>	Hazardous Substances

			WN8 9TX Hazardous Substances Consent - Storage of liquefied natural gas.	Consent be granted.
9	Skelmersdale North	2021/0829/FUL	Buffaload Gillibrands Road Skelmersdale Lancashire WN8 9TX Full planning permission for a bio liquefied to compressed natural gas storage and dispensing facility.	Planning permission be granted.



PLANNING COMMITTEE

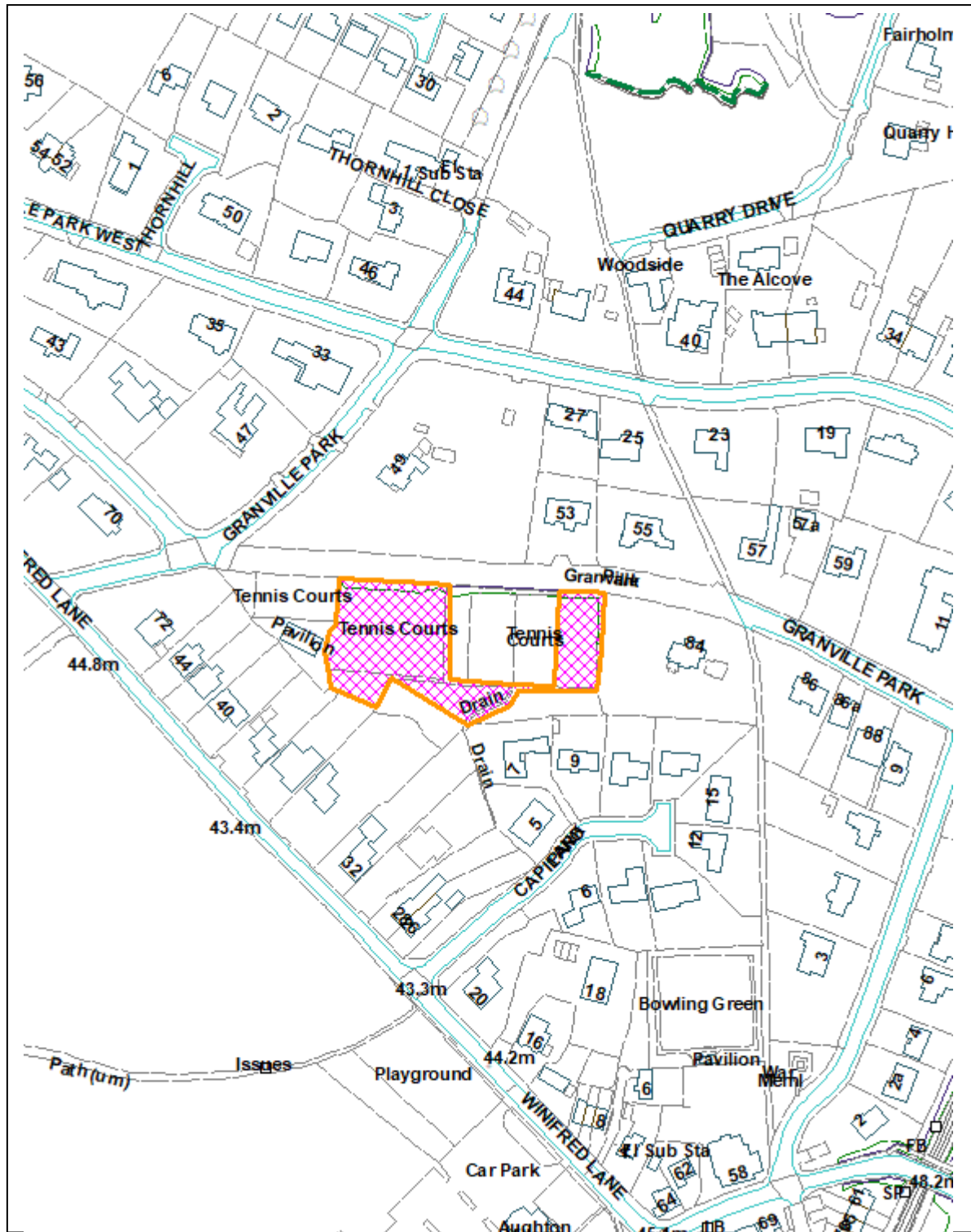
14 October 2021

(Agenda Item 7)

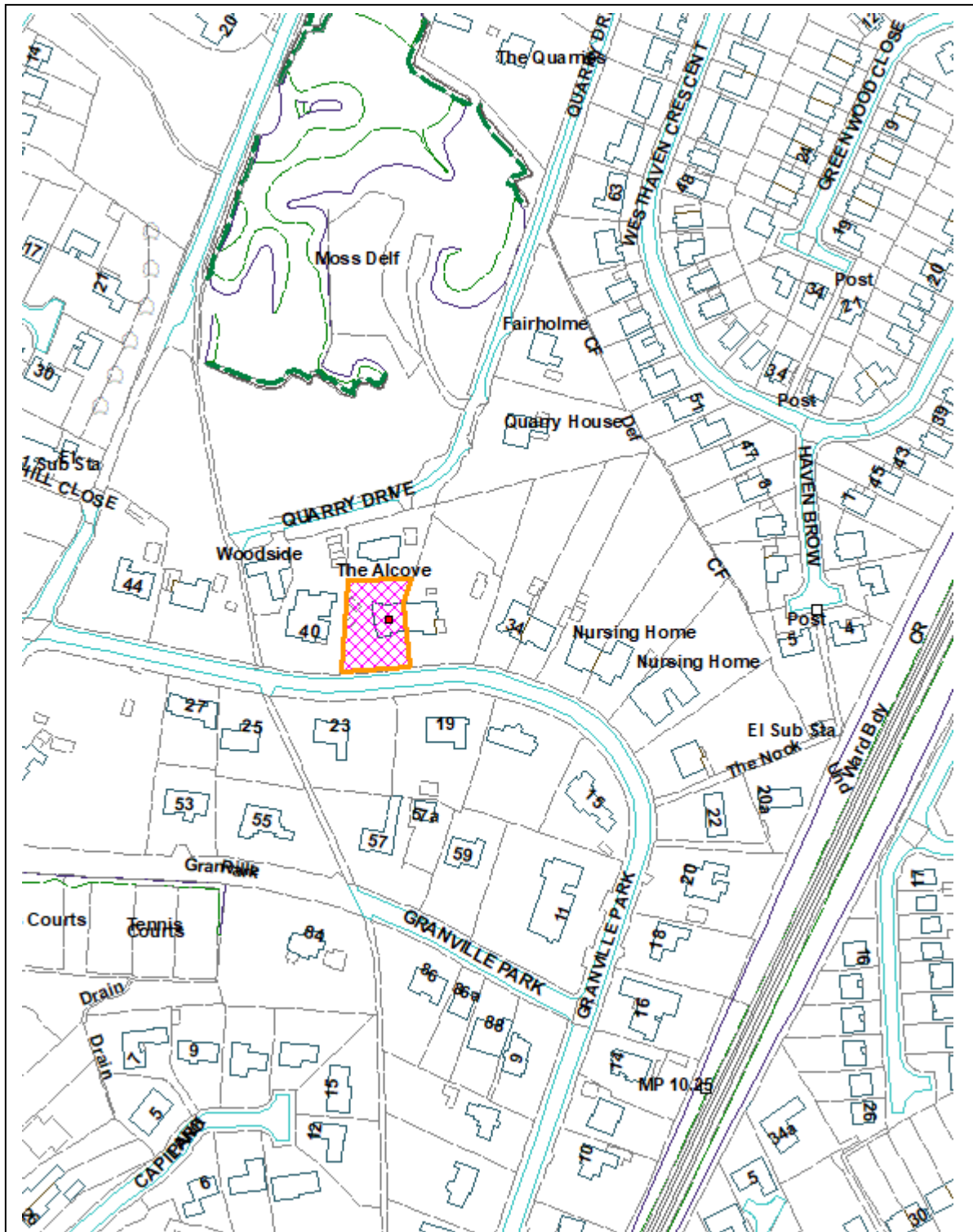
PLANNING APPLICATION ITEMS

LOCATION PLANS

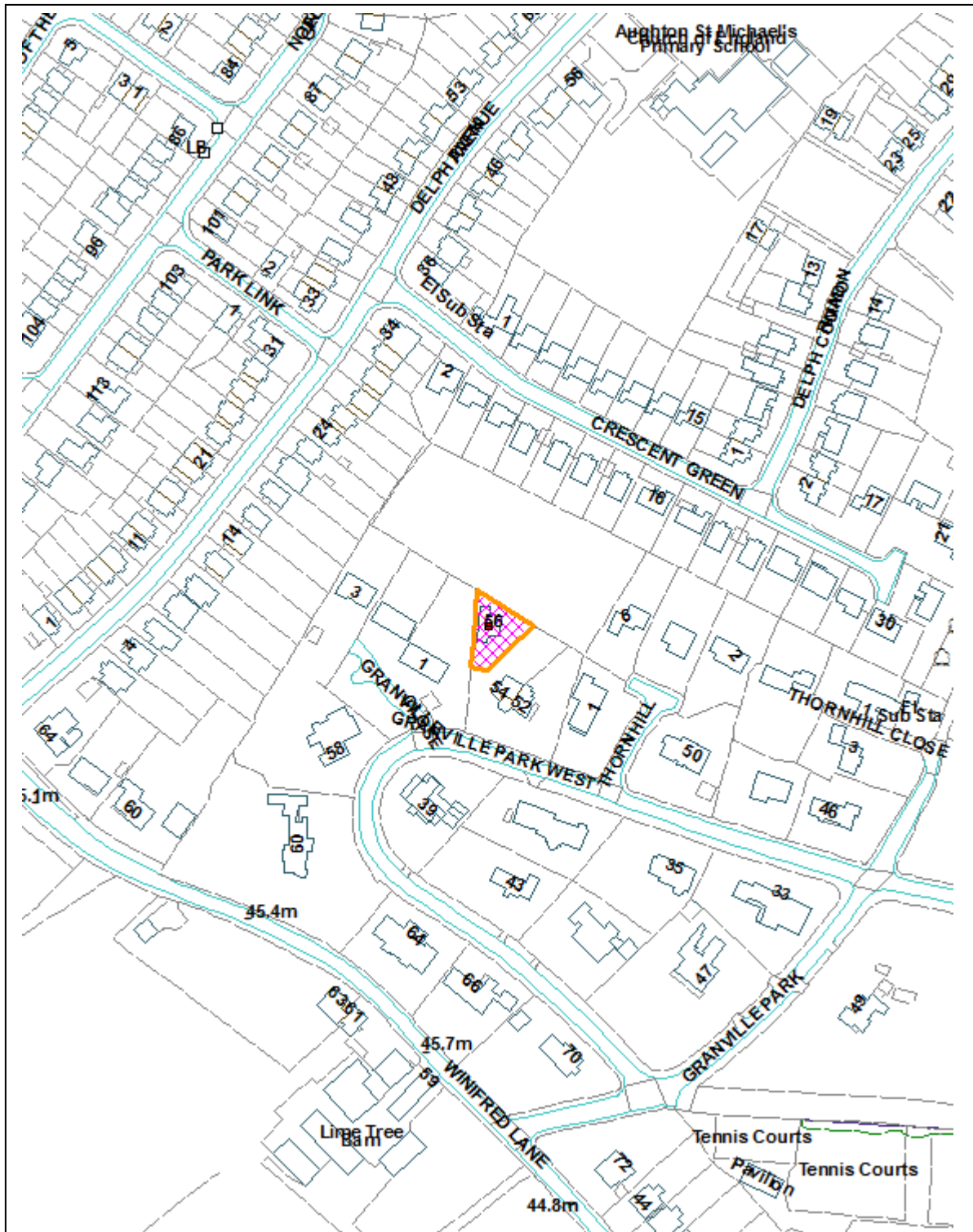
Aughton Lawn Tennis Club, Granville Park, Aughton, L39 5DT.



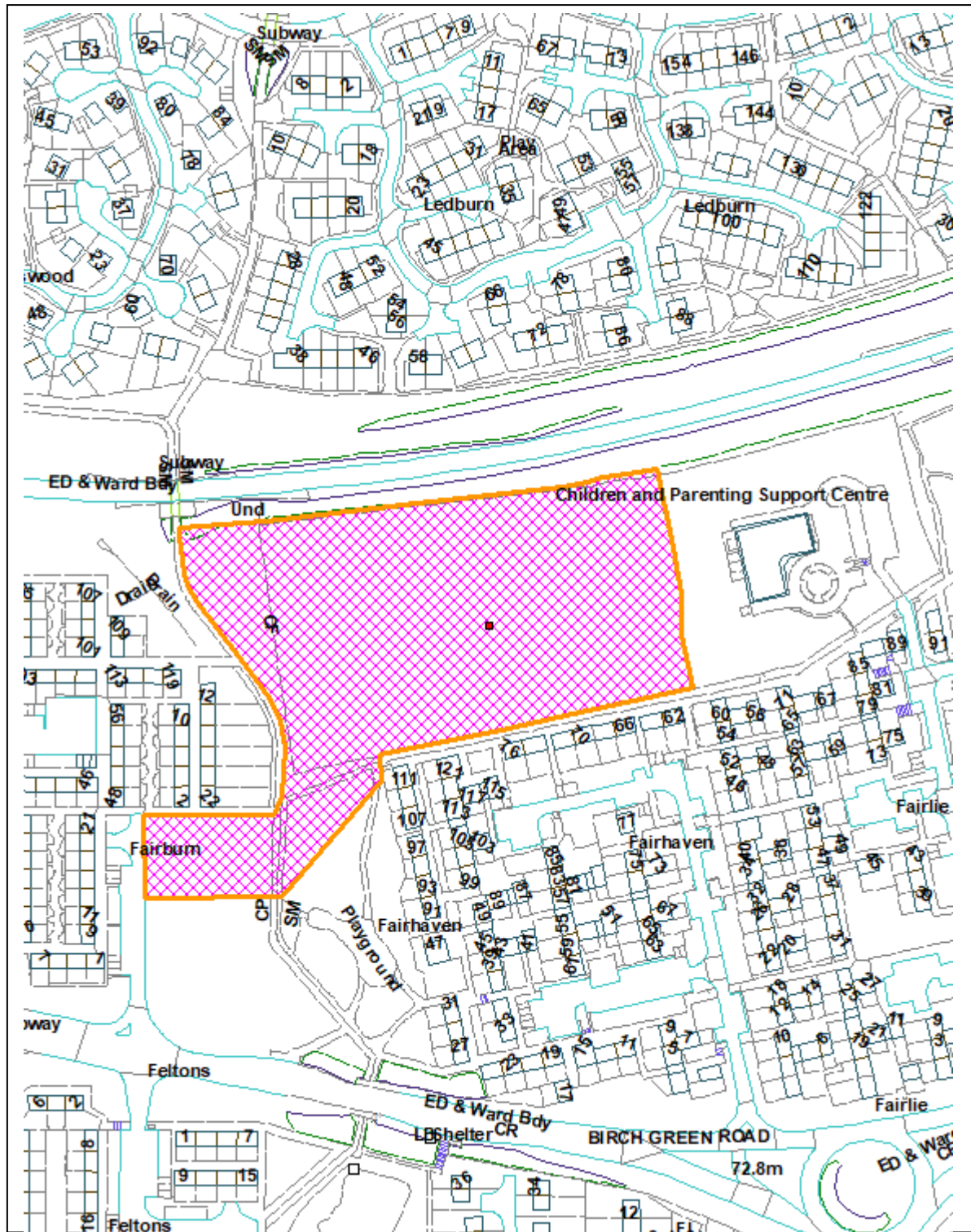
38 Granville Park, Aughton, Ormskirk, L39 5DU.



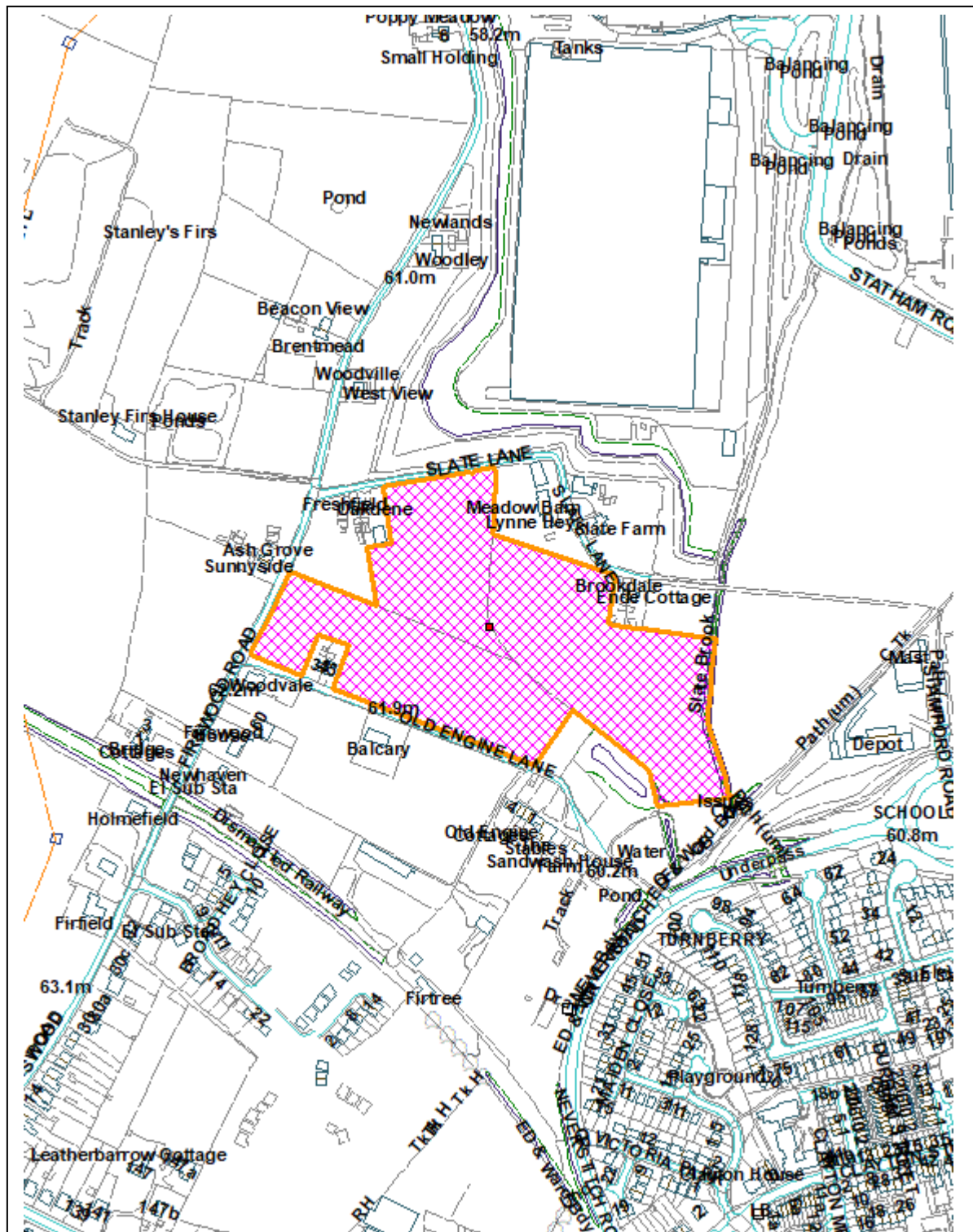
56 Granville Park West, Aughton, L39 5HS.



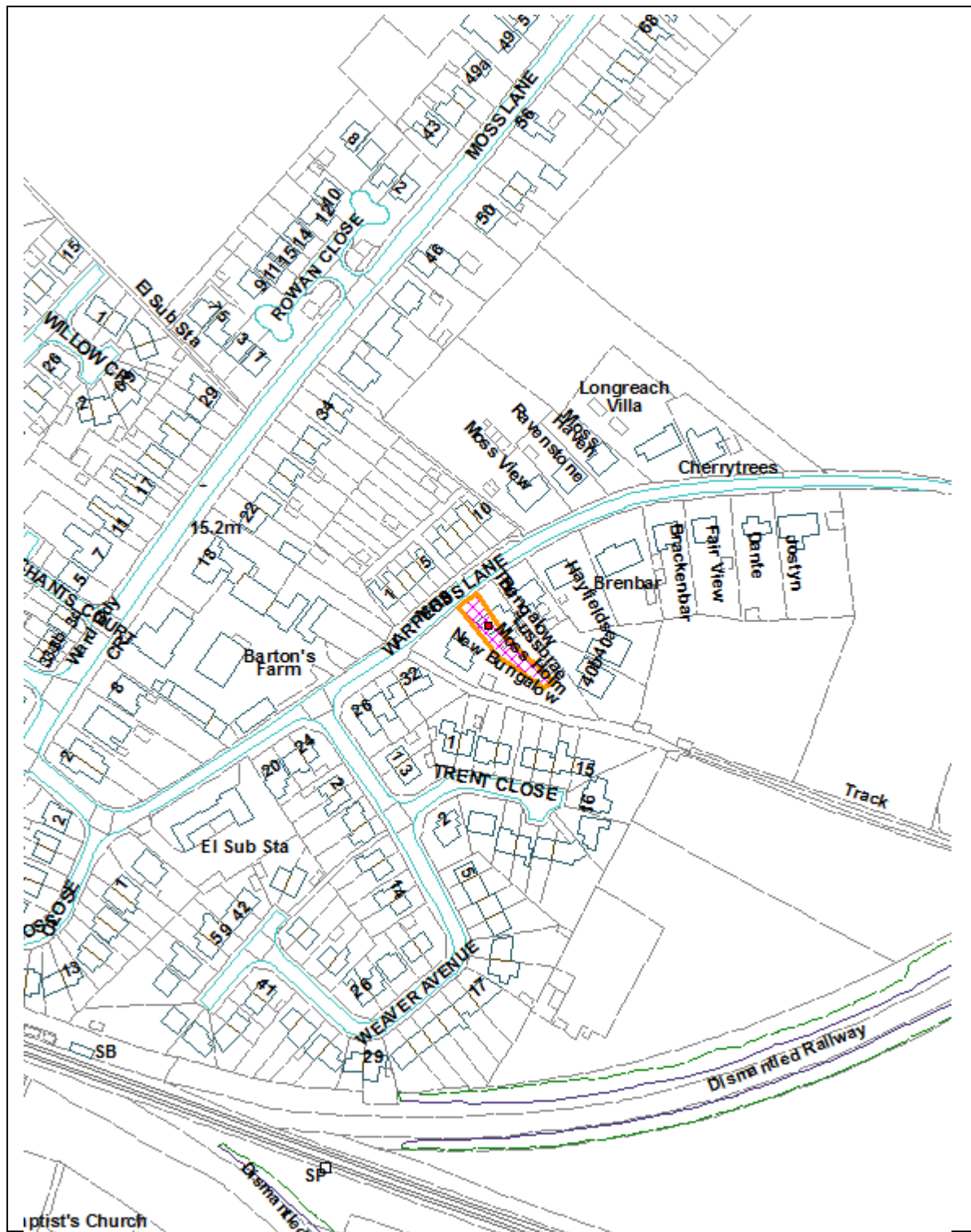
Land To The West Of Children And Parenting Support Services, Fairlie, Birch Green, Skelmersdale, WN8 6RG



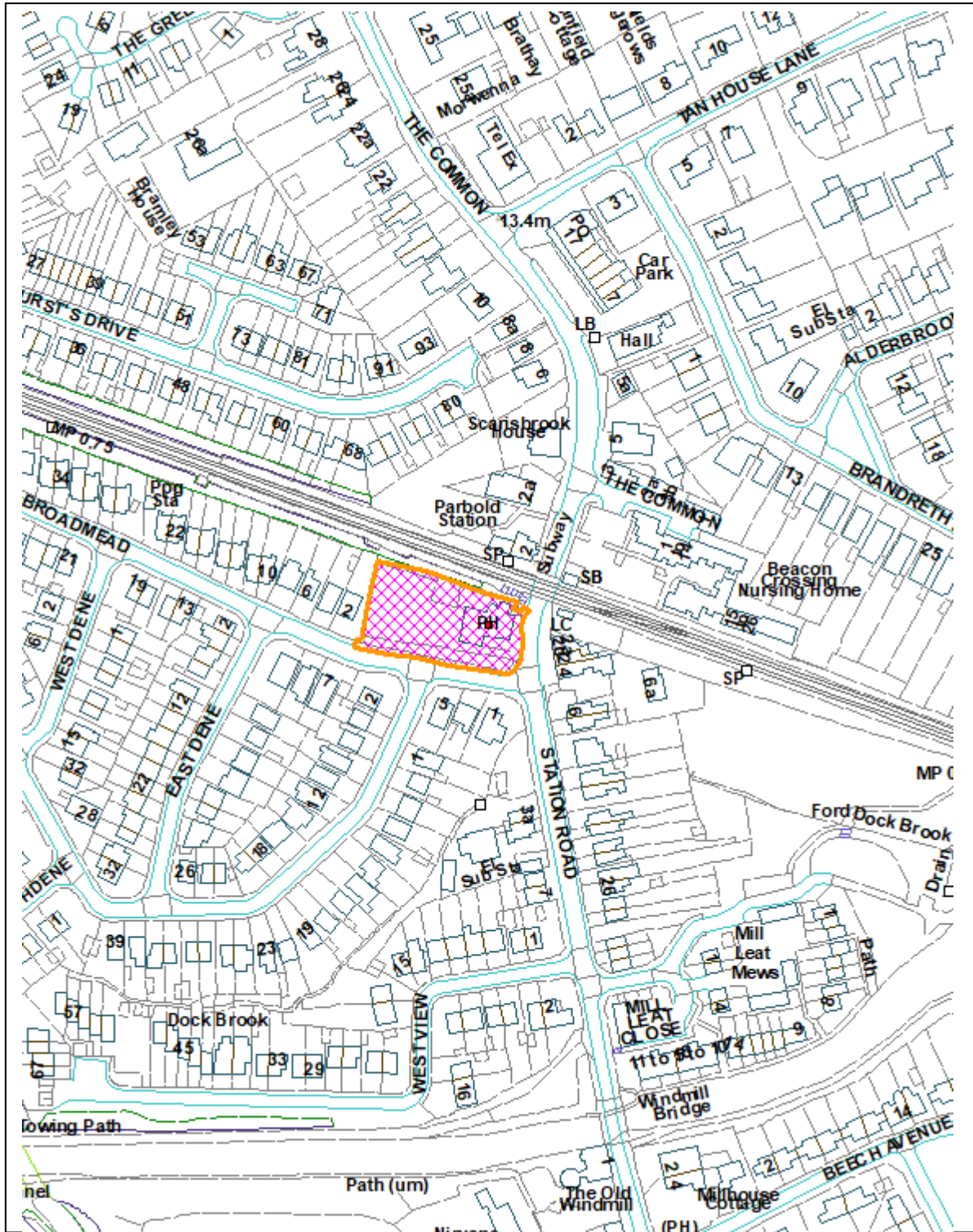
Land To The East Of, Firwood Road, Lathom, WN8 8UP.



