

<b>No.3</b>	<b>APPLICATION NO.</b>	2018/0800/FUL
	<b>LOCATION</b>	Site Of Former Atkinson Kirkby Atkinson Road Ormskirk Lancashire
	<b>PROPOSAL</b>	Phased mixed-use redevelopment comprising: (Phase I) a residential development comprising 51 affordable housing units with associated access, parking, landscaping and infrastructure; (Phase II) a Class A1 retail store with associated car parking and servicing areas, access and infrastructure; and (Phase III) a terrace of six commercial units suitable for occupation within Classes A1 (non-food retail), B1 and/or B8 with associated car parking, access and infrastructure.
	<b>APPLICANT</b>	Citypark Projects Ltd, Lidl UK GmbH And Chorley Community...
	<b>WARD</b>	Scott
	<b>PARISH</b>	Unparished - Ormskirk
	<b>TARGET DATE</b>	29th October 2018

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## **1.0 SUMMARY**

- 1.1 The proposed mixed use of the site for new housing, retail and commercial use would be contrary to policy EC1 for Strategic Employment Sites but the retail store would respect the sequential test and impact test for town centre uses. The retail store and the 6 small flexible commercial units totalling 660m2 will generate significant levels of employment and the development will deliver 51 affordable new homes on a brownfield site in an accessible location contributing to housing delivery targets and local need. In respect of the principle of this mixed use development I therefore consider that the benefits of the scheme outweigh the harm to employment policy objectives of the Local Plan.
- 1.2 The site specific details of the scheme in relation to layout and design, impact on residential amenity, drainage, highways and contamination are considered to be acceptable and the application is therefore recommended for approval.

## **2.0 RECOMMENDATION: Approve subject to planning obligation and conditions.**

## **3.0 THE SITE**

- 3.1 The application site is located to the west of the Ormskirk/Preston railway line, and is to the north of New Court Way, south of Hattersley Way, and to the east of housing which fronts onto Burscough Road. The site is approximately 400m from Ormskirk town centre. The site was previously occupied by Atkinson and Kirby timber flooring suppliers, but has now been cleared with just hardstanding remaining on the site. The site is rectangular in shape and is relatively flat but there is a marked change in site levels between the site and land to the south and east.
- 3.2 Plumbase and Tile Giant are located either side of the site access to the north, with the Hattersley Centre located to the north on the opposite side of the main estate road Hattersley Way. The Hattersley Centre consists a mixture of A1 retail units ; Home Bargains, Iceland, Halfords, Poundworld, Costa Coffee and business/warehouse units; Jewsons, Howdens and Magnet
- 3.3 There are 2 vehicular access points into the site off Hattersley Way which is linked to Burscough Street by a mini roundabout.

## **4.0 THE PROPOSAL**

4.1 The application comprises a mixed use scheme with 3 phased elements:

Phase 1 - 51 Affordable Houses

Phase 2 - A Class A1 Retail Store 1,726m<sup>2</sup> gross

Phase 3 - 6 Commercial units totalling 660m<sup>2</sup> gross

### Affordable Housing

4.2 The proposed residential development will occupy land along the southern and western site boundary, accessed directly from Atkinson Road. A total of 51 dwellings are proposed, which will comprise the following:

Two terraces of 20 one bedroom apartments, 10 of which will be suitable for older persons;

10 semi-detached 3 bedroom houses; and

21 semi-detached and terraced 2 bedroom houses.

4.3 The proposed dwellings will be 2-storey in height and be served by designated off street parking facilities to include electric vehicle charging facilities. All of the houses will have private outdoor amenity space to the rear of each property, with the apartments having communal outdoor space to the rear.

4.4 All of the proposed dwellings will comprise affordable housing rented tenure and will be owned and managed by Chorley Community Housing.

### Retail Store

4.5 The retail element of the proposal will comprise a Lidl foodstore of 1,726m<sup>2</sup> gross (1,100m<sup>2</sup>) net

4.6 An area of land to the north of the retail store will be left vacant for potential future expansion of the store

4.7 There are two vehicular and pedestrian access points into the foodstore site, it is anticipated that shoppers will primarily use the eastern-most access direct to the foodstore. This access on the western side of site/store will also be used only by Lidl delivery vehicles.

4.8 The retail store will be served by a total of 119 parking spaces, including 6 disabled, 8 parent and child spaces and 2 electric vehicle charging points together with cycling parking facilities. The car park will offer free parking for up to 90 minutes.