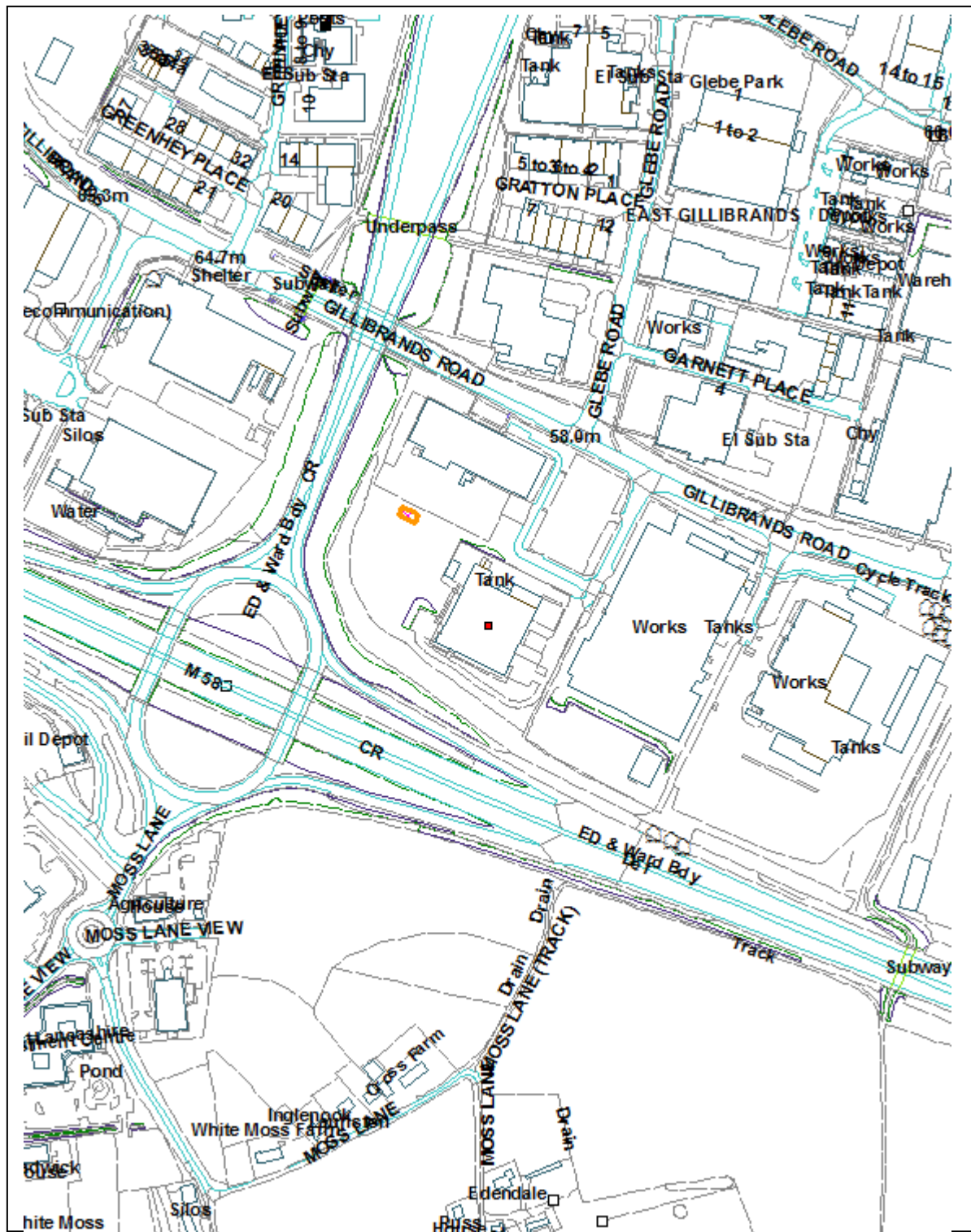
Mossholm, 36 Warpors Moss Lane, Burscough, L40 4AQ.



Former Railway Hotel, 1 Station Road, Parbold, WN8 7NU.



Buffalod, Gillibrands Road, Skelmersdale, WN8 9TX.



Agenda Item 7a

No.1	APPLICATION NO.	2021/0348/FUL
	LOCATION	Aughton Lawn Tennis Club Granville Park Aughton Ormskirk Lancashire L39 5DT
	PROPOSAL	Reconfiguration of 3 no. lawned tennis courts to 2 no. all weather surface tennis courts. Removal of trees in poor condition, replaced with new planting. New floodlighting to 3 no. courts. Replacement entrance gate to enable accessibility.
	APPLICANT	Aughton Lawn Tennis Club
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	22nd June 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor Westley has requested it be referred to Planning Committee to review impact of the loss of established trees and the installation of new floodlighting on the Conservation Area.

2.0 SUMMARY

- 2.1 This is an application for the reconfiguration of three of the remaining grass tennis courts (courts 2, 3 and 4) to create two all-weather surface tennis courts in order to allow year-round play. A smaller mini court is also proposed between courts 1 and 3, with a 2.1m high timber clad practice wall. Internally, a replacement 3m high chain link court fencing is proposed around the new all-weather courts. Permission is also sought to erect eight floodlighting columns. Four, 10m high floodlighting columns on each corner of the new all-weather pitches (courts 3 and 4) and a further four, 8m high floodlighting columns around court 8. A replacement timber gate is proposed at the existing entrance adjacent to court 1. Subject to appropriate conditions, the development would not have an adverse impact on residential amenity, the ecological value of the site, trees, drainage or highway safety. I therefore recommend that planning permission be granted.

3.0 RECOMMENDATION: APPROVE subject to conditions

4.0 THE SITE

- 4.1 This site is Aughton Lawn Tennis Club situated within Granville Park to the north of numbers 32 to 72 Winifred Lane and to the south of 49 and 53 Granville Park. The entrance to the site is located on Granville Park opposite the junction with Granville Park West. The site is located within the settlement area of Aughton and also lies within the Granville Park Conservation Area.
- 4.2 The tennis club currently has 8 tennis courts. Courts 1, 5, 6, 7 and 8 are all weather courts. All courts are floodlit except for court 8. Courts 2, 3 and 4 are grass courts and only become playable during the summer months.

5.0 THE PROPOSAL

- 5.1 Planning permission is sought for the reconfiguration of three of the remaining grass tennis courts (courts 2, 3 and 4) to create two all-weather surface tennis courts in order to allow year-round play. A smaller mini court is also proposed between courts 1 and 3, with

a 2.1m high timber clad practice wall to aid and assist in the coaching of younger players. Internally, a replacement 3m high chain link court fencing is proposed around the new all-weather courts.

- 5.2 Permission is also sought to erect eight floodlighting columns. Four, 10m high floodlighting columns on each corner of the new all-weather pitches (courts 3 and 4) and a further four, 8m high floodlighting columns around court 8. A replacement timber gate is proposed at the existing entrance adjacent to court 1.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2005/0174 GRANTED Erection of eight 8m high floodlighting columns

7.0 CONSULTEE RESPONSES

- 7.1 Highways (21.05.2021) – No Objection
- 7.2 Environmental Health (26.05.2021 and 02.07.2021) – No Objection
- 7.3 MEAS (08.07.2021) No Objection. Conditions recommended
- 7.4 United Utilities (13.05.2021) – No Objections
- 7.5 Sport England (28.07.2021) – Supports the application

8.0 OTHER REPRESENTATIONS

- 8.1 I have received letters of objection from local residents who raise the following concerns, summarised below:

Trees and Biodiversity

Loss of a number of mature trees;
Reduction in biodiversity such as bats, owls, squirrels and birds due to the removal of mature trees.

Floodlighting

The existing floodlights result in light spillage through our windows to our homes in the evening – made worse by recent pruning of the trees - concerned the new 10m high floodlights will cause additional light spillage;

The new floodlights would significantly increase the amount of light pollution to our property, affecting our quality of life in relation to getting our children to sleep, and our household in general at night. This would be particularly impactful in the winter months when tree cover is no longer present, and also given the time into the evenings that the tennis courts are used year round;

The height of the floodlights is unnecessarily high and out of character with the conservation area.

Parking

Years ago the members of the Tennis Club were mainly local residents who walked to the club from their homes. More recently Members increasingly arrive at the Club by car and as parking outside the entrance of the club is limited it is necessary to park on the stretch of Granville Park from Winifred Lane and also along Granville Park West;

Increase in traffic and lack of safe parking provision resulting in more on street parking;
Allowing the public to use the club will increase demand for parking in the area resulting in dangerous parking on the corner of Granville Park West.

Drainage

The drainage system of Winifred Lane currently overflows and causes significant local flooding of the road when heavy rains fall causing safety concerns for both drivers and pedestrians;

Concerned all weather pitches will increase flooding in the area;

The proposed wall will cause drainage problems.

Appearance

The proposed metal and mesh gate for entry to the Club would be an eyesore and totally out of place, detracting from the natural beauty.

Noise

Currently the club clean / clear the courts of leaves and debris each morning at 8am with a high powered petrol leaf blower which expels a great deal of unnecessary nuisance noise each morning. If there was to be an increase in usage of the courts, this cleaning regime could be increased;

Extended hours of play will result in an increase in shouting, music from loud music systems late into the night in close proximity to residents;

The all-weather pitches will increase usage of the courts and increase the requirement for the floodlighting to be switched on;

The club intends to substantially expand as their statement says 'we can expect up to 350 sessions p.a per new court vs 33 sessions per court during 2019 season (1,400 hours in total)';

The development plan states they have no capacity in the evenings due to only 50% of courts being usable due to having floodlighting. This scheme will result in 100% floodlit courts;

The tennis club are targeting after work and out of season when the weather is poor so there will be a significant increase in the utilisation of the courts all which will have a significant impact on residents.

8.2 Aughton Parish Council – Raises concern; summarised below:

Aughton Parish Council recognises Aughton Lawn Tennis Club's ambition to enhance the club's facilities;

The development will result in loss of mature trees which play an important screening function;

Flooding – a Flood Risk Assessment should be required to prevent any undue increase in surface water run-off and to reduce the risk of flooding;

Increase in parking – parish council members noted that William Arnold Silcock Memorial Playing Field Car Park was listed as additional parking for any increased use at the tennis club should planning permission be granted. This car park which is leased, managed and maintained by the Parish Council for authorised users of the Sports Pavilion (bowls, tennis, cricket and football), Village Hall, a large play area, plus up to 2hrs parking for access to the village amenities;

With just 76 car parking spaces, this 'alternative' suggestion is not an acceptable solution for off-site private club use and would put even more pressure on the very busy village car park. A traffic management plan should therefore be provided.

9.0 SUPPORTING INFORMATION

- 9.1 Design and Access / Heritage Statement
Bat and Breeding Bird Survey
Floodlight Information
Arboriculture Impact Assessment and Method Statement Revision A (August 2021)
Drainage Strategy Report Issue 4 (August 2021)
Aughton Tennis Club Development Plan

- 9.2 Aughton Lawn Tennis Club (ALTC) is currently a private members club based in Aughton. The club has seen membership rise steadily in the last 3 years to 278 members. ALTC offers a full coaching programme. The growth in junior membership and an increase in adult members using the courts more regularly is starting to add pressure to the availability of courts. The existing courts are not fit for purpose in terms of LTA guidance. There is a reduction in use of the courts by approximately 65% during the winter months. The proposal will allow access for non-members and for potential members with a disability in line with LTA and Sport England Guidance. Currently the ALTC has no capacity to offer a 'pay and play' facility. Pay and play is important to making ALTC an accessible club for people that want to try tennis before becoming a member. The focus is to generate this accessibility at times when the courts are currently not being used. Pay and play is only available by prior arrangement and can only be booked through an online booking system and is vetted by the club, this will help to manage footfall into the club.

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.

The site is allocated as Green Infrastructure / Open Recreation Space and is also within Granville Park Conservation Area in the West Lancashire Local Plan 2012-2027 DPD.

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
GN1 – Settlement Boundaries
GN2 – Safeguarded Land
GN3 - Criteria for Sustainable Development
IF2 – Enhancing Sustainable Transport Choice
EN2 – Preserving and Enhancing West Lancashire's Natural Environment

SPD – Design Guide (Jan 2008)
Playing Pitch Strategy (2018)
Open Space Study (2018)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 11.1 The proposed development site is designated as Green Infrastructure / Open Recreation Space on the adopted West Lancashire Local Plan 2012-2027 (WLLP) Policies Map. Policy EN3 of the West Lancashire Local Plan supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play

opportunities. Part 2a) of Policy EN3 addresses circumstances when development would result in the loss of open space or sport and recreation facilities. Part 2b) sets out the circumstances (i to vii inclusive) where development on open space and sport and recreation facilities will not be permitted. The proposal does not appear to fall within any of these criteria. Part 2c) indicates that development of outdoor sports and recreation facilities will be permitted within settlement boundaries providing that it does not conflict with other Local Plan policies.

- 11.2 Paragraph 93 of the NPPF advises that decisions should plan positively for the provision and use of amongst other things, community facilities such as sports venues to enhance and sustain the sustainability of communities and residential environments. Paragraph 98 of the NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Paragraph 99 (c) of the NPPF states "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: c) the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use." This proposal is considered to be for alternative sports provision because primarily it would reconfigure 3 grass courts to 2 all-weather surfaces in situ. It would therefore result in an increase in usage despite the net reduction of one court and as such would meet criterion c) of NPPF paragraph 97.
- 11.3 A supporting statement has been submitted with the application which explains the following: that in recent years the club has successfully increased its membership with a particular drive to gain new young members as part of a coaching scheme; the existing facilities have reached maximum capacity for use; the grass courts are small and only playable for certain periods of the year as they are regularly un-useable due to inclement weather and the need to allow recovery time for the grass surface; the replacement all weather courts will comply with Lawn Tennis Club (LTA) standards and will extend the period of use of the courts. A smaller mini court is also proposed in the grounds with a practice wall to aid and assist in the coaching of younger players.
- 11.4 A letter of support from the LTA has been included in the submission and confirms that the proposal will create more opportunities for existing members to play tennis throughout the year, enable the club to grow its membership and allow non-members to play on a pay and play basis. The LTA confirms these factors are an important part of the LTAs vision – Tennis Opened Up. The proposal also addresses key elements of Sport England's Enhance and Provide planning objectives which seek to enhance opportunities through better use of existing provision and provide new opportunities to meet the needs of current and future generations. Sport England have confirmed that they support this application.
- 11.5 Therefore, the principle of the redevelopment from three grass pitches to two all-weather courts and one mini court is acceptable subject to compliance with other policies.

Impact on Conservation Area / Visual appearance

- 11.6 The site is located within the Granville Park Conservation Area and has been the home of Aughton Tennis Club since 1882. The tennis club is enclosed by trees, which are characteristic of the suburban character of the area, where views along the street are framed by mature trees. The site is considered to make a positive contribution to the special character and appearance of the Conservation Area through its historical association, mature boundary trees and recreational green space.
- 11.7 The main issue, from a heritage viewpoint, relates to whether the proposed works would preserve the character of the site, its setting and the character/appearance of the wider conservation area.

- 11.8 LPA's should in coming to decisions refer to the principle act (*Planning (Listed Buildings and Conservation Areas) Act 1990*) which requires, in this case, to having special regard to the desirability of preserving or enhancing the character or appearance of the conservation area (s.72). Recent High Court judgements identify the need to give considerable weight and importance to the duty imposed under the P (LBCA) Act 1990 and to the presumption in favour of the desirability of the preservation of heritage assets including their setting.
- 11.9 Policy EN4 'Preserving and Enhancing West Lancashire's Cultural and Heritage Assets' of the WLLP states that all development affecting the historic environment should seek to preserve and enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest.
- 11.10 The Tennis Club is screened well from residential properties by mature trees. I am of the view that reconfiguration of the tennis courts to all weather pitches, will have no significant impact on the character and appearance of the Conservation Area. . It is considered that the proposals have been designed to be consistent within the existing context of the site and the proposed internal fencing and floodlighting mirror the design and materials of the existing site. During the consideration of this application, the appearance of the proposed 2.1m high practice wall, which is used by junior members, has been improved with timber cladding and the replacement entrance gate will be constructed from timber which is considered to be a sympathetic material in this location.
- 11.11 I am mindful of the duty imposed by s.72(1) of the P (LBCA) Act 1990 and the duty to 'preserve' needs to be given considerable weight in the planning decision. I consider the harm caused by the proposals to be 'less than substantial' under Paragraph 196 of the NPPF and therefore this harm needs to be weighed against public benefits of the proposal which include improved tennis facilities, longevity of the site and a continued sustainable use. Therefore, the proposal would meet the Statutory duty to 'preserve' as required under the 1990 Planning (LBCA) Act and accords with the guidance contained in Chapter 16 of the NPPF and Policy EN4 of the Local Plan.

Impact on Trees

- 11.12 The site is situated in an area which has a relatively high percentage of canopy cover, provided by mature trees. Collectively, the trees provide an important screening function and add to the degree of seclusion of the tennis club. An Arboricultural Impact Assessment and Method Statement has been submitted in support of the application and assessed by the Council's Arboricultural Officer. It is proposed to remove three trees – T690, T692 and T693. The report recommends that T690 and T692 which are Sycamores, be removed due to significant decay, irrespective of this development proposal. T993 is an early mature Holly tree and is proposed for removal to facilitate development.
- 11.13 During the course of the application, a revised and updated Arboricultural Impact Assessment (AIA) and Method Statement has been submitted as a result of a revised Drainage Strategy Report being received. The revised AIA also considers what impact the proposed filter drain along the northern perimeter of the site will have upon existing trees. The AIA indicates that the excavation and construction activities associated with the new filter drain have the potential to impact on the roots of trees along the norther boundary. Procedures and protection measures are proposed in the submitted Method Statement but as a precaution the applicant has submitted a replacement tree planting scheme to compensate for any potential damage. The Council's Arboricultural Officer has assessed the proposal and is of the opinion that a combination of level changes, excavations and the installation of the filter drain could impact on the health of the trees over time.

11.14 The Council's Arboricultural Officer recognises that the impact of the development on trees along the northern boundary could lead to a loss of visual amenity in this location, albeit localised and is also mindful that extensive tree cover is one of the key characteristics of the Conservation Area. However he is of the view that the development is acceptable and that the scheme provides for replacement tree planting which would ensure that any impacts are successfully mitigated. Subject to appropriate conditions, I consider the development complies with policy EN2 in the Local Plan.

Impact on Residential Amenity

11.15 Policy GN3 of the Local Plan states that development should retain or create reasonable levels of privacy, amenity for occupiers of neighbouring properties. The site is bounded by residential properties therefore it is important the development proposals do not have a significant impact on residential amenity in particular in relation to light pollution and noise.

11.16 I have received a number of objections in respect of the proposed floodlighting. Residents are concerned that the proposed all weather courts will see an increase in usage of the site and requirement for floodlights to be switched on more often to the detriment of the amenity of local residents from glare from the light.

11.17 Currently only four of the courts (1, 5, 6 and 7) are floodlit by a total of 12 floodlight poles each with 2 lamps with the exception of one pole which has 4 lamps. The application includes the installation of a further eight floodlighting columns - four, 10m high floodlighting columns on each corner of the new all-weather pitches (courts 3 and 4) and a further four, 8m high floodlighting columns around court 8. A lighting design and light spill drawing has been included with the application and has been assessed by the Council's Environmental Health Officer. It is proposed the operation of the floodlighting will not exceed existing hours of use, which under the 2005/0174 application, were prohibited from operating between 10pm and 9am.

11.18 The Environmental Health Officer considers that the floodlighting proposed is acceptable with downward facing LED beams directed over the playing area. Newer technology L.E.D type floodlighting has been selected which has the benefit of being highly directional. This more modern type of lighting causes less light spill than older types of floodlighting. This, together with light spill shields, will enable the lighting scheme to have a minimal impact on neighbouring properties. The lighting assessment provided with the application provides details of the worst case scenario for light spill and indicates there will be minimal light spill at a very low level onto the very bottom end of residential gardens on Winifred Lane, Capilano Park and Granville Park but that this will not extend onto residential windows. Environmental Health consider this to be acceptable. This light spillage will be more concentrated than the existing lighting and hence less likely to cause issues to neighbouring properties. The results show there is full compliance with the Institute of Lighting Professionals guidance note regarding 'the reduction of obtrusive light'. As per the previous scheme a planning condition will be imposed to ensure floodlighting can only be used between 0900 to 2200 hours.

11.19 In respect of noise, the tennis club operates a membership scheme, but they state in the application that they are committed to increasing the use of the club by non-members by introducing a pay to play scheme. This is a requirement by the Lawn Tennis Association (LTA). Further information about the pay to play scheme has been provided by the applicant – public access is only by a private online booking system which is vetted by the club and is aimed at non peak times to encourage those who wish to play regularly to become members. This allows members of the community to experience the club before they decide whether or not to become a member.

11.20 I am mindful that the proposed development is to re-configure and upgrade the existing courts to all weather courts to improve all year round accessibility to the site rather than expand the site. I accept there may be an increase in activity as a result of increased usage in poorer weather and during the autumn and winter but I do not consider that the noise generated from this increased footfall will cause significant nuisance to nearby residential properties to warrant a refusal in this instance. The Council's Environmental Health Officer is also satisfied that there will not be an unacceptable noise disturbance as a result of the development and in this regard the proposal is considered to be in compliance with Policy GN3 in the Local Plan.

Highways

11.21 This is an established site with limited off-road parking. The current informal parking provision for members is along the fence line adjacent to the entrance gate to the north of the site. There is space for approximately 10 parked vehicles with remaining visitors parking in the surrounding streets. I have received a number of objections from residents in relation to parking and congestion in the area and concern has been raised that the proposal will exacerbate the demand for parking.

11.22 Whilst the development does not propose any additional parking facilities due to lack of space, as echoed above, the proposed development is to re-configure and upgrade the existing courts to all weather courts to improve all year-round accessibility to the site rather than expand the site. Whilst this will be likely to result in an increase in activity in poorer weather and autumn and winter and the club confirm that the pay and play scheme will aim to attract increased usage at off peak times, I do not consider it would be reasonable to justify a refusal on highways grounds. LCC Highways have been consulted and have no objection as they are of the opinion that the proposed development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site. The site is located close to Aughton village centre and within walking distance of bus stops and a train station. The applicant indicates that Members are encouraged by ALTC to walk, cycle or car share when booking courts online. The club plan to increase more cycle racks adjacent to the clubhouse and a condition will be imposed to request details of this provision.

Impact on Ecology

11.23 A Bat and Breeding Bird Survey accompany the application. MEAS have been consulted and accept the conclusions of the report. The survey found that trees on site are deemed to have negligible potential for roosting bats. The woodland and tree lines bordering the site may be used by foraging and commuting bats.. In order to minimise disturbance to protected and Priority species, including bats, MEAS advise the floodlighting should not be used between 10pm and 9am. Biodiversity enhancements will be secured through the provision of bat boxes.

11.24 The proposed development will result in the loss of trees and as a result will result in the loss of habitat suitable for breeding birds. To mitigate for this loss, a planning condition will be imposed which requires bird nesting boxes to be erected on the site. The habitats on site and within the surrounding area are suitable for terrestrial mammals such as hedgehog, a Priority Species, MEAS recommend that reasonable avoidance measures are put in place to ensure there is no adverse impact on hedgehog. As such I consider it appropriate to attach an appropriate note to any approval. Subject to conditions, I am satisfied that the proposed development complies with policy EN2 in the Local Plan..

Surface Water Drainage and Flood Risk

- 11.25 The site is located within Flood Zone 1 the least susceptible to flood risk however the concerns raised by local residents in respect of historic flooding in the area are acknowledged.
- 11.26 A Drainage Strategy has been submitted with the application and an infiltration test was undertaken at the site which ruled out soakaways due to the ground and soil conditions. Therefore, it is proposed to intercept flows from the access road to the north of the site at the existing embankment by means of a filter drain along the northern edge of the all-weather courts, this will discharge into the proposed drainage blanket under the courts at a higher level to reduce the transition of silt and suspended solids from making their way into the main drains. The new porous sports surface construction will incorporate a modified subbase material as a drainage blanket with a series of porous subbase drains which connect to an outfall drain that runs from west to east. the surface water will discharge at a controlled rate of 3l/s into the existing watercourse.
- 11.27 The report concludes that the development will not result in an increased flood risk to the site or wider area and whilst the permeable area on the site will decrease, the proposed storage measures will be able to manage the surface water runoff efficiently. In addition, a 30% climate change uplift is proposed for the lifetime of the development. The Council's Drainage Engineer has assessed the Drainage Strategy and is of the opinion that the proposed development should have a negligible impact on flood risk within the immediate vicinity of the site and consequently raises no objection to the proposal.

Summary

- 11.28 In summary, the proposal satisfactorily meets the requirements of Policies GN1, GN3, EN2, EN3, EN4 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and is therefore recommended for approval.

12.0 RECOMMENDATION

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

Conditions

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 Existing and Proposed Site Location Plan 3838-300 and 301 Rev B received by the Local Planning Authority on 27th April 2021
Plan reference Proposed Site Sections 3838-305 Rev C received by the Local Planning Authority on 25th June 2021
Plan reference External Flood Lighting Plan UKS1747/7 Dated 03/08/2021 received by the Local Planning Authority on 13th August 2021
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 floodlighting shall be used outside the hours of 0900 to 2200 hours on any day.
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 and 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.
4. Before the all-weather surface courts are brought into use, details of the number and location of bird nesting boxes and bat boxes to be incorporated into the scheme shall be 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 first use of the new courts and shall be retained at all times thereafter.
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.
5. No part of the development hereby permitted shall be brought into use until the sustainable drainage scheme for the site has been completed in accordance with the submitted details - Drainage Strategy Report, 2021.050 Issue 4 received by the Local Planning Authority on 23rd August 2021.
Before the all-weather courts are first brought into use, a validation report (that demonstrates that the drainage scheme for any phase of development or sub-phase of the development has been carried out in accordance with the approved plan) must be submitted to the Local Planning Authority.
The approved works shall be retained as such thereafter.
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. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement ref Arboriculture Impact Assessment & Method Statement Rev A Sated August 2021 received 23rd August 2021 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
7. The Tree Planting Plan shown in Appendix 3 of Arboriculture Impact Assessment & Method Statement Revision A Dated August 2021 received on 23rd August 2021 shall be implemented if any of the trees are removed as a result of the development works. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of the development works 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.
8. Floodlighting shall be installed in accordance with the manufacturer's/designer's instructions with dimming as indicated on AAA LUX AL-Series Gen6 IP65 IK08 received by the Local Planning Authority on 27th April 2021 and Plan reference External Flood Lighting Plan UKS1747/7 Dated 03/08/2021 received by the Local Planning Authority on 13th August 2021.

9. Notwithstanding the details submitted no part of the development hereby permitted shall be occupied until a scheme for the provision of cycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority.
- The approved scheme shall be implemented before any part of that development is brought into use and shall be retained as such thereafter.
- Reason: To ensure that adequate provision is made for parking cycles on the site in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The following reasonable avoidance measures for hedgehog are advised:
- A pre-commencement check for hedgehog;
 - All trenches and excavations should have a means of escape (e.g. a ramp);
 - Any exposed open pipe systems should be capped to prevent terrestrial mammals gaining access; and
 - Appropriate storage of materials to ensure that terrestrial mammals do not use them.

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
RS1 - Residential Development
RS2 - Affordable and Specialist Housing
GN1 - Settlement Boundaries
GN2 - Safeguarded Land
GN3 - Criteria for Sustainable 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.

No.2	APPLICATION NO.	2021/0734/FUL
	LOCATION	38 Granville Park Aughton Ormskirk Lancashire L39 5DU
	PROPOSAL	Extensions to the property including part single-storey side/rear, part two-storey, part first floor and basement garage extensions to side
	APPLICANT	Mr + Mrs McNeill
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	29th July 2021

1.0 **REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor Westley has requested it be referred to Planning Committee to consider the possible loss of residential amenity and negative impact on the Conservation Area.

2.0 **SUMMARY**

- 2.1 On balance the proposed development, comprising part single-storey side/rear, part two-storey, part first floor and basement garage extensions to side is considered acceptable in principle. It is considered the proposal would not have a significant impact on the amenity of neighbouring properties and would not adversely impact upon the character of the property or the character and appearance of the Granville Park Conservation Area. The proposal is considered to be compliant with the requirements of the NPPF and Policies GN3, EN2, EN4 and IF2 of the West Lancashire Local Plan DPD (2012-2027) and the SPD Design Guide.

3.0 **RECOMMENDATION: APPROVE with conditions.**

4.0 **THE SITE**

- 4.1 The application site relates to a modern 1970's detached property located to the north side of Granville Park, Aughton at the front of the property there is a high level brick wall and entrance gates. The property is amongst a mix of large traditional Victorian properties, Arts and Crafts style properties, and properties that have previously been or are in the process of being modernised within an established residential area of Aughton. The property is located within the Granville Park Conservation Area.

5.0 **THE PROPOSAL**

- 5.1 This application seeks planning permission for extensions to the property including part single-storey side/rear, part two-storey, part first floor and basement garage extensions to side.

6.0 **PREVIOUS RELEVANT DECISIONS**

- 6.1 2005/1141 - Conservation Area Consent - Demolition of front boundary wall GRANTED (11/11/2005).
- 6.2 2005/1140 - Erection of replacement front boundary wall (max. 1m high). Erection of galvanized steel fence (max. 1.5m high) behind existing hedge GRANTED (11/11/2005).

6.3 2005/0507 - Detached double garage. New hardwood timber entrance gates and brick piers (max. 2.3m high) GRANTED (10/06/2005)

7.0 **CONSULTEE RESPONSES**

7.1 None received.

8.0 **OTHER REPRESENTATIONS**

8.1 Aughton Parish Council (13/07/2021) – raise no objections in principle to proposal.

8.2 Letters of objection have been received which can be summarised as:

Scale of development almost doubles size of property;
Reduced green space;
Additional larger rear windows in house will increase overlooking;
Overall this development is too large for the site and loss of green space is not in keeping with conservation area;
Single-storey extension in excess of permitted 4m beyond existing rear;
Side extension should only be single-storey;
Property to rear adversely affected by close proximity of development through noise and disruption by large room shown as living area;
No. 40 adjacent is one of the oldest in the Granville Park CA and one of the most significant from a heritage point of view;
Extension positioned too close to no 40;
Loss of boundary conifer hedge resulting in significant visual and privacy impact on No. 40;
The close juxtaposition of modern and Victorian styles with no buffer between them would present a visual clash that would erode the current view from the streetscene;
Spaciousness between adjacent properties should be considered;
Very close proximity of proposed structure to the boundary wall and limited boundary treatment would substantially erode privacy of No.40;
Propose structure would result in narrow corridor between proposed structure and west boundary wall with No. 40;
Architect's heritage assessment state proposal sympathetic to the asset its site and surroundings and proposed development considered to have minimal impact on locally and immediate neighbouring properties; this would only be true if boundary evergreen trees where left in place;
Sewerage drain crosses neighbouring property;
The extension would require a building over agreement and there is no evidence this has been sought or could be achieved;
The proposal shows an attractive modern structure that relates to other modern designs;
Not against development or improvements but needs to be right balance in terms of impact on adjacent properties.

9.0 **SUPPORTING INFORMATION**

9.1 Design and Access statement including Heritage statement (03/06/2021).

9.2 Tree Survey report (03/06/2021).

9.3 Tree survey Arboricultural Impact Assessment and method statement (03/06/2021).

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 application site is located within the Key Service Area and the Granville Park Conservation Area as designated in the West Lancashire Local Plan Proposal Map.
- 10.3 National Planning Policy Framework (NPPF)
Chapter 12 – Achieving well designed places.
Chapter 15 – Conserving and enhancing the natural environment
Chapter 16 – Conserving and enhancing the historic environment
- 10.4 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 IF2 - Enhancing Sustainable Transport Choice
Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
Policy EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets.

Supplementary Planning Document, Design Guide (Jan 2008)

Supplementary Planning Document, Granville Park Conservation Area Design Guide (June 2017)

Granville Park Conservation Area Appraisal (June 2017)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 11.1 The main considerations in the assessment of this application are:

Visual appearance and design/impact upon the Conservation Area
Impact on residential amenity
Impact on highway safety
Trees/landscape
Drainage

Visual appearance and design/impact upon the Conservation Area

- 11.2 The property lies within the Granville Park Conservation Area. The principle statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. Local Planning Authorities should in coming to decisions consider the principle act. In relation to Conservation Areas, section 72(1) of the Act advises that in undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 11.3 In relation to conservation areas decision makers should consider the impacts on the character and appearance of a conservation area separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.
- 11.4 The NPPF advises that in determining planning applications, LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets and the

desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied.

- 11.5 Policy EN4 in the Council's Local Plan provides a presumption in favour of the conservation of designated heritage assets. Development will not be permitted that adversely affects a conservation area. Policy GN3 in the Local Plan provides detailed criteria relating to the design and layout of development, in particular development should relate well to adjacent buildings the area generally and natural features of the site in terms of siting, scale, orientation, design, detailing, materials and residential amenity.
- 11.6 The Council's SPD advises that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the streetscene because of their height, scale or roofline. The SPD also advises that development, which affects a building of historic interest including its setting or a conservation area needs to be sensitive to the character of the historic environment, be of high quality in terms of design and the materials used and aim to enhance the character and appearance of the wider area.
- 11.7 The property lies within the Granville Park Conservation Area and is a modern 1970's detached dwelling, which has a neutral impact on the character and appearance of the Conservation Area. The property has been the subject of pre-application discussion with a number of sketch options circulated to extend the property. Previously, issues had been raised regarding massing and subservience and the agent has responded to concerns raised to arrive at the current scheme through a revised design.
- 11.8 The existing dwelling is of a split level design, characteristic of its era and is not centrally located in the plot. It is a typical 1970's brick design with an asymmetrical roof and a projecting front outrigger in contrasting material. The property sits close to the eastern boundary of the site and adjacent property no. 36 Granville Park. At present the property has a side drive to the west and the party boundary with number 40 is delineated by an extensive conifer hedge. There are significant changes in levels across the site.
- 11.9 This application proposes substantial extension and renovation works to the property, with the provision of side and rear extensions. Due to the difference in levels, the applicant proposes to create a basement garage with part single storey, part 2 storey extension above. The single storey extension would project into the rear garden to form a lounge area. When viewed from Granville Park, the scheme would see the removal of an existing side dormer window and the creation of a new 2 storey gable, which would mirror the pitch of the existing roof and would facilitate the provision of additional bedroom accommodation at first floor. The scheme also includes a flat roofed element above the proposed subterranean garage which would extend closer to the party boundary with number 40 and project past the rear building line of the existing house. This additional accommodation would be used as a gym, home office and lounge area.
- 11.10 On balance I am of the view that the massing of the proposed extensions is appropriate. The property lies between two much more substantial buildings. The proposed extensions would be subservient to the host building and respect the existing roof form and design, continuing and mirroring the shallow roof pitch. This will result in a harmonious appearance and I consider the general design to be acceptable. The fenestration respects the vertical proportions of the existing windows and retains the rhythm and arrangement. The proposal would introduce a more contemporary palette of materials, which would

create a modern appearance, consistent with a number of more recent new builds in the Conservation Area

- 11.11 The Granville Park Conservation Area is generally characterised by properties situated on large plots and the size and form of its buildings contribute towards the feeling of spaciousness and openness. In this particular case, the application plot is relatively modest in scale. Whilst I appreciate the proposed side extension would fill the width of the plot and would include the removal of the conifer hedge along the side boundary, it is my view that on balance any harmful appearance and impact upon the character and appearance of the Conservation Area is mitigated through the proposed design. The extension along the common boundary with No. 40 is primarily of a low rise, flat roofed appearance with the two storey element stepped in from the common boundary, providing a visual break when viewed from Granville Park and given the position of the property set back from the road, I consider this to be acceptable.
- 11.12 Overall, I am of the view the design of the proposal is acceptable. I consider the proposal would meet the statutory test 'to preserve' and would not cause any harm to the significance of the character and appearance of the Granville Park Conservation Area. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accords with Policy EN4 of the West Lancashire Local Plan and the Council's statutory duty.

Impact on residential amenity

- 11.13 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties.
- 11.14 I acknowledge the comments received from local residents who have raised concerns regarding loss of privacy, loss of the existing boundary conifer hedge and the impact the development would have on neighbouring properties.
- 11.15 The property to the rear of the site is The Alcove, Quarry Drive. The proposed part first floor/part two storey element of the extension would introduce three additional windows at first floor level in the rear elevation of the proposal and increase the length of the existing windows in the rear elevation at first floor level of the main dwelling. In terms of the increase in length of the existing windows in the main dwelling I do not consider that this would result in any further impact on residential amenity than that which currently exists.
- 11.16 In terms of the introduction of three windows in the proposed extension at first floor level, two of these windows would be obscurely glazed as they are to serve en-suite bathrooms, the other window would serve a bedroom. Noting the separation distance of approx. 22m from the rear of the proposed extension to the rear elevation of The Alcove Quarry Drive, the presence of existing first floor rear facing bedroom windows in the property and the existing high hedge boundary treatment which is to be retained, I do not consider that any significant loss of residential amenity would occur.
- 11.17 I am also satisfied that the single storey rear lounge extension would have no significant impact on the amenities of residents of The Alcove or number 36 Granville Park due to its flat roof design, position away from the party boundary and the existing boundary screening.
- 11.18 In relation to the adjacent neighbour No. 40 Granville Park the proposed single-storey side extension would be set in approx. 2.0m at its widest point (front) from the common boundary with No. 40 and approx. 0.4m at its smallest point (rear). Given the flat roofed design of the side extension, I am satisfied this element of the proposal would not be

overbearing or result in overshadowing to the neighbouring property. The proposed single-storey side extension proposes three windows in this side elevation to serve landing/hall, study room and secondary window serving the rear lounge. This side boundary currently benefits from a high conifer hedge boundary treatment. Since the submission of the application, to overcome the concerns of the neighbouring properties in relation to loss of privacy the application proposes a 1.8m high boundary fence that would replace the existing conifer hedge along with native indigenous shrubs/mixed hedge evergreen planting along this section of the western boundary. As such I do not consider that any significant loss of residential amenity would occur through loss of privacy.

- 11.19 In relation to the part two-storey side extension this would be set in approx. 5.m (front) and 4.0m (rear) from the common boundary with No. 40. No first-floor side facing windows are proposed. Three skylights approx. 3.4m above floor level would be introduced on this side elevation however owing to their overall height I do not consider that any significant loss of residential amenity would occur. Given the separation distance of this 2 storey element from the adjacent property, I am satisfied that it would not be overbearing or result in significant loss of light to number 40.
- 11.20 Owing to the separation distance and off-set position of properties to the front of the site I do not consider that any significant loss of amenity would result.
- 11.21 On balance I consider the proposed development would not have any significant adverse impact on the residential amenity of the occupiers of neighbouring properties caused by overlooking, overshadowing or dominance. The proposal in my view would comply with Policy GN3 of the Local Plan in this respect.

Impact on highway safety

- 11.22 Policy IF2 of the West Lancashire Local Plan DPD (2012-2027) states that development should ensure that parking provision is made in line with the standards set out in the Local Plan.
- 11.23 Policy IF2 states that dwellings with four or more bedrooms require three off-street parking spaces per dwelling. As a result of the proposal the property would remain a four bedroom property. I am satisfied there would be provision for three parking spaces within the front driveway and garage. The proposal would therefore comply with Policy IF2 of the Local Plan.

Trees/Landscape

- 11.24 Policy EN2 of the West Lancashire Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere and where the benefits of the development clearly outweigh the loss or damage.
- 11.25 The Council's tree officer has been consulted as part of the application as the proposal to develop extensions to both side and rear will have an impact upon the existing hedges on the site, however, no trees are to be removed to facilitate the development proposals.
- 11.26 The applicant has submitted detailed information relating to the trees and hedges in the form of an Arboricultural Impact Assessment that includes a Tree Survey and Arboricultural Method Statement (AMS). The trees on the site frontage, two Holly and one Sycamore will be retained and protected during construction.

11.27 The development will require removal of the Leylandii hedgerow (4H) on the Western boundary and a Laurel Hedge (6H) in the rear garden. These hedges are limited in terms of biodiversity, are not of native species and do not make a significant contribution to the appearance of the Conservation Area. Replacement planting is proposed. The Council's Tree Officer has no objection to the proposals. The development is therefore considered to comply with Policy EN2 of the local plan.

Drainage

11.28 Neighbours have raised concern regarding the siting of a sewer and the potential need for a building over agreement. This would be a matter for consideration under the Building Regulations.

11.29 The Council's drainage engineer has been consulted with regard to the application and has no objections in principle to the proposal.

11.30 Given the above I consider the proposal acceptable and compliant with Policy GN3 of the Local Plan.

Summary

11.31 On balance the proposal is considered to meet the requirements of Policies GN3, EN2, EN4 and IF2 in the West Lancashire Local Plan DPD (2012-2027) and the Council's SPD Design Guide.

12.0 RECOMMENDATION

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

Conditions

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:
Dwg No. 221MCN01-10 - Ground floor layout plan;
Dwg No. 221MCN01-11 - First floor layout plan;
Dwg No. 221MCN01-12 - Lower ground floor layout plan;
Dwg No. 221MCN01-15 - Proposed elevations sheet one;
Dwg No. 221MCN01-16 - Proposed elevations sheet two;
All received by the Local Planning Authority on 3rd June 2021.
Dwg No. 221MCN01-05 Rev A - Proposed site layout plan;
Received by the Local Planning Authority on 16th September 2021.
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. 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, size, colour and texture

of the materials including the method of jointing of any stone or brick work and coursing of any roof work and should be reflective of those within the surrounding area/match those on the Listed Building, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.

Reason: To preserve the character and appearance of the Granville Park Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

4. All rooflights shall be of a 'conservation' grade flush slim line fitting type only. The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.

Reason: To preserve the character and appearance of the Granville Park Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

5. 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 all hard surfaces within the development site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

The development shall be carried out using only the agreed materials.

Reason: To ensure that the external appearance of the site is satisfactory and to preserve the character and appearance of the Granville Park Conservation Area and to comply with Policies GN3 and EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

6. Prior to commencement of any works the existing trees to be retained shall be protected with stout fencing constructed to BS5837:2012, to contain the branch spread of the trees. Such fencing shall remain and be adequately maintained for the duration of the development operations. Within this fencing no development operations may take place including the storage or dumping of materials or plant, the lighting of fires, the siting of temporary huts or the raising or lowering of ground levels. All dead or damaged existing trees specified for retention shall be replaced with trees of such size and species approved in writing by the Local Planning Authority.

Reason: To protect the trees and thereby retain the character of the site and the area and to ensure that the development complies with the provisions of Policies GN3 & EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement ref MG/6601/AIA&AMS/APR21 received by the Local Planning Authority on 3rd June; unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The developer is advised that no tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building works should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

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 IF2 - Enhancing Sustainable Transport Choice

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

Policy 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.

Agenda Item 7c

No.3	APPLICATION NO.	2021/0875/FUL
	LOCATION	56 Granville Park West Aughton Ormskirk Lancashire L39 5HS
	PROPOSAL	Demolish existing conservatory, replace with proposed extension to rear and side. Extend above existing rear extension and proposed. Dormers to FF bedrooms. Porch to front elevation.
		2020/0317/FUL Approval was granted for the above description. The new application is as the original application but with a small office added to the original side single storey extension.
	APPLICANT	Mr & Mrs Stephen & Imelda Sankson
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	8th September 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however Councillor Westley has requested it be referred to Committee to consider the impact of the development upon the neighbouring property and possible over development of the site.

2.0 SUMMARY

- 2.1 This application seeks to further extend no. 56 Granville Park West beyond the works approved under application 2020/0317/FUL by the addition of a single storey extension to the side to create an office space. It is considered that the design and appearance of the proposal is acceptable and would not harm the character and appearance of the building and wider Conservation Area. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. I consider the proposal complies with the relevant policies of the Local Plan and is acceptable in principle.

3.0 RECOMMENDATION: APPROVE subject to conditions.

4.0 THE SITE

- 4.1 The application site relates to no. 56 Granville Park West, a former coach house to 54 Granville Park West which is a substantial 3 storey semi-detached Victorian Villa. The property is now in residential use having been granted planning permission for conversion in 1998. The site is set back from the residential road of Granville Park West, behind number 54. The driveway is a shared access with number 54. The site is within the Granville Park Conservation Area.

5.0 THE PROPOSAL

- 5.1 Members may recall that the site benefits from planning permission (2020/0317/FUL) for demolition of existing conservatory and erection of a front porch, two storey and single storey side and rear extensions including dormers to side elevation. Fenestration alterations were also approved including a ground floor window to western elevation and rooflight windows to east and west elevations.
- 5.2 This current application amends the scheme approved under application 2020/0317/FUL by proposing an increase in the size of the single storey extension to the side. The

additional area proposed under this application measures approx. 1.8m (width) x 3.5m (length) and would have a flat roof to a height of approx 2.8m.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2021/0687/NMA – Non-material amendment to planning permission 2020/0317/FUL - To extend the single storey extension out further. Refused 28.05.2021.
- 6.2 2021/0029/CON - Approval of details reserved by condition no's 3 and 5 on planning permission 2020/0317/FUL relating to materials, details and conservation roof light specification. Approved.
- 6.3 2020/0317/FUL - Demolition of existing conservatory and erection of two storey and single storey side and rear extensions including dormers to side elevation. Front porch. Ground floor window to western elevation. Rooflight windows to east and west elevations. Granted 11.09.2020.
- 6.4 2013/0643/FUL - Retention of 1 no. window and insertion of additional window to ground floor west elevation. Granted 29.08.2013.
- 6.5 2013/0335/FUL - Single storey rear extension including installation of patio doors to the east elevation. Granted 30.05.2013.
- 6.6 1997/1069 - Conversion of residential care home to 4 flats with new entrance & car parking to flats. Extension to existing coach-house to form single detached dwelling. Altered access and landscaping of site. Granted 05.02.1998.

7.0 CONSULTEE RESPONSES

- 7.1 None.

8.0 OTHER REPRESENTATIONS

- 8.1 Aughton Parish Council (11/08/2021) - The Parish Council wishes to iterate comments made in relation to the previous application 2020/0317/FUL.

Members raised concerns about potential overdevelopment of this Conservation Area site - it is important to maintain the appearance and character of the Coach House which sits alongside a Victorian Villa (LP.EN4).

The original permission for conversion of the Coach House had conditions imposed removing Permitted Development Rights to ensure any conversion was sympathetic to the adjacent main building.