4.9 The Lidl store's opening hours will be 7am to 10pm Monday to Saturdays and for a six-hour period between 10am and 6pm on Sundays

### Commercial Units

4.10 The proposal includes the erection of a 660m<sup>2</sup> gross building that will offer a terrace of six 110m<sup>2</sup> gross units that are suitable for occupation within Use Class A1 non-food retail, Class B1 offices and/or Class B8 trade counters

## **5.0 PREVIOUS RELEVANT DECISIONS**

### Application Site

- 5.1 2015/1298/PND - Application for determination as to whether prior approval is required for the method of demolition of the main former Hattersley warehouse and office block and proposed restoration of the site. PERMITTED DEVELOPMENT.

#### Adjoining Hattersley Centre

- 5.2 2016/0640/FUL – Erection of a new building measuring 186 sq. m for use within Classes A1 and A3 with associated external seating, landscaping and access works. (Costa Coffee) APPROVED.
- 5.3 2015/0736/FUL - Variation of condition no. 4 imposed on planning permission 2014/0348/FUL to widen the range of goods which can be sold from Unit 3 Hattersley Way, indicated as Unit 1F on Plan Ref: Proposed site plan 103/05 Rev A. APPROVED.
- 5.4 2014/0348/FUL – Variation of condition no.3 imposed on planning permission 2012/0887/FUL to allow the sale of food and other convenience goods from Unit 1A. Variation of Condition no.8 imposed on planning permission 2012/0887/FUL to amend opening hours of Unit 1A to 8am to 9pm Monday to Saturday and 9am to 6pm on Sundays and Public/Bank Holidays. APPROVED 29.08.14
- 5.5 2011/0274/FUL – Variation of Condition no.4 imposed on planning permission 2006/0075 to 'There shall be no internal alterations or sub-divisions of the non-food retail units either vertically or horizontally which would result in an increase in retail floorspace or sub-division to create a unit of less than 500sqm (gross) floorspace'. APPROVED 20.06.11.
- 5.6 2009/0475/FUL – Variation of condition 5 imposed on outline planning permission 2006/0075 to allow the sale of food and unrestricted non-food goods from 1867sqm of existing retail floorspace at the Hattersley Centre. REFUSED 11.03.10, DISMISSED ON APPEAL.
- 5.7 2007/0811/ARM – Reserved Matters – Scale and appearance for Phase 2. APPROVED 10.09.07.
- 5.8 2006/1131 – Reserved Matters – Scale, appearance and landscaping, details of fencing for Phase 1. APPROVED 09.03.07.
- 5.9 2006/0862 – Reserved Matters – Means of access to mixed use employment and non-food retail development approved in outline under application reference 2006/0075. APPROVED 20.10.06.
- 5.10 2006/0075 – Outline – Mixed use employment (B1 & B8) and non-food retail development including details of siting (all other matters reserved). APPROVED 17.07.06.

#### **6.0 CONSULTEE RESPONSES**

- 6.1 LCC HIGHWAYS (22/08/18) (12/10/18) (07/12/18) - the proposed development would not have a severe impact on highway safety/capacity within the immediate vicinity of the site. Detailed comments provided on site access, layout and parking for both residential and commercial developments.
- 6.2 LCC EDUCATION (10/09/18) - Lancashire County Council would seek to secure developer contributions towards additional school places .Do not seek a contribution from the developer in respect of primary places but seek a contribution of secondary provision

in respect of the full pupil increase of 2 places equalling £47,474.56. This is to be the subject of a legal agreement with the developer.

- 6.3 LEAD LOCAL FLOOD AUTHORITY (12/09/18) (24/10/18) (17/12/18) - No objection subject to conditions.
- 6.4 UNITED UTILITIES (05/10/18) - No objections subject to the imposition of recommended conditions in respect of groundwater protection and drainage.
- 6.5 DIRECTOR OF LEISURE AND WELLBEING (Environmental Health) – (19/12/18) objection in principle subject to safeguarding conditions in respect of noise
- 6.6 DIRECTOR OF LEISURE AND WELLBEING (Contaminated Land) (27/09/18) No objections subject to a condition requiring submission and approval of a Remediation Strategy and Validation Report
- 6.7 LANCASHIRE CONSTABULARY (26/07/18) No objection. Detailed security advice re residential and commercial developments. Request informatives.
- 6.8 CADENT GAS (17/08/18) No objection. Request note on Decision advising applicant that Cadent have identified operational gas apparatus within the application site boundary.