This latest application for the addition of a small office (the Coach House currently shows a Study within) appears to be significantly different to the approved permission and could therefore be contrary to LP Policy and NPPF Guidance.

Full tree protection should be afforded to the site and the neighbouring trees and the mature woodland subject to a TPO.

9.0 SUPPORTING INFORMATION

- 9.1 BS5837 Arboricultural Survey and recommendations.

9.2 Design and Access Statement / Heritage Statement.

10.0 RELEVANT PLANNING POLICIES

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

10.2 The site is located within a Key Service Centre (settlement) of Aughton as designated within the West Lancashire Local Plan. The site is also located within the Granville Park Conservation Area.

10.3 National Planning Policy Framework (NPPF)

Promoting sustainable transport

Delivering a sufficient supply of homes

Achieving well designed places

Promoting healthy and safe communities

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 DPD (2012-2027)

SP1 A Sustainable development framework for West Lancashire

GN1 Settlement boundaries

GN3 Criteria for sustainable development

IF2 Enhancing sustainable transport choice

EN2 Preserving and enhancing West Lancashire's natural environment

EN4 Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Document Design Guide (Jan 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The main areas for consideration in the assessment of this application are:

Design and External appearance and impact upon Conservation Area;

Impact upon neighbouring properties;

Impact upon existing trees;

Highways

Design and External appearance / Impact upon Conservation Area

11.2 The principle statutory duty under the Planning (LBCA) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should in coming to decisions refer to the principle act in their decisions and/or assessments. Section 72(1) relates to Conservation Areas and requires that with respect to any buildings or other land in a conservation area, special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.

Decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

11.3 In terms of the design and external appearance of the development, Policy GN3 'Criteria for Sustainable Development' of the WLLP 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.

- 11.4 Policy EN4 'Preserving and Enhancing West Lancashire's Cultural and Heritage Assets' of the WLLP states that all development affecting the historic environment should seek to preserve and enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest.
- 11.5 The former coach house sits behind the main late Victorian Villa and is served off a separate drive. The site is considered to make a positive contribution to the special character and appearance of the Conservation Area through its historic interest and association.
- 11.6 The current proposal differs in detail from that approved under application 2020/0317/FUL by means of extending the approved single storey extension further into the existing garden area (from the east elevation) to create an office space. The principle of a single storey side extension has already been established through the previous approval, although this current proposal increases the projection by approx. 1.8m.
- 11.7 As no. 56 Granville Park West is set back from the highway, the front of the property can only be glimpsed from the public frontage. The extension given its location would not be seen from the public viewing points within the Conservation Area.
- 11.8 The single storey extension as proposed would be subservient in design and scale to the existing dwelling and is stepped in some short distance from the side extension which was approved under application 2020/0317/FUL.
- 11.9 Although the increase in projection of the extension would alter the linear plan form of the former coach house, the application property benefits from planning permission for demolition of the existing conservatory and construction of a two storey and single storey side and rear extension including dormers to side elevation and front porch. The extensions approved will have a visual impact on the building and I am of the view that the additional single storey extension will have no greater impact. The application property, as a result of the extension, would still be seen as an ancillary building in the context of the host property, 54 Granville Park West, a large Victorian Villa.
- 11.10 Therefore for the reasons given above I do not consider that the extensions proposed would harm either the character or appearance of the Granville Park Conservation Area and would comply with Policy EN4 of the WLLP in this respect.
- 11.11 In terms of the general design and external appearance of the extensions it is my view the scheme is acceptable and would comply with Policy GN3.
- 11.12 Materials have been confirmed to match the existing dwelling and have previously been agreed under a discharge of condition application reference 2021/0029/CON.
- 11.13 I am therefore satisfied that the proposed development complies with the Council's statutory duty to preserve the character and appearance of the Conservation Area and the relevant polices in the Local Plan.

Impact upon neighbouring properties

- 11.14 Policy GN3 (criterion iii) of the West Lancashire Local Plan (2012-2027) DPD states that any development should retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.
- 11.15 The nearest residential properties to the development are to the south east, no. 54 Granville Park West and to the south west no. 1 Granville Close.
- 11.16 No. 54 Granville Park West is set forward of the application site, however its garden area is to the immediate south east side of the application property. To the rear of the application property is an area of woodland. The development proposed in addition to the development granted under 2020/0317/FUL is single storey which is stepped in some 7.7m from the common boundary. Given this distance and the design of the extension I would not foresee any significant detrimental impact upon the occupants of no.54 as a result of the development proposals.
- 11.17 The other neighbouring property is no. 1 Granville Park. As the additional single storey element to the development is to the eastern side of the property I would not foresee any additional impact upon the occupants of no.1. A planning condition will remain on any approval in terms of the location of roof lights on the western elevation as per application 2020/0317/FUL.
- 11.18 Overall I consider that the development complies with Policy GN3 of the WLLP in terms of the development's impact upon the amenity of neighbouring properties.

Impact upon trees

- 11.19 To the north of the boundary wall is an area of mature woodland subject to a Tree Preservation Order (TPO No 53, 2004). A BS5837 Arboricultural Survey and recommendations report (arboricultural impact assessment) accompanies the planning application.
- 11.20 The Council's Arboricultural Officer has considered the proposed development with regard to the neighbouring trees and woodland which is subject to the above TPO.
- 11.21 The extensions would notionally encroach into the root protection areas of two Sycamores situated on the boundary of the neighbouring woodland. These Sycamores have been graded as low value trees in accordance with BS5837:2012 categories. The potential to impact on the roots of these trees is very low due to a limited encroachment into the calculated root protection area, the existing hard surfacing and a boundary wall.
- 11.22 Therefore it is considered by the Council's Arboricultural Officer that the proposals would not unduly threaten the health of the trees and on that basis he raises no objections to the proposals. A planning condition for tree protection will be placed on any planning approval notice.
- 11.23 The development would therefore comply with Policy EN2 of the WLLP in terms of the development's impact upon trees.

Highways

- 11.24 The number of bedrooms internally will not be altered by the proposals. The property will remain a four bed dwelling house. Therefore I consider the existing parking area which is to the front of the dwelling to be acceptable.

Summary

11.25 The proposed development is overall considered to be acceptable. The scheme is considered compliant with Local Plan policy and the proposal would not result in significant detriment to residential amenity, heritage assets, trees or to highway conditions. I therefore recommend that planning permission be granted.

12.0 RECOMMENDATION

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

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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 1644.08; 1644.07; 1644.09 and 1644.10 received by the Local Planning Authority on 28/06/2021; 14/07/2021; 14/07/2021 and 14/07/2021
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. The materials used externally on the building shall comprise of Pre-War Commons-Highgate Blend brickwork and slate roof as detailed in material document received by the Local Planning Authority on 08/01/2021 and agreed under application reference 2021/0029/CON.
The development shall be carried out using only the agreed materials and shall be retained at all times thereafter.
Reason: To preserve the character and appearance of the building which is located within the Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
4. Unless otherwise agreed in writing with the Local Planning Authority all windows and doors shall be painted timber
Reason: To preserve the character and appearance of the building and Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. All rooflights shall be of a 'conservation' grade flush slim line fitting type only as detailed in rooflight document received by the Local Planning Authority on 08/01/2021 and agreed under application reference 2021/0029/CON.
The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.
Reason: To preserve the character and appearance of the building that is located within the Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement and Recommendations (SMN, Tree and Landscape Management) received by the Local Planning Authority on 28/06/2021; unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. For the avoidance of doubt, the first floor rooflights on the western elevation shall not be installed below a height of 1.8 metres measured from the floor of the room in which the windows are installed.

Reason: To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN3 in the West Lancashire Local Plan.

Reason for Approval

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

SP1 A Sustainable development framework for West Lancashire

GN1 Settlement boundaries

GN3 Criteria for sustainable development

IF2 Enhancing sustainable transport choice

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.4	APPLICATION NO.	2021/0142/FUL
	LOCATION	Land To The West Of Children And Parenting Support Services Fairlie Birch Green Skelmersdale Lancashire
	PROPOSAL	Erection of residential 50 dwellings with associated parking and new access road onto site.
	APPLICANT	Tawd Valley Developments
	WARD	Ashurst
	PARISH	Unparished - Skelmersdale
	TARGET DATE	25th May 2021

1.0 **SUMMARY**

1.1 This is a detailed application for the erection of 50 dwellings for affordable rent incorporating 30 two storey houses, 8 bungalows and 12 apartments on land previously used as a playing field for the former Fairlie Primary School. The school has been replaced by the Fairlie Family Centre and the adjacent former playing field has been left unused and overgrown since 2004. It is considered that, subject to conditions and the signing of a planning obligation requiring mitigation for the loss of the playing field, the proposed development is acceptable in terms of use, layout, scale and design. There are no significant highway, drainage, ecology or amenity concerns and I therefore consider that the proposed development is compliant with the NPPF, the Local Plan and the SPD Design Guide.

2.0 **RECOMMENDATION:** **APPROVE with conditions and a S106 Agreement**

3.0 **THE SITE**

3.1 The site comprises an approximate 2ha roughly square parcel of land formerly used as a playing field for the now demolished Fairlie Primary School. The school building closed in 2004 and was replaced by a single storey family centre. The former playing field has been unused for approximately 17 years and is now overgrown. It is enclosed by a 1.5m high metal railing.

3.2 The site slopes northwards towards Houghtons Road, which is at a higher level. To the east lies Fairlie Family Centre and to the south are residential areas of Fairlie and Fairhaven. Further residential properties on Fawcett lie to the west and Birch Green Playground and MUGA areas are located to the immediate SW of the site. Footpaths bound the site to the south and west linking to the wider area of Skelmersdale.

3.3 There is no direct vehicular access to the site.

4.0 **PROPOSED DEVELOPMENT**

4.1 This application seeks planning permission for the construction of 50 dwellings. All of the dwellings will be for affordable rent. The units will comprise of the following mix:

30 x 2/3 bed two storey houses

8 x 2 bed bungalows

12 x 1 bed apartments

4.2 The dwellings are laid out in block form leading off a new access into the site along the western boundary. Dwellings front one side of the access road and there are two cul-de-sacs leading to "housing squares" which include frontage parking and trees. Each

property and the two apartment blocks have private garden areas. All the houses and bungalows have a minimum of two parking spaces and the apartments have one space each. There are also several visitor parking spaces located off the estate road.

4.3 New footpaths will lead from the "housing squares" to an existing footpath along the southern boundary and a landscape buffer is also provided along this boundary.

4.4 Vehicular access is proposed off Fairburn to the SW of the site and runs across an area of public open space adjacent to a play area off Birch Green Road.

5.0 RELEVANT APPLICATIONS

5.1 2008/1178/LC3 - County Matter - Erection of single storey family support centre associated landscaping and car parking, refurbishment including the erection of a 3m high weld mesh security fence to boundary of site.

6.0 CONSULTEE RESPONSES

6.1 Sport England (12.08.21) (14.05.21) (01.04.21) (19.03.21) (26.02.21) - Sport England understands that negotiations are progressing by way of a legal mechanism to resolve concerns regarding loss of the playing field. However, Sport England's default position is to maintain its objection to this application on the basis that it will result in the loss of playing field, until a suitable Section 106 agreement, or other legal mechanism is delivered, or arrangements are confirmed to secure the mitigation.

6.2 Football Foundation (25.05.21) – proposed mitigation is not acceptable.

6.3 Lead Local Flood Authority (10.08.21) – no objection subject to conditions.

6.4 LCC Highways (13.07.21) – no objection subject to conditions.

6.5 Merseyside Environmental Advisory Service (07.09.21) (25.08.21) (19.07.21) (22.06.21) (18.05.21) (30.03.21) – no objections in principle. The Council does not need to consider the proposals against the three tests (Habitats Regulations). Conditions recommended.

6.6 United Utilities (19.05.21) (15.03.21) – no objection subject to condition and note a water main passes through the site.

6.7 Environmental Health (14.05.21) (04.05.21) – no objection subject to conditions.

6.8 LCC Schools Planning (09.03.21) – education contribution not required.

6.9 Lancashire Constabulary (16.04.21) – security advice provided for applicant.

6.10 Lancashire Fire and Rescue (12.03.21) – advice provided for applicant.

7.0 OTHER REPRESENTATIONS

7.1 I have received an objection from one of the Ashurst ward councillors who is concerned about the loss of mature oak trees and also the position of the proposed access road. Policy GN3, sections 2.1 and 2.2 give clear indication that pedestrians should be prioritised. It is requested that the Committee defer this application until alternative access routes can be established.

7.2 Merseyside and West Lancashire Bat Group (08.03.21) raise a holding objection that the

submitted ecological report has not fully addressed the possible presence of bats at or near to the application site and consequently is not acceptable.

8.0 SUPPORTING INFORMATION

8.1 The application is supported by the following information:

Design and Access Statement
Planning Statement
Transport Assessment
Flood Risk Assessment
Drainage Strategy Report
Open Space Assessment
Ecological Appraisal
Arboricultural Impact Assessment
Noise Impact Assessment
Sustainability Statement
Utility Feasibility Study
Building For Life Assessment
Construction Method Statement

9.0 RELEVANT PLANNING POLICIES

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

9.2 The site is located within an area of Green Infrastructure/Open Recreation Space in the settlement area of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD.

9.3 The following policies apply:

National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development
Section 4 Decision making
Section 8 Promoting healthy and safe communities
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 15 Conserving and enhancing the natural environment

West Lancashire Local Plan (2012-2027) DPD

SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 - Residential Development
RS2 - Affordable and Specialist Housing
IF2 - Enhancing Sustainable Transport Choice
IF3 - Service Accessibility and Infrastructure for Growth
IF4 - Developer Contributions
EN1 - Low Carbon Development and Energy Infrastructure
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 - Provision of Green Infrastructure and Open Recreation Space
EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

9.4 The following supplementary planning documents are also relevant:

SPD – Design Guide (Jan 2008)

SPD - Provision of Open Space in New Residential Developments (July 2014)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

10.1 The main considerations in assessing the proposals are:

Principle of Development

Visual Impact

Highway impact and parking

Drainage

Impact on Neighbouring Land Uses

Any Other matters

Principle of Development

10.2 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 Local Plan 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.

Loss of playing field and amenity open space

10.3 The site is designated in the adopted West Lancashire Local Plan 2012-2027 as Green Infrastructure / Open Recreation Space. The proposed access road to the site crosses part of an additional area of designated Green Infrastructure / Open Recreation Space to the south-west. Local Plan policy EN3 (Provision of Green Infrastructure and Open Recreation Space) is applicable. Part 2a of this policy states that development resulting in the loss of existing open space or sports and recreation facilities will only be permitted if one of three criteria are met, namely:

- i) The open space has been agreed by the Council as unsuitable for retention because it is underused, poor quality and poorly located; or
- ii) The proposed use would be ancillary to the use of the site as open space; or
- iii) Successful mitigation takes place and alternative improved provision is provided in the same locality.

10.4 Similarly, paragraph 99 of the National Planning Policy Framework (NPPF) states:

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.

- 10.5 In terms of open space, the proposals raise 3 matters, discussed below:
- (1) Loss of playing field and mitigation.
 - (2) Loss of part of an amenity greenspace site and mitigation.
 - (3) Provision of open space in connection with new residential development on the former playing field site.

(1) Loss of the playing field and mitigation

- 10.6 In 2018, the Council published an updated Open Space Study (OSS) and a separate updated Playing Pitch Strategy (PPS). Both documents are relevant in the consideration of this application.

- 10.7 Approximately 40% of the site appears to have previously been in use as a school playing field; the remainder has been covered with vegetation. The site has not been used by the school since 2004; and does not appear to have been historically available for community use. The PPS lists the site as a 'lapsed' site as follows:

"Lapsed - last known use was as a playing field more than five years ago. These sites fall outside of Sport England's statutory remit but still has to be assessed using the criteria in paragraph 74 (*now paragraph 99*) of the National Planning Policy Framework and Sport England would nonetheless challenge a proposed loss of playing pitches / playing field which fails to meet such criteria. It should be emphasised that the lawful planning use of a lapsed site is still that of a playing field."

- 10.8 The PPS does not identify any surplus of playing pitch provision in the Skelmersdale and Up Holland area, either now or in the future. It recommends in general that lapsed, disused, underused and poor-quality sites should be protected from development.

- 10.9 Sport England also comment that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015. Sport England considers proposals affecting playing fields in light of para.99 of the NPPF and against its own Playing Fields Policy, which states: 'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

- 10.10 Sport England reiterate that the above policy is applied to any land in use as playing field or last used as playing field, irrespective of whether that use ceased more than five years ago. The lack of use of a playing field, or part of, should not necessarily indicate an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs. As such, the proposed development will lead to the permanent loss of playing field land. As a result, Sport England advise that the proposal needs to be considered against Exceptions E1 and E4 of their Playing Fields Policy. Exception E1 requires that a robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport. The Council's PPS clearly shows that the site is not considered surplus to requirements and therefore will not meet the requirements of paragraph 99 of the NPPF or Exception E1. Exception E4 requires that the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field of equivalent or better quality, and of equivalent or greater quantity, and in a suitable location,

and subject to equivalent or better accessibility and management arrangements.

- 10.11 Having regard to Local Plan policy EN3.2a in terms of the loss of the open space/playing field, I consider parts (i) and (ii) do not apply in this case as the area of open space has not been agreed by the Council as unsuitable for retention and the proposed use would not be ancillary to the use of the site as open space. Therefore, the applicant is required to demonstrate compliance with part (iii) "successful mitigation takes place and alternative improved provision is provided in the same locality". Similarly, in terms of the requirements of the NPPF, criterion (b) is the only criterion that could be addressed, as the current open space is not considered surplus to requirements and the development is not for alternative sports and recreational provision. Criterion (b) means that the applicant is required to demonstrate that 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.
- 10.12 In summary, in order for the loss of the playing field to be considered acceptable in planning terms, the applicant is required to satisfy Para 99 (b) of the NPPF, Criterion (iii) of Local Plan Policy EN3.2a and Exception 4 of the Sport England Playing Fields Policy. That is, to provide appropriate mitigation.
- 10.13 In my view, mitigation in the form of quantitative re-provision is too onerous in this instance, having regard to the time that the playing field has been unused and the lack of potential alternative locations for a replacement playing field in the surrounding area. However, qualitative improvements to existing playing pitches in the area with a view to improving their carrying capacity to accommodate additional play is considered an acceptable form of mitigation. Discussions have taken place with Sport England and, as recommended by them, the Football Foundation, to determine what might be considered appropriate mitigation in this instance. In order to help establish what might be appropriate, evidence contained within the PPS and the W Lancs Local Football Facilities Plan (LFFP) as well as a calculation of the size of pitch that could have been accommodated on the Fairlie site for junior sport has been reviewed (approximately 5,769 sqm or a youth 9v9 pitch). The PPS Action Plan identifies recommended actions to improve the quality of Blaguegate Playing Fields and Liverpool Road Playing Fields. Liverpool Road Playing Fields site is also identified as the top priority in the LFFP as in need of improvement. In my view, its improvement could compensate for the loss of the existing playing field at Fairlie. However, the Football Foundation do not consider this to be appropriate mitigation but they, and Sport England have declined to engage in further discussion.
- 10.14 In order to progress matters, the applicant has now proposed a commuted sum of £30,000 to be used locally as mitigation for the loss of the Fairlie playing field and secured by S106 Agreement. This sum is based upon the former facility being commensurate with a 9v9 football pitch. Taking such a pitch as a starting point, the 2020 facility cost update gives figures for both an U8/U7 mini pitch and an U16/U15 youth pitch as £25k and £80k respectively. An equivalent figure for a 9v9 pitch (understood to be ages U11 & U12) is not provided, but it would seem reasonable to assume that it would fall somewhere between the above amounts. The applicant considers the commitment to provide £30,000 would allow some funds to be spent on a future agronomy/feasibility report (if required) and the balance would still be a significant contribution towards the cost of future investment in an existing facility.
- 10.15 Sport England have been re-consulted on the proposed mitigation in the form of the commuted sum and have advised that "*the size of playing field to be lost amounts to approximately 5,769 sqm or a youth 9v9 pitch. The Council's Playing Pitch Strategy indicates that there is slight overplay of 9v9 youth pitches at Liverpool Road (of standard quality) so the Council's priority would be improvement of a youth 9v9 pitch at this*

location. Sport England considers that the contribution of £30,000 would improve the pitch quality at Liverpool Road to address the issue of overplay. In light of this, Sport England considers that the proposed mitigation is acceptable. Sport England understands that negotiations are progressing by way of a legal mechanism to resolve our concerns. However, Sport England's default position is to maintain its objection to this application on the basis that it will result in the loss of playing field, until a suitable Section 106 agreement, or other legal mechanism is delivered, or arrangements are confirmed to secure the mitigation."

- 10.16 On the basis of the above, I consider the proposed mitigation to be acceptable and will be required by legal agreement. It should be noted that no planning permission will be issued unless and until the terms of the legal agreement have been agreed with the Council and Sport England, thereby addressing the default objection from Sport England and complying with para.99 (b) of the NPPF, Policy EN3.2a (iii) of the Local Plan and Exception 4 of the Sport England Playing Field Policy.

(2) Loss of part of an amenity greenspace site and mitigation

- 10.17 The greenspace required for access to the south-west of the site off Fairburn is included in the Council's 2018 Open Space Study (OSS) as Fairhaven amenity greenspace. The OSS includes an Open Space Standards and Strategy Paper which expands upon open space requirements. The Strategy Paper indicates that there is a quantitative surplus of amenity greenspace in the Skelmersdale and South-Eastern Parishes area and outlines the steps to be considered in seeking developer contributions in connection with open space provision.
- 10.18 As there would be a loss of amenity greenspace in relation to the access road (circa 750 sqm), in accordance with para 99 of the NPPF and Policy EN3 of the Local Plan, it would be appropriate to provide mitigation in the form of an off-site contribution towards, or implementation of, qualitative improvements to open / green space in close proximity to the site. It is noted that the MUGA, play and skate park in the wider area of open space will be retained and the applicant argues that only a small area of grassed associated land will be lost which currently only offers limited informal recreation opportunity as incidental greenspace. The applicant also states that the proposed development would not have a substantial effect on the wider local facilities and that there is also no under-provision of open space in the local area. I disagree that the area of open space lost as a result of the proposed access to the site is negligible and of limited use. It currently provides a safe grassed area between the various elements of the existing open space facilities, which is of value for play and recreation. As such, I consider commensurate mitigation for its loss is required.
- 10.19 Notwithstanding the applicant's view above, they have acknowledged that some form of mitigation is required. As such, it is proposed to combine the equivalent area to be lost with that required for all new residential developments plus extra, making a total of approximately 4,000sqm of new public open space to be provided in and around the proposed residential development (see (3) below). I am satisfied that this provides an acceptable level of mitigation for that which will be lost as a result of the development. Therefore, the proposal is in compliance with this element of Policy EN3 of the Local Plan.

(3) Provision of open space in connection with new residential development on the former playing field site.

- 10.20 In terms of the above requirement, the Council's Open Space SPD indicates that developers are required to provide on-site public open space for new residential developments of greater than 39 dwellings. The amount required is based upon the total

number of bedrooms. In this case, the on-site POS requirement is 1,296 sqm.

- 10.21 I note that on-site amenity green space, totalling 6,500sqm, is proposed. However, this includes a parcel of land on the western side of the site that is already open space. Therefore, I disagree with the applicant's figure. In my view, the area of newly created open space amounts to approximately 4,000sqm. This is still well in excess of that required by the SPD and is therefore considered acceptable.
- 10.22 To summarise the observations on open space, I consider that all three elements of national and local policy relating to loss of open space are addressed in detail above and, subject to the provision of a legal agreement requiring the commuted sum in mitigation for the loss of the playing field together with the provision and maintenance of new open space, the development complies with the NPPF, the Sport England Playing Fields Policy and Local Plan Policy EN3.