## **7.0 OTHER REPRESENTATIONS**

- 7.1 I have received one letter of concern from a local resident who requests that servicing and waste are controlled
- 7.2 I have received two letters of support for affordable housing on brownfield land and in a location which will benefit from investment

## **8.0 SUPPORTING INFORMATION**

- 8.1 The application is supported by the following information:
  - Planning and Retail Statement;
  - Crime Impact Statement;
  - Residential Design and Access Statement;
  - Lidl/Flexible Unit Design and Access Statement;
  - Flood Risk Assessment and Drainage Strategy;
  - Noise Assessment;
  - Phase II Site Investigation and Appendices;
  - Statement of Community Involvement;
  - Transport Assessment;
  - Travel Plan
  - Commercial Sales and Marketing Procedures
  - Arboricultural Impact Assessment
  - On Site Public Open Space Provision
  - Landscape Management Plan

## **9.0 RELEVANT PLANNING POLICIES**

- 9.1 The National Planning Policy Framework (NPPF) (including Technical Guidance to the NPPF) and the West Lancashire Local Plan (2012-2027) DPD provide the policy framework against which the development will be assessed. The site is located within the Key Service Centre of Ormskirk in the West Lancashire Local Plan. It is part of the wider

Ormskirk Employment Area / Hattersley Court to the east of Burscough Road that is designated as a Strategic Employment Site on the Local Plan Proposals Map.

9.2 The following policies apply:

National Planning Policy Framework (NPPF)

Building a strong competitive economy  
Ensuring the vitality of town centres  
Promoting sustainable transport  
Delivering a wide choice of high quality homes  
Achieving well-designed places

West Lancashire Local Plan (2012-2027) DPD

SP1 - A Sustainable Development Framework for West Lancashire  
GN1 - Settlement Boundaries  
GN3 - Criteria for Sustainable Development  
GN4 – Demonstrating Viability  
GN5 – Sequential Tests  
EC1 - The Economy and Employment Land  
RS1 - Residential Development  
RS2 - Affordable and Specialist Housing  
IF1 - Maintaining Vibrant Town and Local Centres  
IF2 - Enhancing Sustainable Transport Choice  
IF3 - Service Accessibility and Infrastructure for Growth  
IF4 - Developer Contributions  
EN1 - Low Carbon Development and Energy Infrastructure  
EN2 - Preserving and Enhancing West Lancashire's Natural Environment  
EN3 - Provision of Green Infrastructure and Open Recreation Space

9.3 Additionally the following supplementary planning documents are relevant:  
SPD – Design Guide (Jan 2008)  
SPD - Open Space/Recreational Provision in New Residential Developments (April 2009).  
Updated 2014

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

10.1 The key issues for consideration of this application are whether the principle of this mixed housing, retail and commercial use of this vacant site is appropriate given the site's allocation as a Strategic Employment Site and whether specifically the food retail store is appropriate in relation to Retail and Town Centre policy. Site specific issues include:

Housing Delivery and Affordable Housing  
Siting, layout, design and landscaping  
Impact on residential amenity  
Access, Traffic and Parking  
Drainage/Flood risk  
Contamination  
Open Space provision  
Developer Contributions- Education Provision

Principle of Development – Strategic Employment

- 10.2 The site is designated as a Strategic Employment Site where Policy EC1 requires a mix of industrial, business, storage and distribution uses (use classes B1, B2 and B8) and will allow retail warehouses on a like for like basis of existing A1 premises. The previous use of the site was as a timber yard (use class B8). The proposal would represent a loss for B class Industrial/Commercial uses of part of the Ormskirk Employment Area / Hattersley Court in Ormskirk which has only a limited number of existing employment areas. Paragraph 6.15 of the Local Plan indicates that the development of non-employment uses will be resisted on Strategic Employment Sites in order to maintain the Borough's employment land supply and maximise opportunities for new economic investment. The policy in relation to Strategic Employment Sites does not contain any exception/mitigating criteria.
- 10.3 The applicants consider that both the retail store and the 6 small flexible commercial units totalling 660m<sup>2</sup> will generate significant levels of employment. This includes 40 full and part time jobs for Lidl and an estimated 20-50 FTE jobs for the flexible commercial units. In response to officer concerns they have also produced a marketing report which sets out their view that there is no demand for the land for Industrial or Business Uses (use classes B1, B2 and B8). Notwithstanding this level of employment generation Ormskirk only has a limited number of existing employment areas which are suitable for these types of Industrial and Business Uses and the mixed use of the site clearly conflicts with Policy EC1 which seeks to resist the loss these preferred employment uses.
- 10.4 The applicants also consider that the proposal will deliver 51 affordable new homes on a brownfield site in an accessible location contributing to housing delivery targets and local affordable need. These issues are addressed more fully in the Housing section of report

#### Principle of Development – Retail and Town Centre policy

- 10.5 The proposal would entail a major development for town centre uses in an out of centre location and as such Local Plan Policies IF1 (Maintaining Vibrant Town and Local Centres) and GN5 (Sequential Tests) are relevant together with Section 7, of the NPPF "Ensuring the vitality of town centres", specifically paragraphs 86-90. National and Local policy require out of centre retail developments to satisfy the sequential test and the town centre impact test.

#### *Sequential test*

- 10.6 NPPF and Policy GN5 requires retail development proposals located outside town centres to be supported by a sequential test, whereby first preference should be to locate the development proposal on a town centre site, followed by edge-of-centre sites and then well connected out-of-centre sites where there are no suitable and available sites within more sequentially preferable locations.
- 10.7 The applicant has considered all potential options to deliver the proposed Lidl retail store development within or close to Ormskirk Town Centre evaluating vacant commercial units and 3 potential development sites within the Town Centre. The applicant has demonstrated that there are no sequentially preferable sites available in the Town Centre or on the edge of the Town Centre.
- 10.8 It is recognised that the local planning authority has supported both other food and non-food retail development adjacent to the application site within the Hattersley Centre. This has relevance for alternative out of centre opportunities elsewhere as it is accepted this location has some potential to provide connection to the Town Centre and that there are no more suitable out of centre locations located close to the town centre.

- 10.9 In relation to the 6 small 110m<sup>2</sup> flexible units totalling 660m<sup>2</sup> it has been recognised in consideration of the recently built Costa Coffee application 2016/0640/FUL that the Hattersley Centre is a destination in its own right, and that the operations of the smaller unit type proposed do not act as primary destinations, rather they support the existing primary function of the centre (albeit out of centre) by offering a complementary service for existing users. It is therefore concluded that the proposal satisfies the sequential test as there are no better located sites that will meet the same requirements that the proposal is intended to meet, and the requirement cannot be replicated elsewhere.
- 10.10 I am content that there is no basis to resist the current application in relation to the sequential test and conclude that the proposal would accord with paragraph 86 of the NPPF and the relevant provisions of Policy IF1 and GN5 of the Local Plan.

*Town Centre Impact test*

- 10.11 As the proposal is outside a town centre and is above the locally set floorspace threshold of 1,000 sq.m gross for supermarkets a Town Centre Impact assessment will be required. Paragraph 89 of the NPPF indicates that such assessments should include:
- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.
- 10.12 The Council commissioned Lichfields to undertake an independent review of the applicants Retail Impact Statement and both reports are based on the West Lancashire Retail and Leisure Study (2018). Lichfield's Retail Critique concludes that the applicant has prepared a proportionate retail impact assessment. The main issues raised by their analysis relate to the expected turnover of the proposed development and the pattern of convenience and comparison goods trade diversion. A reasonable level of impact falls on out of centre stores, specifically on Ringtail Retail Park, Burscough which is not a material impact. The key issue is the impact on Ormskirk Town Centre and Burscough Village Centre.
- 10.13 The applicant estimates the impact on Ormskirk Town Centre's retail facilities is -2.1%. Lichfields' sensitivity analysis suggests a slightly higher level of impact at -4.5%. Trade diversion and impact is expected to be partly offset by expenditure growth between 2017 and 2022 in the comparison goods sector. It is unlikely town centre food stores or comparison shops would be forced to close based on this reduction in turnover. Bearing in mind the strong health of the centre, the impact on Ormskirk Town Centre is not considered to be significant.
- 10.14 The applicant estimates the impact on Burscough Village Centre's retail facilities is -0.8% which is agreed by Lichfields' sensitivity analysis. This level of impact is particularly low; Burscough is performing well and the impact on Burscough Village Centre is not considered to be significant.
- 10.15 Lichfields conclude that there will be no impact on existing, committed and planned public and private investment in Ormskirk or Burscough. I consider that this part of the impact test is also passed.
- 10.16 The proposed development complies with Local Plan Policies IF1 (Maintaining Vibrant Town and Local Centres, GN5 (Sequential Tests) and NPPF para 86-90 in respect of sequential test and impact test.