Affordable and Specialist Housing

- 10.23 The proposed development is for 100% affordable housing, for affordable rent which will be secured by a S106 agreement. The scheme is therefore compliant with Policy RS1 in the Local Plan.
- 10.24 For developments of this size Policy RS2 requires 20% of the units to be designed as accommodation for the elderly. There is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, 8 of the dwellings are bungalows and 6 of the apartments are ground floor, all of which provide living accommodation on a single floor. This amounts to 28%. Therefore, I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Highways

- 10.25 The site is land-locked at present. A number of roads surround the site, however Fairlie currently leads to the Family Centre with no access through the site. The applicant has investigated various access points to the site and proposes a new access leading off Fairburn to the SW of the site. This will result in the creation of a 5.5m wide access road for a length of approximately 200m - from the end of Fairburn, through an area of open space and footpaths and adjacent to an existing multi-use games area, to the SE corner of the site. The proposed access includes the realignment of existing footpaths in this area and provision of a new 2m wide footpath along one side of the access road. The proposed road then runs along the western and northern boundaries of the development site to a turning head with two "arms" leading off it, which terminate at parking areas identified as "housing squares".
- 10.26 The introduction of a new road at the end of Fairburn will result in the loss of some on-street parking and therefore it is proposed to compensate for this loss and provide additional spaces for visitors to the surrounding area, in a new car park providing 14 spaces, leading off the new road. The proposed car park lies to the north of the proposed access road and to the south of 2 and 22 Fairburn.
- 10.27 The route of the proposed access to the site across an existing area of open space is of concern for two main reasons. Firstly, the reduction in the amount of open space. However, this is considered to be mitigated by the replacement provision as detailed in para. 10.17 to 10.19 above. Secondly, this parcel of land is well used and provides a safe and accessible area of flat grassed amenity land, often used as a kick about area adjacent to the existing more formal multi-use games area (MUGA). The proposed access road and car park will result in the loss of this area and introduce a vehicular highway immediately

adjacent to the MUGA and cut across other pedestrian footways.

- 10.28 As a result of the above concerns, which were raised by the LPA at the pre-application stage, the applicant has provided further information to justify their proposed vehicular access off Fairburn rather than Houghtons Road to the north. Various options were investigated by the applicant prior to submission of the formal planning application, access from Houghtons Road being the simplest point of access and considered first. A Construction Technical Due Diligence Assessment Report has been submitted by the applicant which concluded that due to the visibility splays required from Houghtons Road, a 40mph road, the gradient into the site necessitating embankments and a minimum gradient, the developable area of the site and therefore the number of units that could be accommodated would significantly reduce. In addition, the presence of a 300mm trunk main, running west to east across the northern part of the site presented a further constraint to the use of this option. The applicant has demonstrated the impact of an access off Houghtons Road on the development by providing an indicative layout with access taken off Houghtons Road and taking on board advice from LCC Highways as to the gradients, embankments and visibility splays required, along with approximated costings. This results in the reduction of the developable area, approximately 16 units, and increased costs. The applicant states this will have a direct impact on viability, rendering the scheme unviable.
- 10.29 The applicant has also produced correspondence with LCC Highways regarding the potential use of Houghtons Road. LCC advised at pre-application stage they *were contacted a few years ago regarding access from Houghtons Road, and while an access could be formed from this road due to the level difference between the road and site most of the site would be taken for an appropriate access road ramp and this option dismissed. Houghtons Road (A577) is a Main Distributor Road 40mph. There are no footpaths serving this road and no bus stops and notwithstanding the difficulty of providing an access ramp it would not be good planning to introduce a new access at this location. Provided safe access can be achieved from Fairburn no objection to application.*
- 10.30 The Due Diligence Assessment Report submitted by the applicant also provides information on access options that have been considered from Fairlie, Fairhaven and Fairburn. The existing access to the adjacent Children's Social Care Centre off Fairlie is not considered suitable for further intensification of traffic as any extension of this access road would need to pass between the existing Social Care Centre palisade fencing and the facades of existing dwellings, along what is currently a pedestrian path with a corridor width approximately 6 metres. The potential access to the site from the Fairhaven estate would involve the demolition of existing properties, removal of a group of trees and the existing route through the estate was not considered suitable for further intensification of traffic. This left Fairburn which the Due Diligence Report advised would overcome many of the gradient issues associated with Houghtons Road and avoid any diversionary works to the 300m water main to the northern boundary. Although the report did highlight any new access road would result in loss of existing trees and green open space.
- 10.31 In effect, the above information confirms that the main reason Houghtons Road is not considered to be a suitable option for the applicant is due to viability. It would result in a smaller developable area, fewer residential units and increased costs rendering the development of the site unviable. I consider the above information provides further background to the reasons why the current proposal includes an access off Fairburn rather than Houghtons Road.
- 10.32 LCC Highways have been consulted with regard to the current application and have raised no objections to the proposals. The proposed access road and new footpaths have been realigned in accordance with LCC requirements to ensure that safe routes remain for

pedestrians and cyclists. Whilst the proposed access road lies close to the existing MUGA, it is intended to increase the height of the fencing along the northern boundary of the MUGA, provide pedestrian barriers and a raised table to reduce traffic speeds along the access road to increase pedestrian safety in the area. Some existing footpaths will require stopping up under the Highway Act. Whilst I am aware that the proposed access road will pass through an existing area of open space, and the safety of those using the recreation areas is paramount, provided the route, footways and traffic calming measures are implemented in accordance with the submitted details, I am satisfied that the proposal accords with Policy GN3 of the Local Plan.

- 10.33 In terms of parking for the proposed residential units, each dwelling includes two parking spaces and the apartments each have one space and an area for cycle parking. There are a small number of additional visitor spaces along the northern edge of the access road. In addition, to compensate for the on-street parking lost along Fairburn, I consider the provision of the 14 space car park will mitigate for this loss and provide additional spaces for residents of Fairburn as well as visitors to the MUGA, skate-park and children's play area. I am satisfied that the proposed parking arrangements across the site are in compliance with the Council's adopted parking standards and comply with Policy GN3.

Siting, Layout and Design

- 10.34 Paragraph 126 of the NPPF advises that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Policy GN3 of the Local Plan states that new development should add to the distinctive character and visual amenity of the area. Proposals should consider the scale of new development and ensure that the height and massing is appropriate in relation to the neighbouring properties and the surrounding environment. This guidance is reiterated within Policy DP5 of the Council's SPD Design Guide.
- 10.35 The rectangular shaped site lends itself to a similar layout to that in the surrounding area. The strong horizontal and vertical emphasis is replicated in blocks of built form. One single access point and estate road leads to two "housing squares". There is a mix of frontage and side parking which breaks up the appearance of long rows of hardstandings and these are interspersed with landscaping. The housing squares incorporate parking bays directly in front of front facing dwellings but screened from the wider area as they are located within the centre of the layout. A wide landscaped buffer runs along the southern boundary creating a further wedge of greenspace between the existing and proposed development; however, footpaths are proposed to link the housing squares to the existing footpath along the southern boundary providing linkages to local amenities. The layout features housing fronting open space to the north and west offering increased natural surveillance in the area. The sloping site offers an opportunity to provide a differentiation in building heights which enhances the overall appearance of the layout.
- 10.36 The proposal includes a mix of house-types which are all two storey except for the 8 bungalows in the SE corner. The design of the dwellings is of simple plan form with pitched roofs and recessed porches. Materials comprise a mix of predominantly brick with some render detail. Windows are of good proportions with brick detailing and projecting surrounds. Each of the dwellings include private rear gardens. The two apartment blocks have been provided with a large area of communal but private amenity space. All private rear gardens meet the size recommended in the Council's SPD of 10m with the exception of two bungalows. However, these have wide gardens of 10m and face the boundary of the Family Centre. All recommended interface distances are met between proposed and existing dwellings. I consider the scale, layout and design of the development to be

particularly well suited to this location and in my view it provides a wider variety of choice than that found in the surrounding area whilst also harmonising well with the character of the area in full accordance with the aspirations of the NPPF and Policy GN3 of the Local Plan.

- 10.37 In terms of sustainability, the submitted "Building For Life" and sustainability statement advises that the layout optimises opportunities for solar gain as well as maintaining the character of the area in accordance with Policy EN1 of the Local Plan.

Impact on Neighbouring Land Uses

- 10.38 Policy GN3 of the Local Plan allows development provided it retains or creates reasonable levels of amenity for occupiers of the neighbouring and proposed properties. The spacing between the dwellings reflects that of the surrounding residential development and meets interface distances within the Council's SPD Design Guide. In terms of the relationships between the proposed properties and the surrounding residential development, I am satisfied that the proposed layout accommodates the required interface distances with the requirement that first floor landing windows on side elevations are maintained as obscurely glazed. As such, I am satisfied that the overall layout and interface distances are sufficient to ensure that there would be no undue impact of the proposed development from overlooking, overshadowing and creation of poor outlook. Overall, the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity.
- 10.39 In terms of the amenity of the proposed residents in close proximity to Houghtons Road, a noise assessment has been submitted at the request of Environmental Health. This has been carefully considered and EH have raised no objections subject to implementation of the measures to limit road noise impact contained in the assessment. This can be secured via planning condition.
- 10.40 Consideration has also been given to the impact of noise and disturbance from the proposed car park to the south of 2 and 22 Fairburn. As this area is already publicly accessible, it is currently subject to noise at times. The proposed car park has been sited adjacent to the gable ends of these two properties rather than directly adjacent to garden areas to limit any impacts. In my view, the introduction of a car park in this location would not significantly increase noise and disturbance such to warrant refusal of the application.

Trees/Landscaping

- 10.41 There are a number of trees in and around the site. A Tree Survey Assessment has been submitted which confirms that the proposed access road will result in the removal of 3 mature trees (known as T7,8 and 9 (Ash and 2 Oaks) as well as some smaller low quality trees and shrubs and a mature hedge on Fairburn. The 3 mature trees fronting 107 to 111 Fairburn, although healthy, form part of a larger group, the remainder of which will be retained and protected during construction. In addition, the creation of the access off Fairburn will result in the removal of a mature hedgerow mainly of privet, hazel and hawthorn. I have sought the advice of the Council's Tree and Landscape Officer who has no objections to the proposal provided that suitable mitigation is proposed within the landscaping proposals on the wider site. Whilst it is regrettable that 3 mature trees will require removal to provide access to the site, any proposed landscaping scheme can ensure that they are replaced by a minimum of 3 standard trees of the same species within other areas of open space on the site. This can be imposed by condition. On balance, the development of the site for 50 affordable dwellings and the above mitigation, in my view provides an overriding public benefit to the loss of these trees in compliance with Policy GN3 and EN2 of the Local Plan.

Ecology/Biodiversity/Landscaping

- 10.42 One of the aims of the planning system is to seek environmental gains, to contribute to protecting and enhancing the natural environment and help to improve biodiversity. The NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the natural environment, including moving from a net loss of biodiversity to achieving net gains for nature. Policy EN2 of the Local Plan states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs.
- 10.43 An Ecological Appraisal Report has been submitted and updated during the course of the application. MEAS have been consulted and they acknowledge that the proposed development will result in the loss of bird breeding habitat and as such request that a number of bird boxes be provided on the site. In addition, reasonable avoidance measure should be put in place during construction to avoid impacts upon hedgehogs. These can be dealt with by condition. Further information has been provided regarding bat roosting potential of the three trees to be felled which concludes that none of the trees contained features such as woodpecker holes, fissures and exfoliating bark and so provide potential for bat roosting and/or hibernation, and are therefore categorised as having negligible suitability. This has been confirmed as acceptable by MEAS and therefore the Council does not need to consider the proposal against the three tests in the Habitats Regulations.
- 10.44 MEAS have also concluded that it is highly unlikely the proposed scheme would significantly increase recreational disturbance sufficiently to cause harm to European protected sites and therefore a Habitats Regulations Assessment is not required. I am satisfied that the proposed landscaping and erection of bird boxes within the site will provide net gains in biodiversity and that, subject to verification of the bat roost potential within the 3 trees to be removed being found acceptable by MEAS, the proposed development is in compliance with the NPPF and Policy EN2 of the Local Plan.

Drainage

- 10.45 In terms of the principle of development relating to flood risk, the application site lies within Flood Zone 1, the least susceptible to flood risk. A water main crosses the northern part of the site and a culverted watercourse crosses the southern part of the site. Easements have been provided to both underground pipes. A Flood Risk Assessment and Drainage Strategy has been submitted which confirms that the foul water from the dwellings is to be connected to the existing main sewers.
- 10.46 In terms of surface water, the FRA identifies that there is a moderate risk of high groundwater in the main developable area of the site, and there is a need to consider the topography of the site in terms of the residual risk of surface water flooding due to blockage or exceedance of drainage system capacity. As a precautionary measure, it is proposed that the finished floor levels of buildings shall be raised above general external levels by a minimum of 150mm. A sustainable surface water drainage system is also proposed to manage surface water run-off from the site itself up to the 1 in 100 year plus climate change event. This is because due to the site's underlying geology, hydrogeology and topography, the use of soakaway drainage is not a viable drainage option. As infiltration is unfeasible, discharge to the culverted watercourse which passes through the site before flowing south is considered to be the most sustainable option for drainage. Assessment confirms that a connection to the watercourse can be achieved by gravity, with connection made into the existing manhole on the culverted watercourse, to the

south-east of the proposed access road. It is proposed that the surface water discharge to the culverted watercourse will be attenuated to a maximum rate of 8.3l/s, based on the 1 in 1 year greenfield equivalent rate from the developable area of the site. A further attenuation tank will be provided under the proposed car park.

- 10.47 The LLFA have been consulted and no objections are raised to the proposed drainage solution provided the principles of the FRA are implemented and maintained in accordance with a detailed drainage plan. This can be imposed by condition. As such, I consider that the proposed development meets the requirements of Policies GN3, IF2 and EN2 of the local plan.

Planning Obligations

- 10.48 The development of this site will be subject to a S106 Agreement to ensure the delivery of the affordable housing, mitigation in the form of a commuted sum for the loss of the playing field to be used for improvements to a local playing field and the management and maintenance of public open space.

Summary

- 10.49 In summary, it is considered that, subject to conditions, the proposed development is acceptable in terms of use, layout, scale and design. There are no significant highway, drainage or amenity concerns and I therefore consider that the proposed development is compliant with the relevant policies within the NPPF and the Local Plan.

11.0 RECOMMENDATION

- 11.1 That the decision to grant planning permission be delegated to the Corporate Director of Place and Community in association with the Chair or Vice Chair of Planning Committee subject to the following:

The applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:

The terms, conditions and delivery of the affordable housing units
The commuted sum in mitigation of the loss of the playing field
Maintenance and management of public open space

- 11.2 That any planning permission granted by the Corporate Director of Place and Community be subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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 LO3B (Proposed Access Road) and LO2C (Proposed Site Plan) received by the Local Planning Authority on 8th July 2021;
Plan reference NW134/01/3/02.02 Rev E (S38 and levels plan) received by the Local Planning Authority on 9th July 2021;

Plan reference NW134/01/3/02.01 Rev C (site access) received by the Local Planning Authority on 16th June 2021;

Plan references L04 (Block 1), L05 (Block 2), L06 (Block 3), L07 (Block 4), L05 (Block 5), L09 (Block 6), L10 (Block 7), L11 (Block 8), L12 (Block 9), L13 and L14 (apartments Block 10), L19 and L20 (apartments Block 15), L13 (bungalows Block 13), L15 (bungalows Block 11), L16 (bungalows Block 12), L18 (bungalows Block 14) all received by the Local Planning Authority on 3rd February 2021.

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. 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 buildings 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 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.

4. 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 all hard surfaces within the development site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials.

The development shall be carried out using only the agreed materials.

Reason: To ensure that the external appearance of the site 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.

5. All means of enclosures shall be constructed in accordance with the details and in the positions shown on the submitted drawings LO3B (Proposed Access Road) and L23 (Proposed Boundary Details) before occupation of the dwelling to which each relates.

Reason: To ensure satisfactory privacy for occupants of the proposed dwellings, in the interests of visual amenity and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

6. Prior to the occupation of development hereby permitted full details (including elevations and materials) of the bin stores to be provided for the apartments shall be submitted to and approved in writing by the Local Planning Authority.

The bin stores shall be constructed in accordance with the approved details prior to the first occupation of the building to which it relates.

Reason : In the interests of residential amenity and to ensure compliance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. The highway works shall include the new junction off Fairburn and diversion of the adopted foot/cycleway connection Birch Green Road and Houghtons Road.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway

scheme/works and 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.

8. No development of the hereby approved scheme shall commence until such time as the area of existing adopted highway (the realignment of existing footpath/cycle track) has been stopped up under the appropriate legal process (Section 247 of the Town & Country Planning Act) in consultation with the local planning authority and the highway authority.
Reason: To prevent the adopted highway from being subsumed into the development and in 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.
9. The development hereby approved shall not be occupied until the car parking indicated on plan ref: LO3B has been constructed in accordance with the approved plans.
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 above ground construction works 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.
Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality and thereby accord with Policy GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. Prior to construction of any dwelling full details of the electric vehicle charging points throughout the development shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the electric vehicle charging point has been installed for that dwelling 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.
12. The details contained within the Construction Method Statement received by the Local Planning Authority on 29th July 2021 shall be adhered to at all times during the construction period.
Reason: 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.
13. For the full period of demolition/construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
Reasons; to prevent stones and mud being carried onto the public highway to the detriment of road safety and so to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

14. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the flood risk assessment (January 2021, NW134/01/3r3, ARP Associates) and drainage strategy (January 2021, NW134/01/3r3, ARP Associates). The measures shall be fully implemented prior to first occupation of any dwelling 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 in consultation with the lead local flood authority.
Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site and to ensure that there is no flood risk on- or off-the site resulting from the proposed development in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.
The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.
Those details shall include, as a minimum:
a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep(10%).
b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL;
vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
The sustainable drainage strategy shall be implemented 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.
16. No development shall commence until details of how surface water and pollution prevention will be managed during the construction phase have been submitted to and approved in writing by the local planning authority.
Those details shall include, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

Reasons: These details are required prior to the commencement of development to ensure

- the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;

- that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

17. No building (or within an agreed implementation schedule) on the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of the National Planning Policy Framework and Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

18. Notwithstanding the details shown on the submitted landscape plans, 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

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 to comply with Policy GN3 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

19. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.

The landscape management plan shall be implemented as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority.

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.

20. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Impact Assessment received on 29th April 2021, including the tree and hedgerow protection measures specified, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

21. No building shall be occupied until details of bird nesting boxes (number, type and location on an appropriately scaled plan) to be erected on the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: The proposed development will result in the loss of bird breeding habitat and as such mitigation is required in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

22. 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 hedgehog which is a Priority Species. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them:

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

The development shall be implemented 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.

23. The measures contained within Section 5 of the e3p Noise Assessment Ref: 50-343-R1-2 received by the Local Planning Authority on 12th May 2021 shall be implemented prior to occupation of the dwellings to which the measures relate and shall be retained as such thereafter.
Reason: To safeguard occupiers from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
24. Prior to the first occupation of the hereby approved Plot 1 and 21, unless required for purposes as an escape window(s), the first floor landing windows on the southern side elevation shown in plans ref: LO4 and L10 shall be fitted with obscure glass (Pilkington level 4 or equivalent) and be non-opening and shall remain so fitted at all times thereafter for the duration of the development. If required for escape purposes the window(s) shall be fitted with obscure glass (Pilkington level 4 or equivalent) and shall include a restrictor mechanism to prevent the window(s) from opening more than 50mm during normal use/non-emergency situations and shall remain so fitted at all times thereafter for the duration of the development.
Reason: To protect the privacy and amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.
This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.
The land referred to in Condition 10 shall be the subject of a dedication agreement with the Highway Authority under the provision of Section 38 of the Highways Act or other appropriate agreement.
2. The submitted drainage strategy (January 2021, NW134/01/3r3, ARP Associates) proposes to discharge to an unnamed culverted watercourse that runs east-west through the southern section of site. Any work within the banks of the watercourse which may alter or impede the natural flow of water will require Land Drainage Consent from the LLFA under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).
When applying for Land Drainage Consent, as a minimum, the applicant will be expected to:
- Carry out studies of the existing culvert/watercourse condition and capacity;
 - Undertake an examination of the downstream condition and implications of the development proposal, and;
 - Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the agreed discharge rate of 8.3 l/s.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:

Guidance: https://www.lancashire.gov.uk/media/903914/land-drainage-consent_advice-note.pdf

Application form: https://www.lancashire.gov.uk/media/903913/land-drainage_consent-application-form.pdf

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site.

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

RS2 - Affordable and Specialist Housing

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's 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.

Agenda Item 7e

No.5	APPLICATION NO.	2020/0906/ARM
	LOCATION	Land To The East Of Firwood Road Lathom Lancashire
	PROPOSAL	Reserved Matters - Erection of 130 dwellings and associated works including details of appearance, landscaping, layout and scale.
	APPLICANT	Wainhomes (North West) Limited And Jacton Properties Limited
	WARD	Bickerstaffe
	PARISH	Lathom South
	TARGET DATE	11th January 2021

1.0 **DEFERRAL**

- 1.1 This application was deferred at the September Planning Committee meeting in order to allow the applicant to meet with local residents. This meeting took place 22nd September and following this the Applicant has submitted an updated Statement of Community Involvement which outlines matters discussed and the outcome of these discussions. Following on from the meeting, several revised plans have been submitted which primarily relate to landscape/boundary treatment changes and are relatively minor in nature. These plans have been subject to further public consultation and any further comments will be reported as Late Representations.

2.0 **SUMMARY**

- 2.1 This is a reserved matters application for a housing development on an allocated housing site off Firwood Road, Lathom. Access has been considered as part of the assessment of the originating outline planning consent. The proposed layout, design and landscaping is considered to be acceptable. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity and the amenities of future occupiers. A proportion of affordable houses would be provided on the site, along with a full contribution towards the Linear Park. In my view the proposal complies with the relevant policies of the Local Plan.
- 2.2 As stated above, the application was deferred at the last meeting of the Planning Committee and since that time the applicant has met with local residents to discuss any outstanding issues/concerns. A Statement of Community Involvement has been submitted which details the public meeting, and I am satisfied addresses the reason for deferral.

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

4.0 **THE SITE**

- 4.1 The site forms part of the main Firwood Road site which has been allocated for housing development in the adopted Local Plan. The Firwood Road site comprises a total of approximately 22ha of formerly safeguarded land which has been released through the Local Plan for residential development. The full site is bordered by residential development to the east, south and south west corner; employment to the north, and open agricultural Green Belt to the west. The existing access to the land is from Neverstitch Road and Firwood Road via Old Engine Lane.
- 4.2 This part of the wider site is approximately 5.01ha in size and is situated to the south-east of Firwood Road. It is bounded by Slate Lane to the north, scrubland to the east, Old

Engine Lane to the south and Firwood Road to the west. Outline planning permission for a residential development on the site which included details of access was granted on 01.10.2020.

- 4.3 There are scattered trees and lengths of hedgerow surrounding the site. There is a public footpath (8-1-FP-24) adjacent to the site to the north, and a second public footpath (8-1-FP-26) which runs along Old Engine Lane to the south. An historic Powder Hut, a 19th century decommissioned explosives store for the Lathom Colliery is situated in a central position in the site.
- 4.4 There are residential dwellings adjacent to the site on Old Engine and Slate Lane, and to the south there is a current housing development by Bellway Homes which forms the first phase of the Firwood Road housing allocation development. The Bellway Homes development is for 94no. dwellings, with access taken off Firwood Road. There is a planning application for 200 dwellings by Bellway Homes on land to the west of Neverstitch Road currently under consideration; this also forms part of the wider residential allocation.

5.0 THE PROPOSAL

- 5.1 Outline planning permission for a residential development was granted consent on 1st October 2020, application reference 2019/0069/OUT. All matters apart from access were reserved as part of this planning permission. This reserved matters application seeks permission for the erection of 130 dwellings on the site including a mix of detached, semi-detached houses and flats.
- 5.2 The matters for consideration are appearance, landscaping, layout and scale. As agreed under application 2019/0069/OUT access to the residential development would be taken from Firwood Road, the houses would then be arranged around an estate road and series of cul-de-sacs. The dwellings would be two storey and there would be a trim trail located within the site and a suds attenuation meadow adjacent to Slate Brook which is to the east.

6.0 PREVIOUS RELEVANT DECISIONS

The application site:

- 6.1 2019/0069/OUT - Outline - Residential development including details of access (all other matters reserved). GRANTED 01.10.2020.

Within the wider housing allocation:

- 6.2 2016/1027/FUL – Erection of 94 residential dwellings, associated access, landscaping, public open space, swale, pumping station, sub-station and associated works. GRANTED 20.07.2017.
- 6.3 2020/1267/FUL – Demolition of existing buildings and erection of 200 dwellings, associated landscaping and infrastructure including access junctions from Neverstitch Road and Ormskirk Road, public open space including detention basin, an electricity substation, a foul pump station and other associated works. PENDING

7.0 CONSULTEE RESPONSES

- 7.1 Lancashire Constabulary (21.10.2020) – No objection.