## Housing Delivery, Affordable and Specialist Housing for the Elderly

- 10.17 The proposed development includes the erection of 51 residential dwellings which will facilitate the delivery of housing in the Key Service Centre of Ormskirk. The site is previously developed, vacant and unsightly land, within a settlement boundary, in a sustainable location on the edge of the centre and with services and facilities within Ormskirk Town Centre readily accessible. This type of residential development on such a site which backs onto residential development in Burscough Street would normally be supported. The site is however within a Strategic Employment Site. Nevertheless it is recognised that this housing delivery is a material consideration to be weighed in the planning balance.
- 10.18 West Lancashire has an acute need for more affordable housing and Policy RS2 sets out the Council's affordable housing requirements with Policy R1 setting out the provision for the elderly. Within the West Lancashire Borough Council's Housing Need and Demand Study (2010), the Scott Ward profile identifies both the need for social rented households and for housing for the elderly.
- 10.19 The proposals are for 100% affordable rented housing exceeding the minimum requirement of 35% provision. The proposed development would deliver a range of sizes and types, with a mix of 1bed, 2bed and 3bed dwellings as well as a mix of apartments and semi-detached homes.
- 10.20 Policy RS1 encourages the provision of elderly accommodation within settlements. The proposed development complies with this policy as the scheme would provide ten 1bed dwellings specifically for older persons. This equates to the required 20% required and moreover the provision is in a sustainable location close to Ormskirk Town Centre. The units will also be constructed to meet internal space standards which ensure that the homes are, and remain, accessible and inclusive supporting the changing needs of individuals at different stages of life.
- 10.21 The proposed development provides a valuable contribution to the identified need for both affordable housing and elderly housing provision within Ormskirk which is a material consideration to be weighed in the planning balance.

## Siting, Layout, Design and Landscaping

- 10.22 The site is rectangular in shape and the development of the site is to be carried out in 2 interlocking L shaped halves with the retail/commercial development largely located on the north and eastern boundaries and the residential on the south and western. The Lidl store and commercial development, which generate the highest levels of activity has been positioned so that they are furthest away from the existing residential neighbours whilst retaining commercial prominence to Hattersley Way and the retail park opposite. There are 2 vehicular and pedestrian accesses off Hattersley Way to the north but an internal estate road which continues Atkinson Road largely ensures that traffic from the two differing land uses are separated. Physically the uses are separated by 2.1m fencing or walling. There is a limited public frontage with Hattersley Way which is occupied by Plumbase, Tile Giant and the yard of Jewsons.

## *Retail store and Commercial Units*

- 10.23 The proposed Lidl store has been positioned to the east of the site with the principle windowed elevations facing into the car park. The car park area has been laid out in central islands to allow easy manoeuvrability of vehicles and also safe and easy access to



and from the proposed store. The dedicated delivery area is to the rear of store alongside the boundary with commercial property. This largely allows separation of the bulk of the car park from the delivery area. The commercial units are more central to the site and are located close to the access road off Atkinson Road. The rear of these commercial buildings and the store car park adjoin the residential development. As stated above there is no necessity to ensure that these commercial developments have a public frontage but the layout allows the different uses to function in a complementary and satisfactory manner.

- 10.24 The proposed elevations of the Lidl store will be finished in a White render & Silver cladding panel system. The new shop front will have 3.9m glazing on the main car park elevation with glazed return to the side elevation to provide the customer entrance lobby. The commercial units are now to be designed in red brick with goosewing grey metal profiled roof cladding similar to other buildings on the Hattersley Centre. The layout of the design of the retail store and commercial units are acceptable and comply with requirements of Policy GN3 and the Design Guide SPD.

#### *Housing development*

- 10.25 The housing development design with an L shaped two sided estate road seeks to integrate the proposals within the surrounding area. The existing residential development within the site's wider surroundings is predominantly semidetached properties, with some blocks of terraced properties off Burscough Street backing on to the west. The proposed properties would comprise semi-detached dwellings, with 2no. blocks of 1 bed apartments to reflect the site's surroundings. The dwellings are to be built in red brick with grey concrete tiles with pitched roofs and contemporary window/door detailing. There are 2 house type designs creating different character areas with differing roof pitches but utilising common materials. In accordance with Policy GN3, and the Design Guide SPD the proposed development respects the character and identity of the surrounding area where the materials, house types, scale and form are similar to the residential dwellings in the vicinity, whilst achieving a contemporary design.

#### *Landscaping*

- 10.26 The submitted landscaping layout includes the POS in the north western portion of the site, which is now to be laid out as a small orchard with wildflower planting. Each house would have its own private garden, whilst the apartments would have shared amenity space. Further landscaping across the residential portion of the site includes small and large ornamental trees, ornamental planting, semi-native shrub mix and ornamental hedgerows. Further landscaped areas would be provided in and around the employment units and supermarket, with an area of wildflower planting to the south west of the supermarket.
- 10.27 Plots 28-31 are somewhat hemmed in by the boundary to Lidl and the boundary to the New Court Way industrial area. The applicants have provided an enhanced strip of landscaping alongside the boundary of these residential properties and the area to be safeguarded for expansion of the retail store
- 10.28 A comprehensive Landscape Management Plan has been developed to establish the long-term management objectives and practices for all 'public' external areas associated with the residential development, including the designated POS.
- 10.29 Overall the layout of the commercial and residential layout have been successfully integrated with appropriate design and landscaping. Subject to the imposition of

conditions for implementation I am satisfied that the proposed development complies with Policy GN3, ENV2 of the Local Plan and Design SPD.

### Impact on amenity of existing and proposed residents

#### *Residential relationships and impacts*

- 10.30 The closest residential dwellings are the terraced and semi-detached properties which back onto the site and front Burscough Street. These existing two storey properties have long, averaging some 20m, rear gardens. The spatial separation distances between windows of the proposed two storey dwellings and these existing dwellings are all well in excess of the 21m minimum standard.
- 10.31 The spatial separation distances between windows of the proposed two storey dwellings are also above the 21m standard as are the relationships between windowed elevations and side/flank walls of proposed properties which all exceed 12m.
- 10.32 The garden areas of some of the dwellings are below the standard of 10m. In the majority of cases this shortfall occurs in semis with wider plots/gardens, in properties that back onto the long gardens of properties in Burscough Street or are part of communal gardens for the 2 apartment blocks. On balance I consider the level of private amenity space proposed to be commensurate with the size of the dwellings.
- 10.33 I am therefore satisfied that the proposed development would meet the requirements of Policy GN3 of the Local Plan and the Design Guide SPD in respect of neighbouring amenity.

#### *Noise from retail and commercial operations and impact on existing and proposed residents*

- 10.34 The retail and employment elements of the proposal have been positioned within the site away from the existing residential neighbours in order to minimise the potential for amenity impacts on existing residents.
- 10.35 It is proposed that the Lidl store be permitted to open between the hours of 07:00 to 22:00 Monday to Saturday and for a six hour period between 10:00 and 18:00 on Sundays. The store will, therefore, trade (and attract customers) during the day-time only and not overnight. These opening hours can be controlled by planning condition.
- 10.36 Whilst the occupiers of the flexible retail/employment terrace are not known at this stage, it is likely that they will not be open for trade/operate outside the hours of the Lidl store. Accordingly, the Applicant is content for a condition limiting the opening hours of the Lidl store to equally apply to the occupiers of the flexible retail/employment terrace.
- 10.37 The application is accompanied by a noise impact assessment, which seeks to quantify the noise that may be generated by different operational aspects of the proposal and assess the potential impact on sensitive receptors. The assessment concludes that the use of the customer car park, the operation of plant and equipment and daytime deliveries to the store, together with the 2.1m high acoustic fencing are all likely to have an acceptable impact on neighbouring residents. Whilst overnight deliveries to the store may have a perceptible impact in principle, given the context of overnight deliveries being undertaken to nearby units within the Hattersley Centre, noise generated by the proposal will have negligible impacts on nearby existing residents on Burscough Street.

- 10.38 The dwellings on the northern boundary of the site adjoin commercial properties in the New Court Way industrial area and plots 28-31 adjoin commercial properties including a Royal Mail depot, which is also at an elevated level so bedrooms will be more vulnerable to potential noise. These plots also adjoin the proposed Lidl and its plant room located 21m away. A 2.1m high acoustic fence is proposed along the boundary to reduce any impact from the retail/commercial site. The retail store has been designed so that any noise from the external manoeuvring of vehicles and crated deliveries of goods is masked by the building so reducing any impacts on any proposed dwellings.
- 10.39 The Environmental Health Officer has undertaken a detailed assessment of the noise reports submitted by the applicant and has no objection to the principle of development subject to safeguarding conditions to protect the future residents from noise from the retail store and flexible commercial units and from nearby commercial uses. These conditions include; hours of servicing, controls over plant/machinery (including a 3m acoustic barrier around the plant room for the retail store), implementation of the 2.1m acoustic fencing and lighting. In addition the habitable rooms to the residential units are to be fitted with acoustic glazing and venting.
- 10.40 I am therefore satisfied that the proposed development with these safeguarding conditions would meet the requirements of Policy GN3 of the Local Plan and the Design Guide SPD in respect of any impacts of noise and disturbance on residential amenity.