- 7.2 Lead Local Flood Authority (07.06.2021) – No objection.
- 7.3 Highways (06.11.2020, 07.06.2021, 09.08.2021) – No objection.
- 7.4 Environmental Protection, Contaminated Land (24.11.2020) – No objection.
- 7.5 Environmental Protection (24.06.2021, 27.07.2021) – No objection.
- 7.6 British Pipeline Agency (11.11.2020) – No objection.
- 7.7 The Coal Authority (24.05.2021) – No objection.
- 7.8 Health and Safety Executive (12.11.2020) – No objection.
- 7.9 Merseyside Environmental Advisory Service (22.01.2021, 27.05.2021, 02.07.2021, 03.08.2021) – No objection.
- 7.10 Environment Agency (04.11.2020, 04.01.2021, 22.01.2021, 04.06.2021, 13.07.2021) - No objection.

8.0 OTHER REPRESENTATIONS

- 8.1 Representations have been received, the main grounds of objection can be summarised as:

Inappropriate access from Firswood Road.

Services to existing residents have not been considered.

Viability should be challenged.

Old Engine Lane is not suitable for vehicles.

A clear pedestrian route along Old Engine Lane is required.

Anti-social behaviour on Old Engine Lane should be controlled.

Hedgerow on Old Engine Lane should remain.

Impact on residential amenity of existing residents.

Drainage does not consider existing properties.

No details of the treatment to Old Engine Lane included in the application.

Inadequate mining information.

Cycle path onto Slate Lane is unsuitable.

Construction traffic should be properly routed.

Slate Lane is for private use only and should be signposted as such.

Increased risk of flooding.

Reduction in biodiversity.

More trees should be planted on site.

Inadequate car parking.

Impact on occupiers of the development from noise from XL Business Park should be considered.

The noise assessment carried out on behalf of the applicant does not take full account of the expected noise levels on the adjacent site.

- 8.2 South Lathom Residents Association (02.11.2020, 13.11.2020, 11.06.2021)

Highway issues remain.

Electricity substation and pumping station is not shown on the plan.

Cyclist access should be provided from the site onto the path approved as part of the XL Business Park Plot B approval.

Conditions relating to coal mining legacy are not met.

Drainage does not consider existing properties.
Water supply to existing properties should be maintained.
Impact on the residential amenity of occupiers of Brookdale.
There is an error on the Accommodation Schedule in respect of the Oakmere apartments.
What provisions are included for elderly accommodation?
Viability should be independently assessed.
Do the Highway Authority accept garages as parking spaces?
Private road maintenance.
Ownership and management of the swales/ecological corridor/Suds pond.
Plan titles use the incorrect/inconsistent road and area names.
Impact on rural character.
Plans for Old Engine Lane are unclear.
The Environment Agency objection has not been addressed.
Inadequate information included in the submission.

8.3 Lathom South Parish Council (13.11.2021, 07.06.2021)

The application omits detail, for example location of mine shafts and substations. There is insufficient detail to allow meaningful comment.
The developer should consider providing a cycle path from Slate Lane to XL Business Park.
The suds pond does not appear to be part of the more recent plans.
Lack of public open space.
Loss of trees.
Lack of detail in respect of the freshwater pipeline, foul water drainage and electricity supply to existing houses, and incidental land shown on the layout plan.
Cars may park on the Firwood Road frontage.
An attenuation pond should not be counted as public open space.

9.0 **SUPPORTING INFORMATION**

- 9.1 Aborigicultural Impact Assessment and Method Statement
Structural Calculations, Proposed Mine Shaft Cap
Drilling and Grouting Specification
Design Justification Statement
Geo-environmental Investigation Report
Planning Statement
Residential Viability Report
Viability Assessment
Utilities Statement
Waste Management Plan
Flood Risk Assessment and Drainage Strategy
Bird and Bat Box Provision Details
Statement of Community Involvement

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 Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework (NPPF)

Building a strong, competitive economy
Delivering a sufficient supply of homes
Promoting sustainable transport
Promoting healthy and safe communities
Achieving well-designed places
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
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
IF4 – Developer Contributions
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets

Development Brief – Firswood Road (August 2014)
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

Principle of Development

- 11.1 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan reiterates this approach and it is considered that the proposed residential development of this site complies with Policy RS1 in the Local Plan as it is an allocated housing site. This policy supports a development which provides up to 400 units on the whole Firswood Road site. The Development Brief for the site sets out a vision and key principles for its development; these include to develop the land in such a way as to complement the existing residential areas and to diversify the choice and range of housing to meet local needs, whilst helping to create a linear park to provide multifunctional recreation spaces. The principle of a residential development on the site has already been established through the approval of outline planning permission under planning reference 2019/0069/OUT, which approved access with all other matters reserved for future consideration. There have been no significant policy changes since the grant of this permission which may have affected this decision, therefore I am satisfied that the principle of development remains compliant with the aims and objectives of the NPPF and Policies SP1 and RS1 of the Local Plan.

Planning Obligations, Affordable Housing and Public Open Space

- 11.2 The requirement for affordable homes and provision of homes suitable for the elderly originates from policies RS1 and RS2 of the Local Plan. The Development Brief requires

30% of the units within developments on the Firwood Road site to be affordable and 20% to be suitable for elderly residents. The outline planning permission granted for this site is the subject of a s106 legal agreement requiring the developer to secure the terms and conditions of any affordable housing on site, provision of 20% of the units of accommodation suitable for the elderly, the terms and conditions of any on-site public open space and a financial contribution towards the Linear Park. Contributions detailed in the legal agreement are subject to viability.

- 11.3 The original application submission made no provision for affordable homes on site, did not include accommodation suitable for the elderly, and proposed no contribution towards the Linear Park. This was supported by viability information submitted with the application. Given this shortfall which is clearly in conflict with Local Plan Policy RS2 and EN3 the Council instructed an independent assessment of the applicant's viability information by Keppie Massie.
- 11.4 Keppie Massie concluded that the proposed scheme would not be able to support a fully policy compliant scheme which would include 30% affordable dwellings and a contribution of £166,920 towards the Linear Park. Keppie Massie went on to prepare a financial appraisal which included a £24,107 contribution towards the Linear Park and provision of up to 19 affordable dwellings (a mix of affordable rented and intermediate dwellings) which they consider would be a viable form of development on the site. However, in their assessment Keppie Massie have advised that the provision of affordable housing, and other contributions is sensitive to construction cost changes, and medium or longer term impacts that the global pandemic may have on market demand, property market activity and values, consequently less certainty, and a higher degree of caution should be attached to the conclusions reached by Keppie Massie's assessment of viability than would normally be the case.
- 11.5 The Council has carefully considered the position and discussed the matter with the applicant. The applicants have advised that to maintain a viable development and help deliver the Council's Linear Park ambitions, they would be prepared to offer £168,000 towards the Linear Park with 11 affordable housing units on site (7 units for social rent and 4 shared ownership units) and 5 units which would be compliant with part M4(2) of Building Regulations with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Given the Council's commitment to the Linear Park which has been carried forward from the previous Local Plan, and the fact that the offer from Wainhomes would provide a substantial contribution towards its delivery along with a proportion of affordable dwellings and units which would be part M4(2) compliant, I consider that on balance and taking into account the market uncertainty highlighted by Keppie Massie, I am satisfied that the proposal put forward by Wainhomes is acceptable.
- 11.6 In terms of on-site open space, it is proposed to include an on-site trim trail and I consider that this provision along with the contribution towards the Linear Park is acceptable and meets the requirements of Policy EN3 of the Local Plan.
- 11.7 I am satisfied that the requirements relating to planning obligations and contributions on the site are being satisfactorily met, in accordance with Policy RS2 and EN3 of the Local Plan.

Design, Layout and Scale

- 11.8 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.

- 11.9 There would be a road leading through the estate with smaller cul-de-sacs coming off this spine road. The residential units would be two storey/two and a half storey in height and a mix of detached and semi-detached, which would be appropriate and in keeping with the surrounding area. The layout has been designed to ensure that there would be dwellings fronting onto Firswood Road behind a landscaped buffer area. This ensures an active frontage onto Firswood Road whilst providing a buffer strip to the Green Belt land which lies beyond. There would be an attenuation type meadow running alongside Slate Brook to the east of the site. Public open space, including a trim trail, would be located to the west of the site and this area would have dwellings facing onto it to ensure a degree of passive surveillance.
- 11.10 All properties have off road parking with a mix of frontage and side driveway parking, I am satisfied that there would not be an overdominance of hardstanding within the development site. The dwellings have adequate sized private rear gardens, there are a few that fall short of the 10m garden depth advocated in the Design SPD but where this occurs the gardens are wide enough to compensate for this and I am satisfied that in these cases there would not be a reduced level of amenity through overlooking.
- 11.11 The dwellings themselves would be constructed from brick which is reflective of the local area. There are a variety of styles of house types in the locality and as such I consider that the proposed dwellings would be acceptable. I am satisfied that the resulting layout is acceptable and would not appear incongruous within its surroundings or detrimentally affect the Firswood Road, Slate Lane or Old Engine Lane street scenes. The proposal is therefore in accordance with Policy GN3 of the WLLP. I consider it necessary to include a planning condition to allow the Local Planning Authority control of the design and siting of any electricity substation which may be necessary on site.

Residential Amenity

- 11.12 In terms of residential amenity, Policy GN3 of the Local Plan advises that new development should retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the proposed and neighbouring properties. Each dwelling would have its own private garden, some of these fall short of the 10m garden depth advocated in the Design SPD but as stated previously, where this occurs the gardens are sufficiently wide to ensure that a reasonable level of amenity would be provided, in accordance with Policy GN3 of the Local Plan.
- 11.13 Concern has been raised that the proposed residential development does not take into account the relationship with approved commercial development to the east (known as Plot 110) which has obtained outline and reserved matters approval (the layout agreed under appeal ref: APP/P2365/A/06/2018021). This approval includes a condition which stipulates that the level of noise emitted from the distribution centre shall not exceed 45dB at any time, within 1m of the façade of any of the nearby existing residential properties except where pre-development LAeq1h background noise levels already exceed 47dB(A) in which case the level of noise emitted from the premises at more than 1 metre from the façade of any of the nearby existing residential properties may exceed 45dB but shall not give rise to an increase in the predevelopment ambient noise level of more than 2dB. This condition was included in the planning appeal decision and was considered to be appropriate for the protection of residents living in existing dwellings in proximity to the site of the proposed commercial development, i.e. dwellings without the benefit of acoustic glazing, ventilation or barriers.

- 11.14 In light of this concern the applicant has submitted a Noise Assessment, which is by necessity based on noise predictions due to the fact that neither development currently exists. The Assessment concludes that if noise levels from the distribution centre are expected to meet the limits detailed in the planning consent condition at the existing dwellings, then the corresponding noise levels on the Wainhomes site could be marginally higher on the front facades of the nearest properties, i.e. marginally in excess of 45 LAeq,1hr if adequate mitigation was built in to these dwellings. The limit set by the planning condition on the appeal decision for the distribution centre was based on the nearest existing dwellings not having any means of noise control, for example thermal glazing. The Assessment provided as part of this current application recommends that houses on plots 43 to 48 inclusive, plus plots 54 and 55 incorporate thermal glazing and appropriate ventilation, and a 2.5m acoustic fence be provided along the northern boundary of plots 54 and 55, extending along the eastern boundary of plot 54. Following publication of the Noise Assessment a further representation was received from the adjacent landowner which states that the Noise Assessment carried out by Martec Environmental Consultants Ltd on behalf of the Applicant does not take full account of the expected noise levels on the site and suggests a replacement planning condition to overcome this concern. The Council's Environmental Protection Officer has reviewed the Assessment and the further representation from the adjoining landowner and subject to the imposition of the suggested replacement condition is satisfied that the proposed noise mitigation measures are acceptable and would sufficiently protect the amenities of residents of the proposed dwellings. The mitigation measures will be secured by condition.
- 11.15 In terms of potential impact on existing residents, there are existing dwellings which border the site on Firwood Road, Slate Lane and Old Engine Lane, and I consider that the separation distances provided, meet the standards in the Council's SPD Design Guide and are sufficient to ensure that there would be no undue impact from overlooking, overshadowing or creation of poor outlook in accordance with Policy GN3 of the Local Plan.
- 11.16 I am satisfied that the proposed development would offer an acceptable standard of amenity to occupiers of the new dwellings and would not give rise to unacceptable impact on the amenities of existing residents. The proposed development complies with Policy GN3 in terms of impact on residential amenity.

Landscaping and Biodiversity

- 11.17 Biodiversity was considered as part of the outline planning consent, and several conditions relating to ecology and biodiversity were imposed at this stage. The application has been amended since its original submission, MEAS have reviewed the amended submission and confirmed that the proposed landscaping is acceptable and compensates for woodland lost on the site, they are also satisfied with the details submitted in respect of bat and bird boxes and fencing details. The ecological conditions imposed on the outline approval are still relevant, it is also considered necessary to impose a condition requiring inspection of Slate Brook for water vole prior to development. Landscaping and position/height of fencing on the site was discussed at the public meeting held following deferral at the September Planning Committee meeting, and as a result of this discussion minor changes to the proposed fencing layout and landscaping have been submitted. I am satisfied that these minor changes are acceptable and adequate landscaping can be provided on site.
- 11.18 I am satisfied that the proposed development would be acceptable in ecological terms in accordance with Policy EN2 of the Local Plan.

Highways

- 11.19 Policy GN3 of the Local Plan states that suitable and safe access, road layout, design and adequate parking provision are required in new developments. Policy IF2 details parking standards required for residential developments.
- 11.20 In approving the outline planning permission, which included details of access, the Highway Authority has accepted that the local road network is capable of accommodating further vehicular movements, and this matter does not form part of the consideration for this reserved matters application. In terms of off street parking, the Local Plan sets out parking standards for residential developments. The majority of the proposed plots meet the required standards, however the integral garages on the proposed house types Shakespeare (10 dwellings), Nelson (8 dwellings) and Newton (11 dwellings) do not conform to the recommended minimum 3mx 6m internal size.
- 11.21 Garages are seen as not only necessary to accommodate a car but also to provide space for the storage of other equipment including bicycles. The garages shown in the proposed layout would be of a sufficient size to accommodate a car and in order to address the issue of reduced storage for other items each of the plots that feature the above house types will also have a separate storage shed provided within each plot curtilage, which will facilitate the storage of equipment that might otherwise commonly be found in garages as well. This approach has been considered acceptable by the Highway Authority on other schemes. I am satisfied that this approach is reasonable and that the layout provides sufficient off-street car parking in accordance with Policy IF2 of the Local Plan. A condition requiring details of the future management and maintenance of the streets is imposed on the outline planning consent.
- 11.22 The outline consent included provision for off-site highway works, including a 30mph gateway feature on Firwood Road, new footways and pedestrian refuge island on Neverstitch Road, and street lighting on Old Engine Lane between Neverstitch Road and the pedestrian site access to Old Engine Lane. As part of the outline approval these off-site highway works have to be implemented prior to occupation of the dwellings. The proposed layout which forms part of this application includes pedestrian access from the site onto Old Engine Lane and also from the north of the site onto Slate Lane. I am satisfied that the connections through the site to the surrounding area are acceptable and provide suitable linkages by sustainable means to the wider area.
- 11.23 I am satisfied that the proposed development will be acceptable in terms of highway safety and that adequate off-road parking would be provided on the site. The application incorporates measures which when delivered would significantly improve pedestrian/cycle connectivity to integrate the site into its surroundings and encourage the use of sustainable modes of transport in accordance with Policies GN3 and IF2 of the Local Plan.

Drainage

- 11.24 As required by a condition attached to the outline planning approval the application has been accompanied by a Flood Risk Assessment and Drainage Strategy (FRA). With respect to the surface water drainage, the FRA proposes underground attenuation in the form of oversized pipes with flow controls together with an open SUDs attenuation meadow to limit flows. The Lead Local Flood Authority have reviewed the FRA and are satisfied that the proposals in respect of surface water drainage are acceptable.
- 11.25 I am satisfied that the FRA has demonstrated that the development has a low probability of suffering from flooding and will not increase the probability of flood risk in the area in accordance with Policy GN3 of the Local Plan.

Other Matters

- 11.26 Concern was raised in advance of the September Committee about the lack of consultation on amended plans, however these related solely to a minor repositioning of the proposed block 8-19 to pull it further into the site away from Old Engine Lane. This was a minor change which has no material impact outside the site and therefore re-notification of neighbours was not required, particularly as the application had been subject of two rounds of consultation. Since the deferral of the application at the September meeting of Planning Committee the applicant has met with local residents to discuss any outstanding issues/concerns. The revised Statement of Community Involvement and accompanying amended plans have now been subject to a third round of public consultation and any further comments will be reported as Late Representations.
- 11.27 Concern has also been raised in connection with inaccurate reporting of representations; it is normal practice to summarise lengthy and detailed representations received in respect of planning applications, and I am satisfied that representations have been adequately reported and are representative of the objections received and are addressed in the assessment where appropriate and relevant.

Conclusion

- 11.28 This application is for approval of reserved matters for a residential development of 130 dwellings. The principle of allowing a residential development has been established on the site by the granting of outline consent; details of access were also agreed at outline stage. Following negotiation, I consider that a satisfactory amount of affordable dwellings and contribution towards the Linear Park would be provided. I am satisfied that the scheme is acceptable in terms of layout, appearance, and design. The proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties and would not be detrimental to highway safety. Adequate drainage would be provided for the site and biodiversity would not be impacted to an unacceptable degree. I consider that the development is compliant with the relevant policies in the NPPF and Local Plan.

12.0 RECOMMENDATION

- 12.1 That reserved matters be APPROVED subject to the following conditions:

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference:
Location Plan - WH.FR.LP.01 Rev B, received by the Local Planning Authority on 07.10.2020.
Plan reference:
Detailed site layout plan ref: WH/FR/DSL/RM/01 Rev. P
Boundary treatment plan ref: WH/FR/BTP/01 Rev B
Hard landscaping plan ref: WH/FR/HLP/01 Rev B
received by the Local Planning Authority on 29.09.2021.
Plan reference:
House Type: Trevithick - 3.205CB/P/BU/L10/300 Rev A
House Type: Brahms - R24LH/P/R/L10/300
House Type: Ellington - R35LH/P/R/L10/300
House Type: Brunswick - 3.113SACB/P/BU/L10/300 Rev A

House Type: Holbrooke - G/R46LH/P/R/L10/300
House Type: Wren - 4.404CB/P/S/L10 300
House Type: Wrenbury - 4.404DACB/P/BU/L10 300
House Type: Newton - 4.201/P/BU/L10/300 Rev A
House Type: Haversham - 4.342/P/BU/L10/300 Rev B
House Type: Shakespeare - 4.341/P/BU/L10/300 Rev A
House Type: Priestley - 4.341/P/BU/L10/300
House Type: Oakmere (New) Apartments 1 of 2 - 2.346HL/P/BU/L10
House Type: Oakmere (New) Apartments 2 of 2 - 2.346HL/P/BU/L10
House Type: Hatherleigh & Bay 4B6P - 4.342SAB/P/BU/L10/300 Rev B
House Type: Jenner 3B4P - 4.209CB/P/BU/L10/300 Rev A
House Type: Stephenson - 4.203/P/BU/L10/300 Rev B
received by the Local Planning Authority on 28.04.2021.

Plan reference:

Screen Wall Drawing - FD001

Boundary Details - FD002 and FD003

Feather Edged Fence Drawing - FD-004 Rev P1

Received by the Local Planning Authority on 07.10.2020.

Plan reference:

Landscape Masterplan - 5897.08 Rev J

Landscape Proposals Sheet 1 - 5897.03 Rev J

Landscape Proposals Sheet 2 - 5897.04 Rev J

Landscape Proposals Sheet 3 - 5897.05 Rev J

Landscape Proposals Sheet 4 - 5897.06 Rev J

Landscape Proposals Sheet 5 - 5897.07 Rev J

Received by the Local Planning Authority on 29.09.2021.

Plan reference:

Cycle store plan ref: 9000

received by the Local Planning Authority on 20.08.2021.

Plan reference:

Street Scene and Site Section - WH.FR.SS.01 - Rev A

received by the Local Planning Authority on 09.07.2021.

Plan reference:

Large single garage side to side - LSG/SE/1.4/B

Large single garage front to rear - LSG/SE/1.3/B

received by the Local Planning Authority on 05.07.2021.

Plan reference:

Storey Heights Plan - WH-FR-SHP-01 Rev B

Waste Management Plan - WH-FR-WMP-01 Rev C

received by the Local Planning Authority on 29.09.2021.

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.

2. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy (October 2020, Ref: 30357/SRG, Ironside Farrar Limited). The measures shall be fully implemented prior to first occupation of any dwelling 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 in consultation with the lead local flood authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

3. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.
The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.
Those details shall include, as a minimum:
- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep.
 - b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL.
 - c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
 - d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.
- The sustainable drainage strategy shall be implemented in accordance with the approved details.
Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.
4. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.
Those details shall include for each phase, as a minimum:
- a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.
 - b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.
- The development shall be constructed in accordance with the approved details.
Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
5. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water

drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

6. Prior to commencement of development an inspection of Slate Brook for water voles shall be carried out by a suitably experienced ecologist, and the results and any required mitigation submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To safeguard a 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.

7. Development of plots 43-48 (inclusive) and plots 54 and 56 shall not be commenced until an assessment of noise on the location of dwellings has been submitted to and agreed in writing with the Local Planning Authority. A scheme for enhanced sound insulation of the facades of the proposed dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. The mitigation shall ensure that the following internal noise rating levels are not exceeded within these properties, at any time, with windows closed and ventilation provided:

35cBLAr, 1 hour inside habitable rooms between 07:00 and 23:00 hours;

30dBLAr, 15 mins in bedrooms between 23:00 and 07:00 hours.

The ventilation provided must be sufficient to minimise the need to open windows to control overheating.

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.

8. 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.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the users of the highway and the visual amenities of the locality.

9. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.
Reason: - In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.
10. 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.
Reason: 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.

Notes

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

Reason for Approval

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

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's 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.

Agenda Item 7f

No.6	APPLICATION NO.	2021/0817/FUL
	LOCATION	Mossholm 36 Warpors Moss Lane Burscough Ormskirk Lancashire L40 4AQ
	PROPOSAL	Retrospective detached ancillary building
	APPLICANT	Mr Anthony Marland
	WARD	Burscough East
	PARISH	Burscough
	TARGET DATE	17th August 2021

1.0 **REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme however Councillor David Evans has requested it be referred to Committee to consider the impact on the amenities of surrounding residents.

2.0 **SUMMARY**

- 2.1 The siting, scale and appearance of the development is acceptable and in accordance with Policy GN3 of the Local Plan and the West Lancashire Design Guide, subject to a condition relating to the external finish to the building. I am satisfied the stated purposes of the outbuilding as a personal gym for the applicant is an ancillary use to the host dwelling. I am of the view the development will not result in significant harm to the amenity of surrounding residents in accordance with Policy GN3.

3.0 **RECOMMENDATION – APPROVE with conditions**

4.0 **SITE DESCRIPTION**

- 4.1 The application site comprises a two-storey semi-detached dwelling house which is located on the south side of Warpors Moss Lane in Burscough. It is flanked to the sides and rear by residential properties. The host dwelling has been previously extended in the form of two storey side and single storey rear extensions. The front of the site is formed of a paved driveway and there is an irregular shaped linear garden space to the rear.

5.0 **PROPOSAL**

- 5.1 This application seeks retrospective permission for a detached ancillary building used for a gym training room for the applicant's personal use. The dimensions of the building are as follows: 3.55m x 8.55m with a dual pitched roof ridge height of approx. 3.7m.
- 5.2 It is noted that at the time of the site visit and assessment of the application the building had been constructed, with the external finish still to be completed.

6.0 **SUPPORTING INFORMATION**

- 6.1 Email Correspondence from Agent. Confirmation of external finish for building. Received by the Local Planning Authority on 23rd August 2021.

7.0 **PREVIOUS RELEVANT DECISIONS**

- 7.1 2004/0378/FUL GRANTED Two storey side extension. Single storey extension to front and rear.

7.2 2009/0898/FUL GRANTED Two storey side extension. Single storey extension to front and rear.

8.0 OBSERVATION OF CONSULTEES

8.1 None.

9.0 OTHER REPRESENTATIONS

9.1 None.

10.0 RELEVANT PLANNING POLICIES

10.1 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.

10.2 The property is located within the Key Service Centre of Burscough as designated within the West Lancashire Local Plan.

National Planning Policy Framework – (NPPF)

Achieving well designed spaces
Delivering a sufficient supply of homes

West Lancashire Local Plan (2012-2027) DPD – (Local Plan)

GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development

Burscough Parish Neighbourhood Plan

Supplementary Planning Document – (SPD)

Design Guide (Jan 2008)

All the above Policy references can be viewed on the Council's website at:

<http://www.westlancls.gov.uk/planning/planning-policy.aspx>

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The main considerations for this application are:

Siting, Design and Appearance
Impact upon residential amenity

Siting, Design and Appearance

11.2 Policy GN3 of the Local Plan provides criteria in relation to design and layout of the development, in particular development should relate well to adjacent buildings, the area generally and natural features of the site in terms of siting, scale, orientation, design, detailing and material.