#### Access, Traffic and Parking

- 10.41 There are two vehicular access into the site off Hattersley Way which is linked to Burscough Street by a mini roundabout and onto the local highway network. There is good pedestrian access to Ormskirk Town Centre. Given the previous use of the site and the proximity to the existing retail area LCC Highways consider that the proposed development would not have a severe impact on highway safety/capacity within the immediate vicinity of the site.
- 10.42 As noted previously there are two vehicular and pedestrian accesses off Hattersley Way to the north but an internal estate road which continues Atkinson Road largely ensures that traffic from the two differing land uses are separated. Signage is to be provided at the entrance of Atkinson Road to restrict HGV vehicles from using the first part of the residential estate road. HGV and delivery vehicles are to use the second access point on Hattersley Way direct to the servicing yard to the rear of Lidl.

#### *Retail store and Commercial Units*

- 10.43 The Lidl store is to provide 119 car parking spaces, to include 6 disabled spaces, 8 parent and child spaces and 2 electric vehicle charging points. The flexible retail/employment terrace will be supported by a further 13 parking spaces. Cycle parking facilities for customers will be delivered in a visible, convenient location within the car park area with staff cycle provision in store. The site layout seeks to make provision for pedestrians along the key desire lines through the site, with internal footpaths leading directly towards the Lidl store entrance from Hattersley Way. The nearest bus stops to the site are located on Burscough Street adjacent to the Hattersley Centre retail park, thereby being within a short walking distance from the site.

#### *Residential development*

- 10.44 The site will be accessed off Atkinson Road with a new internal spine road to be constructed which will provide access to all of the dwellings. In terms of parking provision 2 spaces in curtilage are provided for 2/3 bedroom properties and 1 space for 1 bed flats

in a communal layout. Bin and cycle stores are to be provided for the apartments. Cycle storage and electric vehicle charging points details are to be conditioned.

10.45 The Highway Authority have had detailed discussions with the applicant's highway consultant in respect of site access, layout and parking for both residential and commercial developments. The Highway Authority are satisfied that the layout and parking provision is acceptable. On this basis I am satisfied that vehicles can manoeuvre safely within the site and access and egress would not cause adverse harm to highway safety or the free flow of traffic in the local area. I consider that the proposed development is compliant with Policy GN3 and IF2 in the Local Plan.

#### Public Open Space

10.46 The Provision of Open Space in New Residential Developments Supplementary Planning Document provides guidance on the required amount of POS to be incorporated in new residential developments. The SPD states that for developments between 40 – 289 dwellings, developers are expected to provide 13.5 sqm of POS per bedroom developed. The proposed development has a total of 92 bedrooms, meaning there is a requirement of 1,242 sqm to be provided. As part of the residential element of the scheme, a designated area of 320 sqm POS would be provided in the north western corner of the site off Atkinson Way as part of a comprehensive landscaping scheme for the site.

10.47 The applicant has provided some justification for this significant short-fall of POS. They state that the proposed development would deliver 100% affordable housing, with the majority of units being small (one and two-bed) dwellings. The site as a whole is subject to detailed landscaping proposals, with planting and management plans provided to ensure that the small POS that is provided on site is useable and would provide a valuable asset to future residents. The location of the site would allow residents to access a wide range of recreational and open space-based activities at the reasonably close by Coronation Park, an important community facility. It is acknowledged that significant CIL receipts from the development of around £330,000 could contribute to the upkeep of this park and others in the district.

10.48 In terms of open space provision the development does not comply with Policy IF4 and the SPD and any justification/mitigating factors are to be weighed in the planning balance later in the report.

#### Surface Water, Drainage and Flood Risk

10.49 It is a requirement of Policy GN3 that new development does not result in unacceptable flood risk or drainage problems. The information from the Environment Agency Maps has determined that the site is located within Flood Zone 1.

10.50 A Flood Risk Assessment and outline surface water drainage and foul water strategy has been submitted. The original drainage strategy for the site has been updated to satisfy the requirements of the Lead Local Flood Authority.

10.51 There is an existing 525mm diameter United Utilities combined water sewer adjacent to the site and a 1200mm diameter United Utilities surface water sewer in New Court Way.

10.52 Flood risk from the development site to the surrounding district is to be mitigated by the restriction of surface water runoff prior to discharge into the 1200mm diameter surface water sewer in New Court Way. Attenuation will be provided in the form of oversized pipes for the residential development and geocellular storage crates in the main car park for the

commercial uses in order to ensure that the development does not increase the risk of flooding to other adjacent neighbourhoods.