11.3 The application plot has a long linear focus which narrows towards the rear southern boundary and is enclosed by close boarded timber fencing. The outbuilding is positioned in this rear section of the garden, detached from and set behind the main dwelling itself by approx. 17m.

- 11.4 Whilst it is acknowledged the length of the building at 8.55m is significant, its width, height and overall design and appearance would not be considered dissimilar to other domestic garaging and outbuildings found in residential settings. Indeed, the adjacent neighbour immediately to the west has a large detached garage in their rear garden sited adjacent to the boundary. When seen in this context and noting the orientation and positioning of the outbuilding which is set back further than the neighbouring structure and enclosed by the boundary fencing, I am satisfied the outbuilding would not appear unduly incongruous or dominant.
- 11.5 The dual pitched roof design of the building and the proposed fenestrations on the front elevation are considered to relate well to character of the main property. It is noted that at the time of the site visit the external finish of the building was not complete. An initial proposal by the applicant for an ebony stained timber finish was not considered appropriate in this setting as it would exacerbate the prominence of the building. A stained timber finish which matches the colour of the host dwelling has been agreed in principle by the Agent and can be secured by condition should the application be approved.
- 11.6 Given the above, I am satisfied the outbuilding would not result in any significant harm to the character and appearance of the dwelling house. Furthermore, owing to its siting to the rear of the property, it would only partially be visible when viewed from Warpers Moss Lane which provides the principle views of the site. On this basis I do not consider the building would disrupt the visual amenity or character of the street scene. The development is therefore considered accordant with Policy GN3 of the Local Plan and the West Lancashire Design Guide.

Impact upon Residential Amenity

- 11.7 Policy GN3 of the Local Plan allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/ outdoor space for occupiers of the neighbouring and proposed properties. The Council's SPD Design Guide explains that development must have consideration for the amenity of the neighbouring properties in terms of overlooking, overshadowing and overbearing impact.
- 11.8 The applicant has confirmed the use of the building will be ancillary to the main dwelling for domestic storage and use of gym and training equipment for his own personal use.
- 11.9 The pattern of development surrounding the application site means that both its side and rear boundaries are flanked by residential properties. The outbuilding is positioned in the rear portion of the garden which narrow towards the southern boundary. There is an interface distance of approx. 15.5m between the outbuilding and the rear elevation of the host dwelling. Given the shared building line of the adjoining property of No 38 to the east, the separation distances to their rear elevation would be similar. There are glazed patio doors on the outbuilding which provide rearwards views across the applicants garden, and whilst there may be limited views across to No 38, given the separation distances and oblique angle of the views together with the boundary treatment which provides screening at ground floor level I am satisfied there would be no significant loss of privacy or overlooking impact for No 38. It is acknowledged that the outbuilding is sited very close to the common eastern boundary, and as such would be visible above the boundary line. Nevertheless, owing to its siting at the far rear of the garden and given the orientation of the plots I do not consider it would result in any significant overshadowing or sense of overbearing for the occupants.

- 11.10 To the west of the application site lies No 34 Warpers Moss Lane which is a large modern detached bungalow which has substantial wrap around gardens which flank the western side and south rear boundaries of the site. No 34 is slightly off set from the applicants host dwelling, however there would remain an interface distance of approx. 21m between the outbuilding and the side and rear elevations of No 34. There is furthermore a detached brick garage belonging to No 34 which sits directly adjacent to the common boundary and forward of the outbuilding and as such this provides additional screening and would prevent any direct overlooking to No 34. I acknowledge the outbuilding will be visible above the common boundary when viewed from the rear garden of No 34, however owing to its overall height and siting I do not consider it would in a significant overbearing or overshadowing to the detriment of no 34.
- 11.11 Off set to the far south east of the site is the detached property of No 40a Warpers Moss Lane. Whilst the outbuilding will be visible from their dwelling, owing to its single storey scale and separation distances between the plots I am satisfied it would not result in any significant harm to the amenity of this property.
- 11.12 Overall, on the basis of the above the development is considered accordant with Policy GN3 of the Local Plan in respect of residential amenity.

12.0 CONCLUSION

- 12.1 The siting, design and appearance of the outbuilding is considered acceptable and does not harm the character and appearance of the dwelling house nor disrupt the visual amenity of the local area. It is not considered to result in any significant harm to the amenity of surrounding residents. For these reasons the development is considered accordant with the relevant policies in the West Lancashire Local Plan 2012-2027 and is recommended for approval.

13.0 RECOMMENDATION

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

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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:
Building Plan as Constructed. Received by the Local Planning Authority on 22nd June 2021
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. Notwithstanding any description of materials in the application, a full specification of the materials to be used on the external walls of the outbuilding shall be 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.

Reason for Approval

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

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

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

Agenda Item 7g

No.7	APPLICATION NO.	2021/0233/FUL
	LOCATION	Former Railway Hotel 1 Station Road Parbold Wigan Lancashire WN8 7NU
	PROPOSAL	Change of use of former public house from sui generis to Class E (retail), external alterations, demolition of existing extension, erection of new extension, development of 3 no. apartments, formation of new access to Broadmead and associated works
	APPLICANT	Langdale Capital
	WARD	Parbold
	PARISH	Parbold
	TARGET DATE	19th April 2021

1.0 REFERRAL

1.1 This application was to be determined under the Council's delegation scheme however Councillors Blake and Whittington have requested it be referred to Committee to consider:

- 1) The proposal is a major development & change of use in the centre of the village
- 2) There are flooding issues associated with the site
- 3) Concerns have been raised about traffic issues, particularly in relation to the proposed exit from the car park.

2.0 SUMMARY

2.1 The proposed change of use of the building to retail use and the erection of a building comprising three apartments are considered to be acceptable in principle. The design, size and scale of the development are considered to be appropriate to the location and will not have a significant impact on the character or appearance of the Conservation Area or the amenity of neighbouring properties. Subject to conditions the proposal would not result in adverse impacts on flooding/drainage, highway safety, trees or biodiversity within the local area. The proposed development is considered to be compliant with the NPPF and Policies RS1, IF1, IF2, EN2, EN4, GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

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

4.0 THE SITE

4.1 The site comprises a detached building situated on the corner of Station Road and Broadmead in Parbold. The site lies adjacent to Parbold railway station and was last in use as a public house.

4.2 There is an existing vehicular access to the southern side of the building which leads to a car parking area. The site lies within the Mill Lane Conservation Area.

5.0 THE PROPOSAL

5.1 The application proposes the conversion of the former pub to a retail store (Class E) across the ground and lower ground levels. The existing two-storey extension is proposed to be demolished and replaced by a new extension at ground and lower ground floor levels. The new extension will have a similar footprint to the existing extension but will wrap around the north elevation of the original building. The planning statement confirms

that the first floor to the existing pub building (currently used as ancillary residential accommodation) will be voided, whilst the existing basement area will be infilled. It is anticipated that the proposed retail store will be occupied by the Co-op.

- 5.2 A car parking area would be laid out at the rear of the building with access into the site remaining from Station Road. A new vehicular exit from the site is proposed onto Broadmead. A delivery vehicle parking and turning area would also be provided.
- 5.3 To the west of the car park it is proposed to erect a residential block. The building would be two storey where it fronts onto Broadmead with a single storey rear projection. The building would comprise 3 two-bedroom apartments. Five of the parking spaces within the car park would be allocated to the residential block.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2020/0830/CON - Approval of Details Reserved by Condition Nos. 3, 4, 5, 6, 10, 11, 12, 13 and 14 of planning permission 2019/0763/FUL - Approved / refused.
- 6.2 2019/0763/FUL - Residential development to include four number self-contained apartments, with associated car parking and external works – Granted.
- 6.3 2018/1235/FUL - Residential development to include 4 No. self-contained apartments and an attached dwelling. Two storey development with associated car parking and amenity spaces – Refused.
- 6.4 2017/0588/FUL - Proposed 2 no. 4 bed detached dwellings including associated external works and new access road. Amendments to existing car park – Granted.
- 6.5 2016/1185/FUL - Proposed 2 No. 4 bed detached dwellings including associated external works on existing car park to the railway hotel (public house), and alterations to vehicle/pedestrian access – Refused.

7.0 CONSULTEE RESPONSES

- 7.1 Cadent (25/03/21) - recommend advisory note.
- 7.2 MEAS (07/07/21) - Bat Survey Report (*Ecology Services, June 2021*) is accepted. The report states that no evidence of roosting bat use or presence was found. The Council does not need to consider the proposals against the three tests (Habitats Regulations). Recommend conditions in respect of bats, birds and protection for trees.
- 7.3 LCC Highways (16/04/2021) (25/05/21) and (19/08/21) - No objections in principle. The proposed development would not have a severe impact on the highway capacity and highway safety in the vicinity of the site. Recommend conditions/notes.
- 7.4 LCC Historic Environment Team (12/04/21) - No objections in principle. Recommend condition.
- 7.5 Environmental Health Officer (07/05/21) - No objections in principle. Conditions recommended.
- 7.6 Network Rail - No objection in principle. Conditions recommended.

8.0 OTHER REPRESENTATIONS

8.1 Parbold Parish Council - 15/04/21

Development of the public house into a viable business is welcomed. Proposals here represent considerable investment that can only improve the current site.

Main concern centres around implications of traffic - impact on level crossing and pedestrian and vehicular safety. The movement of delivery lorries, particularly turning large vehicles could be considerably hazardous.

The Parish Council objected to housing on this site in the past and the flats planned to be built alongside the garden of the first home on Broadmead still present an issue of overshadowing.

Any lighting across the back of the flats should be kept to a minimum and not light up the gardens of existing homes.

This is an area of previous flooding and the car park and new apartments will have a drainage scheme including holding tanks, though it will drain into existing system that has failed in the past.

The grassed area with protected trees on the right as you enter the estate is owned by the public house and will become part of the development.

There are plans to permit the memorial bench to remain along with the grit bin and dog waste bin as community land.

Whilst the Parish Council supports development at the site the traffic issues cannot be ignored.

8.2 Merseyside and West Lancashire Bat Group - 05/07/21

Consider that the Council now have a sufficient level of information to determine this application.

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

- Concerns about increase in traffic, parking and highway/pedestrian safety issues
- Consider the land would be better used as a community parking facility
- Consider there is no requirement for another food store in the village. Concern that the proposal will adversely impact on other businesses in Parbold.
- Concern about noise impacts of the development and increase in anti-social behaviour
- Concern about loss of trees and impacts on wildlife
- The development will offer a much needed retail outlet to the village as the existing options are poor
- The apartment block is visually stunning and well thought out. The immediate locality will benefit greatly from this scheme with little or no shortcomings to be seen. The scheme is a welcome addition to the village.
- Concerns that the development will increase risks of flooding in the area
- Consider it is a shame that it is no longer a pub but I would rather see the building being used than left empty.
- Pleased to see smaller two bed properties are being built on the land, rather than one or two bigger houses.
- Concerns regarding loss of light, overlooking and loss of privacy to my property
- Concern regarding impact of lighting from car park
- Concern that memorial bench will need to be moved
- Consider site is too small for what is being proposed
- Consider residential block is unsightly and overbearing
- Support the planning proposal as I think it will generate jobs for the local community and surrounding areas. This will be beneficial to the community.

9.0 SUPPORTING INFORMATION

9.1 The application has been supported by the following documents:

- Design and Access Statement
- Drainage Statement
- Ecological Appraisal
- Heritage Statement
- Materials schedule - residential
- Materials schedule - retail
- Noise Impact Assessment
- Planning statement
- Transport Assessment
- Details of refuse collection
- Response to EHO comments
- Letter from agent
- Arboricultural Impact Assessment
- Bat Survey Report

10.0 RELEVANT PLANNING POLICIES

10.1 The application site is located within the Key Sustainable Village of Parbold as designated in the West Lancashire Local Plan Proposal Map.

10.2 National Planning Policy Framework (NPPF)

West Lancashire Local Plan 2012-2027 DPD

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF1 - Maintaining Vibrant Town and Local Centres

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

RS1 - Residential Development

Supplementary Planning Document - Design Guide (January 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of development

11.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed. The Local Plan defines the village centre of Parbold as a 'large village centre' which is at the second level in the Borough's retail hierarchy. Policy IF1 'Maintaining Vibrant Town and Local Centres' is therefore relevant. The policy encourages retail and other town centre development within town and local centres. This approach echoes that of paragraph 85 of the NPPF.

11.2 The site lies close to other retail and commercial premises including those on the northern side of the railway line. I am satisfied the development of a new retail unit within a recognised village centre is acceptable under Policy IF1 and will enhance retail facilities in Parbold.

- 11.3 Policy RS1 of the WLLP states that residential development will be permitted within the Borough's settlements on brownfield sites, and on greenfield sites not protected by other policies. The site is within the Key Sustainable Village of Parbold and as such the principle of residential development is acceptable subject to the proposal complying with all other planning policy.

Design/Impact on Conservation Area

- 11.4 Policy GN3 of the Local Plan requires all new development to have regard to the visual amenity of the surrounding area and complement or enhance any attractive attributes through sensitive design including appropriate siting, orientation, scale, materials landscaping and boundary treatments. In addition, the SPD Design Guide states that new development should be of an overall scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that building(s) height, scale and form, including the roofline, do not disrupt the visual amenities of the streetscene and impact on any significant wider landscape views.
- 11.5 The site lies within the Mill Lane Conservation Area. The Railway Hotel is considered to be a non-designated heritage asset. The principle statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should in coming to decisions consider the principle act which states the following:

Conservation areas – Section 72 (1): In undertaking its role as a planning authority the Council should in respect to conservation areas pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

In relation to conservation areas, decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and that development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

- 11.6 National planning guidance about heritage protection is provided by Chapter 16 of the NPPF. Policy EN4 of the Local Plan is also of relevance.
- 11.7 LPA's should in coming to decisions refer to the principle act which requires, in this case, the need to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area (s.72). Recent High Court judgements identify the need to give considerable weight and importance to the duty imposed and to the presumption in favour of the desirability of the preservation of heritage assets, including their setting.
- 11.8 The submitted scheme is in two parts, conversion works to the former Railway Hotel and residential development to the rear of the site. The new residential block would be situated at the end of the existing row of residential properties that form part of Broadmead. The building would have a maximum height of approx. 8m which is the same as the previously approved residential building on this part of the site. The building is proposed to be set back from Broadmead in line with the neighbouring property no. 2 Broadmead.
- 11.9 Planning permission has previously been granted for residential development on part of the former car park. In coming to that decision it was concluded that the proposal would not harm the character or appearance of the Mill Lane Conservation Area. The car park area has a run-down and neglected appearance which does not make a positive contribution to the setting of the public house nor that of the Conservation Area.

- 11.10 The proposed apartment block, which has been reduced in scale during the course of the application, would not overly obstruct views of the main public house building. The design and appearance of building are considered to be acceptable given that there are a variety of housing styles and construction materials used in the properties along Broadmead. Given the proposed location of the apartments, I consider that this part of the proposal would preserve the character and appearance of the Conservation Area.
- 11.11 The Railway Hotel is likely to have been built between the construction of the railway in 1854 and the first record of business in a trade directory in 1869 and is of some local historical interest. The building has undergone alterations previously however the proposed development would remove a significant amount of the fabric of the building. Lancashire County Council, the Council's Archaeological Advisors have indicated that whilst they have no objection in principle to the proposed redevelopment, a programme of archaeological building recording and analysis is recommended. This can be secured via condition.
- 11.12 The existing pub building currently makes an important contribution to the streetscene and character and appearance of the Conservation Area. The proposed development involves removal of previous extensions to the rear of the building which are relatively modern and do not have significant merit. The proposed replacement extension would be set down at the rear of the building and would allow the host building to be clearly seen as the original structure. The proposal seeks to retain some architectural detailing externally, and it is important that traditional detailing and materials are retained as these make an important contribution to the building's character and appearance and that of the streetscene. The changes proposed introduce new steps and a large glazed door entrance to the side, which alters the traditional appearance of the building to this elevation. The rear elevation where most changes are proposed, is visible from public view. However, I consider the rear extension has a subservient appearance to the host building especially given the drop in level to the rear and responds well to the context of the building. The materials detailed on the materials schedule for the proposed extension are traditional in appearance and generally match the palette of materials present in the Conservation Area.
- 11.13 In my view this part of the proposal will result in some limited harm to the host building and character and appearance of the Conservation Area within which it sits but on the whole the proposed extension would be a subservient addition to the building that is in keeping with its architectural style.
- 11.14 Decision makers are required to give the duties imposed by the Planning (LBCA) Act 1990 considerable weight in the planning balance. Paragraph 193 of the NPPF states that great weight should be given to the conservation of heritage assets and their settings. The identified harm is considered to be less than substantial harm and on that basis can be weighed against the public benefits of the proposal. It is wholly positive for a vacant building to find a new and sympathetic use, which will prolong its longevity and safeguard it. I am satisfied that the proposed development meets the test to preserve the character and appearance of the Conservation Area and its setting as laid down the Planning (LBCA) Act 1990, meets the guidance contained in the NPPF and is consistent with Policies GN3 and EN4 of the Local Plan and the Council's Design Guide SPD.

Impact on residential amenity

- 11.15 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties.

- 11.16 I have consulted the Council's Environmental Health Officer who raises no objection to the principle of the conversion of the public house to a retail store. It is acknowledged that given the lawful use of the site, the existing premises would have the potential to create noise nuisance at unsociable hours. The Council's EHO considers that concerns regarding the proposed new use for retail purposes can be mitigated by the imposition of appropriate planning conditions. It is proposed that opening hours for the retail store be restricted to between 7am to 11pm and that waste collection and delivery times are restricted to limit noise from these activities. It is my view that subject to the recommended conditions the change of use of the building to retail use would not adversely impact on the amenity of neighbouring properties.
- 11.17 The proposed residential block would be located to the east of no. 2 Broadmead. The design of the block has been altered during the course of the application in order to reduce the height and bulk of the rear projection. The reduction in height to single storey and a significant lowering of the eaves height results in a building which will not be overbearing to the neighbouring property. Due to its position and lowered height the residential block will not result in any significant loss of light to the neighbouring dwelling or its garden. There are no windows in the western elevation and therefore I do not consider there would be any adverse impacts as a result of overlooking.
- 11.18 In terms of amenity space apartment two has a private balcony area overlooking the car park. There are also two areas of communal amenity space to be shared between all three apartments. One is to the front of the building and one to the rear. Both of these areas will be screened by new hedging. A separate area for bin storage is proposed. The apartments will be situated close to the railway line and to the proposed car parking area. The EHO has advised that the predicted noise levels from the car park will comply with WHO guideline noise values without the need for any acoustic screening. The proposed restrictions on delivery hours will also provide further mitigation. The EHO has also proposed a separate condition requiring the developer to provide details of measures to protect the proposed dwellings from noise associated with the retail use and train line.
- 11.19 Subject to the recommended conditions I am satisfied the development would provide a suitable level of residential amenity for existing and future occupants and in this regard complies with the requirements of policy GN3 1(iii) in the Local Plan.

Highways

- 11.20 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards. Adequate parking should be provided in accordance with policy IF2.
- 11.21 The submitted plans demonstrate that there is adequate room for delivery vehicles to manoeuvre within the site and that suitable details of refuse collections have been provided. It is proposed that vehicles access the site from Station Road and exit onto Broadmead. The applicant has submitted a proposal for bollards to be erected along the front of the site to ensure that customers do not park on the pavement within the approach to the level crossing. The submitted plans demonstrate that 21 car parking spaces will be provided on site, 5 spaces allocated to the apartments and the remainder for customers to the proposed retail store. A dedicated delivery vehicle parking area will be provided next to a proposed goods entrance to the rear of the site. The applicant has stated that the maximum size of vehicle delivering to the proposed retail unit would be an 8m box van. A swept path analysis has been provided to demonstrate how such a vehicle can manoeuvre within the site. Due to the constraints of the site the Highway Authority have recommended a condition to restrict the size of delivery vehicle associated with the retail unit to that shown on the plans.

- 11.22 I have consulted the Highway Authority who raise no objection to the proposed development. Given the sustainability of the location the Highway Authority consider that adequate parking has been provided both for the retail unit and the residential accommodation. Suitable cycle parking and electric vehicle charging points are also demonstrated.
- 11.23 I am satisfied that the proposed development will not have a significant impact on road safety or highway conditions in the vicinity of the site. Subject to the imposition of conditions I am satisfied the proposal complies with the relevant requirements of local plan policies GN3 and IF2 and the NPPF.

Drainage

- 11.24 The Council's drainage engineer has reviewed the application with regard to the drainage of surface water and the flood risk associated with this application. The application is accompanied by a Drainage Strategy by Rutter Johnson which indicates that the development would be served by 2 separate underground networks of gravity drainage systems, one for the residential element and one for the commercial element, which will then connect into the existing inspection chamber located at the junction of Broadmead and Burnside. The rate of surface water discharge for each system will be restricted by means of onsite attenuation and the inclusion of a flow restriction device which will limit the rate of discharge.
- 11.25 Although the site is in Flood Zone 1 it has a history of surface water flooding some of which emanated from an ordinary watercourse.. In previous flood events the north western corner of the existing car park acted as temporary storage, which would be removed as a result of these proposals. This is an issue of concern to local residents.
- 11.26 The NPPF requires that in respect of development proposals, Local Planning Authorities should ensure that flood risk is not increased off site. However the developer is under no obligation to resolve existing flooding issues. In this particular case the proposed scheme will reduce the rate at which the surface water currently runs off the site, thereby ensuring existing flood risk is not exacerbated.
- 11.27 The Council's drainage engineer has no objection to the proposed development in principle subject to the submission of detailed drainage proposals. On that basis I recommend a condition requiring full details of a surface water drainage scheme to be submitted for approval.

Ecology

- 11.28 Policy EN2 in the Local Plan states development proposals must seek to avoid impacts on significant ecological assets and protect and improve the biodiversity value of sites. If significant impacts on biodiversity are unavoidable, then mitigation or as a last resort, compensation, are required to fully offset impacts.
- 11.29 The application has been accompanied by an Ecological Survey and Assessment including bat surveys which have been considered by the Council's Ecological Consultant. Several conditions and notes have been recommended by the Council's Ecologist to ensure that protected species are not adversely affected by the proposed development.
- 11.30 Subject to the recommended conditions and notes it is concluded that the proposal would not have a harmful impact on any protected species or their habitat. The proposal would therefore comply with the requirements of policy EN2.

Impact on trees

- 11.31 Policy EN2 of the Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere, and where the benefits of the development clearly outweigh the loss or damage.
- 11.32 The application site has a landscape strip alongside the southern boundary with Broadmead. Several trees within this landscape strip are protected by Tree Preservation Order no. 04/2021. The submitted Tree Survey and Arboricultural Impact Assessment identified seven individual trees, one group of trees and a hedge potentially within influencing distance of the proposed works. Two trees are categorised as moderate quality (B-category), four trees and the hedge are categorised as low quality (C-category) and one tree and the group were categorised as unsuitable for retention (U-category) due to limited life expectancy and conflict with the existing built environment. The Tree Survey proposes to remove three trees within the landscape strip along Broadmead. This is due to the overall condition and limited life expectancy. The applicant proposes to compensate for the loss of the trees and vegetation. The Council's Arboricultural Officer has raised no concerns with regard to the removal of the trees.
- 11.33 During the course of the application the applicant submitted a further landscape plan which has been assessed by the Council Arboricultural Officer who considered that the species choices, planting numbers and specifications are suitable for the development. It is considered the landscaping will create an attractive environment for the development and enhance the amenity values of the area.
- 11.34 I am satisfied that the proposal would not result in the loss of any trees of significant visual amenity and that the proposed landscaping will help to assimilate the development into the street scene. The proposal therefore complies with the requirements of policy EN2.

Other matters

- 11.35 I note that concerns have been raised in regard to a memorial bench that is located within the landscape strip on Broadmead. The memorial bench will remain in place, as shown on the site plan, and is not affected by the proposed works.
- 11.36 The proposed site lies adjacent to land owned and operated by Network Rail who have requested several conditions. The application site is on land which is at a significantly lower level than the track itself. I have therefore recommended those conditions which are considered to be appropriate to this development and which can be enforced by the Local Planning Authority.

Summary

- 11.37 The proposed development is considered to be acceptable in principle. The design, size and scale of the extension and the new building are considered to be acceptable and will preserve the character and appearance of the Conservation Area. The proposal would not have any significantly harmful impacts on neighbour amenity. Subject to appropriate conditions the proposal would not result in adverse impacts on flooding/drainage, highway safety, trees or biodiversity within the local area. The proposed development is considered to be compliant with the NPPF and Policies RS1, IF1, IF2, EN2, EN4, GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION

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

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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 0268(P)113A , 0268(P)123A and 0268(P)114B received by the Local Planning Authority on 22nd February 2021
Plan reference 78094-CUR-00-XX-DR-TP-05001-P04 received on 5th May 2021
Plan reference 3001 received on 7th June 2021
Plan reference 0268(P)124C and 0268(P)115C received on 28th July 2021
Site Location Plan and plan reference 0268(P)103H received on 25th August 2021.
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 take place until the applicant or their agent(s) or successor(s) in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The written scheme of investigation shall include the following components:
 - a) an archaeological evaluation; and
 - b) archaeological recording programme, the scope of which shall be dependent upon the results of the evaluation.Where the results of the programme of archaeological work recommend, there shall be carried out within two years of the completion of that programme on site, or within such timescale as otherwise agreed in writing with the Local Planning Authority:
 - i. an archaeological post-excavation assessment and analysis;
 - ii. preparation of a site archive ready for deposit at an appropriate store;
 - iii. compilation of an archive report.Reason: 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.
4. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan / statement shall provide:
 - Details of the parking of vehicles of site operatives and visitors;
 - Details of the site compound;
 - Details of the Site Manager;
 - Details of on-site wheel wash facilities to be used for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway.The approved Construction Management Plan shall be adhered to throughout the demolition and construction period for the development.
Reason: These details are required prior to the commencement of development in order to protect the safety of the local highway network and amenity of neighbouring uses and to

comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. No building (or use hereby permitted) shall be occupied (or use commenced) until visibility splays 2.4 metres back from the centre line of the access and extending 25 metres on the nearside carriageway edge of in both directions have be provided at all accesses/junctions, as shown on the approved plans. Nothing shall be erected, retained, planted and / or allowed to grow at or above a height of 0.9 metres above the nearside carriageway level which would obstruct the visibility splay. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.
Reason: To ensure adequate inter-visibility between highway users at the street junction or site access, in the interests of highway 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.
6. No part of the development hereby approved shall commence until a scheme for the construction of the site access/egress has been submitted to, and approved by, the Local Planning Authority. The site access/egress shall be constructed and made available for use before any further development takes place or to a timetable agreed in writing by the local planning authority. The site access shall be maintained as approved during all stages of construction. These works shall include the construction of the new access off Broadmead and the reinstatement/ alterations to the existing dropped kerb and erection of bollards off Station Road.
Reason: These details are required prior to the commencement of development to safeguard the safety and interests of the users of the highway, to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
7. The maximum size of delivery vehicle used to service the hereby approved commercial unit shall be an 8m box van.
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.
8. The commercial use hereby permitted shall not operate outside the hours of 0700 until 2300 on Mondays - Sundays.
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.
9. In relation to the hereby approved commercial use, with the exception of newspaper deliveries, no deliveries shall be taken at the premises or waste collections made outside the hours of 0800 and 2000 Monday to Saturday and 0800 and 1800 Sundays, Bank or Public Holidays. The engine and any diesel-powered freezer/refrigeration unit on delivery vehicles serving the store shall be turned off and kept off, whilst the vehicle is stationary on site.
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.
10. The rating level of noise emitted from the site's plant, equipment and machinery shall not exceed 38dB(A)LAeq, 1hr between 0700 and 2300 hours on any day and 33dB(A)LAeq, 15 min between 2300 and 0700 hours on any day as measured or calculated at the boundary of any nearby residential dwelling, as determined in accordance with BS4142:2014.

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.

11. No development above slab level shall be commenced until details of the measures to protect the proposed residential dwellings from noise from the retail uses and nearby train line have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include the standards of glazing of habitable room windows together with a scheme of alternative ventilation. The approved details shall be implemented prior to first occupation of any of the residential dwellings and shall thereafter be retained
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.
12. No external lighting shall be installed at the site until a scheme detailing the proposed 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 minimise the visual impact of light on nearby residential properties in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
13. Prior to first occupation of the hereby approved residential accommodation the Electric Vehicle Charging Points and associated parking spaces, as shown on drawing no. 0268(P)103H received by the Local Planning Authority on 25th August 2021, shall be installed in their entirety and shall remain in the approved form thereafter.
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.
14. The materials to be used on the external surfaces of the development shall be as outlined on the following documents:
0268(P)133 received on 22nd February 2021
0268(P)134A and 0268(P)135 received on 22nd September 2021
Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policies EN4 and GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. No building shall be occupied/brought into use until details of the number and location of bird nesting boxes and bat boxes to be incorporated into the scheme has 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 first occupation of either the commercial or residential use and shall be retained at all times thereafter.
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.
16. No site clearance, preparatory work or development shall take place until tree protection measures as set out in the Tree Survey by Lakeland Tree Consultancy received on 22nd February 2021 have been fully implemented. The tree protection shall remain in place for the full period of construction works.
Reason: To protect the existing trees on site 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.
17. If construction works have not been started within one year of the date of this permission then a new Bat Survey and recommendations where necessary to protect bat species shall be undertaken and submitted to the Local Planning Authority. Works shall not

thereafter commence until the Survey has been approved in writing by the Local Planning Authority.

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.

18. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the former public house and its hereby approved alterations/extensions to which this permission relates shall be used only for retail purposes in accordance with use class E(a) and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

19. No development shall commence until a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway 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.

20. Prior to the erection of any scaffolding works within 10m of the railway boundary details of such scaffolding shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

21. Prior to the commencement of any vibro-impact works on site a risk assessment and method statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the railway and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

22. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out within 15m of the railway boundary shall be submitted and approved in writing by the Local Planning Authority.

Reason: These details are required prior to the commencement of development to protect the adjacent railway and its boundary and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. Note: Construction Management Plan.
 - There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear and turn around in the site before exiting in a forward gear onto the operational public highway.
 - There must be no storage of materials in the public highway at any time.

- There must be no standing or waiting of machinery or vehicles in the public highway at any time.
 - Vehicles must only access the site using a designated vehicular access point.
 - There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.
 - A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing lhsstreetworks@lancashire.gov.uk
 - All references to public highway include footway, carriageway and verge.
2. The applicant is advised that the new site access, 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 LCC before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement".
3. The Council's Ecologist advises:
 The applicant, their advisers and contractors should be made aware that if any bat species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.
 It is advisable that works to the building are undertaken during the period October to March. If this is not possible a licensed bat ecologist is required to directly supervise the removal of the roof slates and other potential bat roost features identified in Ecological Appraisal.
 The developer is advised that no tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building works should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.
 The habitats on site are suitable for hedgehog which is a Priority Species and Local Plan policy EN2 applies. Reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them.

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
 IF1 - Maintaining Vibrant Town and Local Centres
 IF2 - Enhancing Sustainable Transport Choice
 EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets
 RS1 - Residential Development

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy

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

Agenda Item 7h

No.8	APPLICATION NO.	2021/0849/HSC
	LOCATION	Buffaload Gillibrands Road Skelmersdale Lancashire WN8 9TX
	PROPOSAL	Hazardous Substances Consent - Storage of liquefied natural gas.
	APPLICANT	Buffaload Logistics Ltd
	WARD	Skelmersdale North
	PARISH	Unparished - Skelmersdale
	TARGET DATE	1st September 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor Furey has requested it be referred to Planning Committee due to the nature of the application involving hazardous materials.

2.0 SUMMARY

- 2.1 Hazardous Substance Consent is sought under the Planning (Hazardous Substances) Regulations 2015 to store a controlled quantity of Liquefied Natural Gas (LNG) up to 18.5 Tonnes on the Buffaload Logistics site at Gillibrands Road. The HSE, as the Control of Major Accident Hazards (COMAH) competent authority, has concluded that there are no reasons to withhold consent based on safety grounds, as set out in the above Regulations. Having regard to the relevant policies within the Local Plan, and other material considerations, I am of the view there are no reasons to object to the application on planning policy grounds. Therefore, I recommend that Hazardous Substances Consent be granted subject to the conditions required by the HSE.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

- 4.1 The site is situated to the south of Gillibrands Road in Skelmersdale and is located in a strategic employment area known as Gillibrands Industrial Estate. The site is bound by the A5068 Glenburn Road to the east and the M58 to the south. Commercial and industrial buildings are situated to the north and west of the site.

5.0 THE PROPOSAL

- 5.1 Hazardous Substance Consent is sought under the Planning (Hazardous Substances) Regulations 2015 to store a controlled quantity of Liquefied Natural Gas (LNG) up to 18.5 Tonnes. It is proposed to create a new Bio Liquefied to Compressed Natural Gas (LCNG) storage and dispenser facility on site.
- 5.2 The site is operated by Buffaload Logistics and Facilities Fleet and the equipment will provide a dedicated facility for their fleet of vehicles that are based on the site. Liquefied natural gas (LNG) is natural gas that is cooled to a liquid state for shipping and storage. LNG trailers deliver the liquid fuel from an LNG terminal to the fuelling station. At the site of the fuelling station the LNG is stored in insulated tanks. The Biomethane supplied is a sustainable and renewable gas that has been produced from organic waste feedstocks such as food waste.
- 5.3 An LNG tank, associated saturation stack, control kiosk and dispenser will be located on an area of existing hardstanding to the rear of the site. The tank will measure 11.8m long

with a diameter of 2.5m. Its height including the mount will be 3.6m. The storage tank will have a capacity of 18.5 tonnes of LNG. The saturation stack is 6.8m high. The standalone kiosk will house the control equipment and measures 2.8m by 2.8m with a height of 2.3m.

5.4 A separate planning application has been submitted under reference 2021/0829/FUL.

6.0 PREVIOUS RELEVANT DECISIONS

6.1 2021/0829/FUL Pending Full planning permission for a bio liquefied to compressed natural gas storage and dispensing facility.

6.2 1998/0552 GRANTED Erection of single storey research building for testing of car polishes on vehicles.

7.0 CONSULTEE RESPONSES

7.1 Health and Safety Executive (HSE) (08.09.2021) No Objections

7.2 Environmental Health (09.09.2021) No Objections

7.3 Chorley Council (27.08.2021) – No Objections

7.4 St Helens Council (12.08.2021) – No Objections

7.5 Knowsley Council (10.08.2021) No Observations to make

7.6 Sefton Council (02.08.2021) – No Objections

7.7 Natural England (16.07.2021) – No Comment

7.8 British Pipeline Agency (12.07.2021)– No Comment

7.9 Network Rail (09.07.2021) No Comment

7.10 Sabic UK (09.07.2021) No Observations

7.11 Shell Pipeline (09.07.2021) – No affect to pipeline

7.12 The Coal Authority (9.07.2021) No Observations

7.13 Merseyside Fire and Rescue Service (09.07.2021) no objections given the size and location of tank.

8.0 OTHER REPRESENTATIONS

8.1 None Received

9.0 SUPPORTING INFORMATION

9.1 Planning Statement

10.0 RELEVANT PLANNING POLICIES

10.1 The Planning (Hazardous Substances) Act 1990, National Planning Policy Framework (NPPF) the West Lancashire Local Plan (2012-2027) DPD provide the policy framework

against which the development will be assessed. Additional guidance on hazardous substances and how they relate to the planning system is found in the MHC&LG guidance note dated 1st November 2019.

The site is allocated as a Strategic Employment Site known as Gillibrands Industrial Estate in the West Lancashire Local Plan 2012-2027 DPD.

West Lancashire Local Plan (2012-2027) DPD

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

EC1 - Strategic Employment Site

EN1 – Low Carbon Development and Energy Infrastructure

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Background

- 11.1 Hazardous Substance Consent (HSC) is required for the presence of certain quantities of hazardous substances. HSC is a key part of the controls for storage and use of hazardous substances which could, in quantities at or above specified limits, present an off-site risk. The hazardous substances consent procedure does not replace requirements under health and safety legislation. Hazardous substances consent provides control over the presence of hazardous substances whether or not an associated planning permission is required. However, in this case, a separate planning application has been submitted and is recommended for approval on this agenda (2021/0829/FUL).
- 11.2 Hazardous substances consent ensures that the risk to people in the vicinity or to the environment is taken into account before a hazardous substance is allowed to be present in a controlled quantity. The Control Of Major Accidents Hazards (COMAH) competent authority advises the hazardous substances authority (the LPA in this case) on the nature and severity of the risk to persons in the vicinity and the local environment arising from the presence of a hazardous substance and is a statutory consultee on all HSC applications. Consultation with the COMAH competent authority allows those making planning decisions to give due weight to the risks presented by major accident hazards when balanced against other relevant planning considerations. The COMAH competent authority is the Health and Safety Executive and Environment Agency acting jointly.
- 11.3 The NPPF provides guidance on the planning considerations in relation to hazardous substances. In setting out how the planning system should contribute to and enhance the natural and local environment, Paragraph 174 states that it should prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of pollution or land instability. Paragraphs 183 to 185 directs that planning decisions should take into account risks arising.
- 11.4 Policy GN3 of the Local Plan requires development to minimise risk from pollution and contamination.

Assessment of risk

- 11.5 HSC is required for the amount of LNG proposed as the applicant believes the quantities are above the threshold set out in Schedule 1 of the Planning (Hazardous Substances) Regulations 2015. The HSE and EA have been consulted as COMAH competent authorities and HSE have assessed the risks to the current population in existing development surrounding the site resulting from the granting of Hazardous Substances

Consent. The application is for 18.5 tonnes of Liquefied Natural Gas (Schedule 1 Part 2 Entry 18) stored in 18.5 tonnes fixed horizontal tank.

- 11.6 It is the view of HSE that the risks to the surrounding population arising from the proposed operation(s) are so small that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent. HSE has assessed the risk of harm from the maximum quantity of hazardous substances for which Consent is being sought. Risks which may arise from the presence of other substances have not been taken into account in this assessment. Furthermore, in considering this application for Consent, HSE has made the assumption that the requirements of the Health and Safety at Work etc. Act 1974, and all relevant statutory provisions, will be met at the establishment should Consent be granted. Accordingly, HSE have advised that the applicant's attention should be directed to section 29 of the Planning (Hazardous Substances) Act 1990. This can be set out in a note to accompany the decision.
- 11.7 On the basis of the information provided, HSE has concluded that the risks to the surrounding population arising from the proposed operations are so small that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent. However, following Government advice that particulars in the application form do not automatically become conditions of consent, HSE advise it would be beneficial to include the following condition on any permission: *"The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the application form, nor outside the areas marked for storage of the substances on the plans which formed part of the application (including 'Proposed layout', dated 10/06/2021).*
- 11.8 The HSE have determined that should the HSC be implemented, a consultation area, made up of a set of zones marked on a map, must be adhered to for the duration of the HSC and the consultation zone will be placed within the HSE's land use planning web app. This consultation area will be for relevant consultations under The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Other planning considerations

- 11.9 The site is located within an allocated Employment Site currently occupied by Buffalo Logistics Ltd. The proposed storage of LNG is required for the wider operation of the business and its expansion and investment into a more environmentally sustainable form of goods transportation in the form of bio-gas powered trucks rather than the diesel HGV's used at present. The visual impact of the storage tanks as well as impacts on highways, neighbouring amenity and landscape have been assessed as part of planning application 2021/0829/FUL. The NPPF and policies GN3 and EN1 of the Local Plan both support the transition to a low carbon future. The Council supports environmentally sustainable development and I consider that the proposed use of Liquefied Natural gas will reduce the carbon footprint of the existing fleet of vehicles by introducing a more sustainable form of fuel. I am therefore satisfied that the HSC application complies with Policies GN1, GN3, EN3 and EC1 of the adopted West Lancashire Local Plan 2012-2027 DPD.

Summary

- 11.10 I am satisfied that as HSE, as the COMAH competent authority, has concluded that there are no reasons to withhold consent based on safety grounds as set out in the Regulations. Therefore, I recommend that consent should be granted for the application subject to the conditions required by HSE.

12.0 RECOMMENDATION

12.1 That Hazardous Substance Consent be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
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 Site Location Plan received by the Local Planning Authority on 7th July 2021
Plan reference Site Layout Plan and Elevation Plan received by the Local Planning Authority on 25th June 2021
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. The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the application form, nor outside the areas marked for storage of the substances on the plans which formed part of the application (including 'Proposed layout', dated 10/06/2021 and received by the Local Planning Authority on 25th June 2021).
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.

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

EC1 - Strategic Employment Site

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 7i

No.9	APPLICATION NO.	2021/0829/FUL
	LOCATION	Buffaload Gillibrands Road Skelmersdale Lancashire WN8 9TX
	PROPOSAL	Full planning permission for a bio liquefied to compressed natural gas storage and dispensing facility.
	APPLICANT	Buffaload Logistics Ltd
	WARD	Skelmersdale North
	PARISH	Unparished - Skelmersdale
	TARGET DATE	23rd August 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor Furey has requested it be referred to Planning Committee due to the nature of the application involving hazardous materials.

2.0 SUMMARY

- 2.1 Planning permission is sought to create a new Bio Liquefied to Compressed Natural Gas (LCNG) storage and dispenser facility on site. The installation of a new LCNG storage and dispenser facility on site is required because the operator of the site, Buffaload Ltd seeks to achieve the Government's requirements for carbon emissions reductions by 2025 and this includes investment into a more environmentally sustainable form of goods transportation in the form of bio-gas powered trucks rather than the diesel HGV's used at present. The Council strongly supports environmentally sustainable development and the proposed development will reduce the carbon footprint of the existing fleet of vehicles by introducing a more sustainable form of fuel. I consider the principle of development and layout, scale and appearance to be acceptable and consistent with Local Plan Policies GN1, GN3, EC1 and EN1 and the NPPF.

3.0 RECOMMENDATION: APPROVE subject to conditions.

4.0 THE SITE

- 4.1 The site is situated to the south of Gillibrands Road in Skelmersdale and is located in a strategic employment area known as Gillibrands Industrial Estate. The site is bound by the A5068 Glenburn Road to the east and the M58 to the south. Commercial and industrial buildings are situated to the north and west of the site.

5.0 THE PROPOSAL

- 5.1 Planning permission is sought to create a new Bio Liquefied to Compressed Natural Gas (LCNG) storage and dispenser facility on site.
- 5.2 The site is operated by Buffaload Logistics and Facilities Fleet and the equipment will provide a dedicated facility for their fleet of vehicles that are based on the site. Liquefied natural gas (LNG) is natural gas that is cooled to a liquid state for shipping and storage. LNG trailers deliver the liquid fuel from an LNG terminal to the fuelling station. At the site of the fuelling station the LNG is stored in insulated tanks. The Biomethane supplied is a sustainable and renewable gas that has been produced from organic waste feedstocks such as food waste.

- 5.3 An LNG tank, associated saturation stack, control kiosk and dispenser will be located on an area of existing hardstanding to the rear of the site. The tank will measure 11.8m long with a diameter of 2.5m. Its height including the mount will be 3.6m. The storage tank will have a capacity of 18.5 tonnes of LNG. The saturation stack is 6.8m high. The standalone kiosk will house the control equipment and measures 2.8m by 2.8m with a height of 2.3m.
- 5.4 A separate Hazardous Substance Consent has been submitted under reference 2021/0849/HSC.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2021/0849/HSC PENDING Hazardous Substances Consent - Storage of liquefied natural gas.
- 6.2 1998/0552 GRANTED Erection of single storey research building for testing of car polishes on vehicles.

7.0 CONSULTEE RESPONSES

- 7.1 Health and Safety Executive (HSE) (08.09.2021) No Objections.
- 7.2 Environmental Health (09.09.2021) No Objections.
- 7.3 The Coal Authority (9.07.2021) No Observations.

8.0 OTHER REPRESENTATIONS

- 8.1 I have received a representation from the Bat Group who request if the operations are 24/7 and additional lighting is proposed then the applicant should demonstrate that additional lighting will not illuminate or cause light spillage at the adjacent tree lines which could be used by bats for foraging or commuting purposes as this can affect such activities.

9.0 SUPPORTING INFORMATION

- 9.1 Planning 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.

The site is allocated as a Strategic Employment Site known as Gillibrands Industrial Estate in the West Lancashire Local Plan 2012-2027 DPD.

West Lancashire Local Plan (2012-2027) DPD

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

EC1 - Strategic Employment Site

EN1 – Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Document 'Design Guide' (Jan.2008).

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 11.1 The site is located within an area designated as an allocated Employment Site under Policy EC1 of the adopted West Lancashire Local Plan 2012-2027 DPD. The site is used for the parking of HGV's associated with the large logistics fleet operated on the site by Buffaload Ltd. The installation of a new Bio Liquified to Compressed Natural Gas (LCNG) storage and dispenser facility on site is required as the company seeks to achieve the Government's requirements for carbon emissions reductions by 2025 and this includes investment into a more environmentally sustainable form of goods transportation in the form of bio-gas powered trucks rather than the diesel HGV's used at present. As it will be used in connection with the existing operations on the site and on a part of the site already in use for the parking of vehicles, it is my view the development proposal accords with Policy EC1 and is considered acceptable in principle.
- 11.2 Furthermore, in principle, the development is also in compliance with Policy EN1 of the Local Plan which relates to Low and Zero Carbon Energy Infrastructure which supports proposals for renewable, low carbon or decentralised energy schemes, provided they can demonstrate that they will not result in unacceptable harm to the local environment.

Siting and Appearance

- 11.3 The LNG tank, associated saturation stack, control kiosk and dispenser will be located on an area of existing hardstanding to the north of the site and will occupy an area measuring 19.5m by 9.4m. The tank will measure 11.8m long with a diameter of 2.5m. Its height including the mount will be 3.6m. The storage tank will have a capacity of 18.5 tonnes of LNG. The saturation stack is 6.8m high. The standalone kiosk will house the control equipment and measures 2.8m by 2.8m with a height of 2.3m and will be constructed from galvanised metal frame in white (RAL 9010). In visual terms the storage and dispenser facility will be viewed against the backdrop of the existing commercial development, which includes an existing brick stack on site and therefore would not be an alien feature in this industrial estate location. Overall, the proposal will accord with Policy GN3 of the Local Plan.

Impact on Neighbouring uses

- 11.4 The site is used by an existing industrial business. The surrounding area is industrial in nature. I have sought the advice of Environmental Health (EH) who raise no objections in principle. Furthermore, EH advise running HGVs on LNG will ultimately reduce the noise levels and emissions to air which may result in some local benefit in the immediate vicinity of the site. Therefore, I consider, the proposal is considered to comply with Policy GN3 in this regard.

Impact on Highways

- 11.5 The site is accessed off Gillibrands Road and the new HGVs using the site will replace the existing diesel HGVs. There will be 2 deliveries per week from HGVs bringing the LNG to the site. Therefore, in terms of additional traffic on the highway network, once the proposed development is operational this will be negligible. The proposal will result in the loss of approximately 4 HGV spaces in the yard to accommodate the facility. There is alternative parking within the existing yard to accommodate these HGVs. Therefore, I consider parking provision at the site would remain satisfactory.

Ecology

- 11.6 The facility will be located on existing hardstanding in the car park so it will not result in the loss of any biodiversity or habitat. It is unclear whether any additional lighting is proposed for the facility therefore a condition will be imposed to request details of any lighting proposals are submitted to and approved in writing prior to their installation to ensure the additional lighting will not illuminate or cause light spillage on the adjacent tree lines which could be used by bats for foraging or commuting purposes.

Drainage

- 11.7 The application site is entirely within Flood Zone 1, the least susceptible to flood risk. The facility will sit on existing hardstanding so there will be no drainage implications.

Coal Mining

- 11.8 The site falls within the defined Development High Risk Area. The Coal Authority have been consulted and have considered the scale and nature of the development proposed and do not consider that a Coal Mining Risk Assessment would be required in this particular instance and consequently they raise no objection to the proposal.

Summary

- 11.9 In summary, it is considered that the principle of development and the impacts of the proposed development upon the visual amenity of the surrounding area and neighbouring amenity are consistent with Local Plan Policies GN1, GN3, EC1, EN1 and EN2 and the NPPF.

12.0 RECOMMENDATION

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

Conditions

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 Location Plan, Site Layout Plan, Sectional Drawing of Plant on Site and Concrete Plinth Drawing received by the Local Planning Authority on 28th June 2021
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. The materials and colour to be used on the external surfaces of the development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined on the following plans and documents: Application Form received 28th June 2021
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.

4. No external lighting shall be installed on the land associated with the facility until full details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any approved lighting scheme and retained as such thereafter.
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

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

EC1 - Strategic Employment Site

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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.