- 10.53 Foul water generated by the development will be discharged into the combined 525mm diameter sewer which runs along the southern and western boundaries of the site. It is proposed that the majority of this sewer is diverted.
- 10.54 Both United Utilities and the Lead Local Flood Authority are now satisfied that the proposed drainage strategy is acceptable and that the proposed development will not increase the risk of flooding either on or off the site. On this basis, I find the proposal acceptable and in accordance with the NPPF and Policy GN3 of the Local Plan.

### Contamination

- 10.55 Due to the site's previous use as a former timber merchant and foundry, the applicants have undertaken a Phase 1 Desk Top Study and a Phase 2 Ground Investigation Report. This has identified some exceedances above acceptable levels of certain chemicals in the ground and also that gas protection measures are recommended. The Environmental Health officer is satisfied with these reports subject to a condition requiring the submission and approval of a remediation strategy.
- 10.56 The site is located within a groundwater source protection zone (SPZ) where the prevention of pollution to drinking water supplies is critical. United Utilities have therefore suggested a condition to investigate and manage the risk of pollution during site remediation

### Planning Obligations

- 10.57 The redevelopment of this site will be subject to a S106 Agreement requiring the details of affordable housing provision. In addition, Policy IF4 requires new development to contribute to mitigating its impact on infrastructure. Lancashire County Council is responsible for the provision of school places across the Districts and requires, when the growth in pupil numbers is directly linked to housing development and existing school places are not sufficient to accommodate the potential additional pupils that the development may yield, a developer contribution towards additional school places.
- 10.58 In respect of secondary provision LCC are seeking a contribution from the developer in respect of 2 places. Calculated at the current rates, this equates to £47,474.56. This is to be the subject of a legal agreement with the developer.

### Conclusion

- 10.59 The proposed mixed use of the site for new housing, retail and commercial use would be contrary to policy EC1 which resists the development of non-employment uses on Strategic Employment Sites in order to maintain the Borough's employment land supply and maximise opportunities for new economic investment. The proposed development complies with Local Plan Policies IF1 and GN5 and NPPF para 86-90 in respect of the sequential test and impact test for town centre uses. The application is also deficient in relation to the level of open space provision for the number of homes to be built.
- 10.60 However it is recognised that both the retail store and the 6 small flexible commercial units totalling 660m<sup>2</sup> will generate significant levels of employment. This includes 40 full and part time jobs for Lidl and an estimated 20-50 FTE jobs for the flexible commercial units. I consider that the applicants have demonstrated in their marketing report that there is little demand for the land for Industrial or Business Uses (use classes B1, B2 and B8).

10.61 The proposal will deliver 51 affordable new homes on a brownfield site in an accessible location contributing to housing delivery targets and local affordable need for social rented housing and for the elderly. In respect of the principle of this mixed use development I therefore consider that the benefits of the scheme outweigh the harm to employment policy objectives of the Local Plan. I also find the site layout to be acceptable and consider the reduced open space provision would not in this location be harmful to the amenities of future residents or be detrimental to the character of the area.

10.62 Overall the layout for the commercial and residential developments have been successfully integrated with appropriate design and landscaping. I am satisfied that the proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties. I find that the proposed development is compliant with the NPPF and the Local Plan in respect of drainage, highways and contamination. The application is recommended for approval subject to a S106 planning obligation requiring a contribution to the provision of secondary education, the terms of the affordable housing tenure and maintenance of on-site open space.

## **11.0 RECOMMENDATION**

11.1 That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:-

- (a) Education Contribution for Secondary School provision
- (b) Terms of the affordable housing tenure
- (c) Maintenance of on-site open space

11.2 That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation 12.1 above 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.
2. The development hereby approved shall be carried out in accordance with the details shown on the following plans:
  - Plan Ref: AD 105 E (Proposed site layout masterplan) received by the Local Planning Authority on 6th December 2018;
  - Plan Ref: AD 117 E (Proposed phasing plan) received by the Local Planning Authority on 6th December 2018;
  - Plan Ref: AD 110 B (Proposed site layout) Lidl and flexible unit received by the Local Planning Authority on 6th December 2018;
  - Plan Ref: AD 111 (Proposed Lidl building plan) received by the Local Planning Authority on 5th October 2018;
  - Plan Ref: AD 112 (Proposed Lidl roof plan) received by the Local Planning Authority on 20th December 2018;
  - Plan Ref: AD 113 A (Proposed Lidl elevations) received by the Local Planning Authority on 26th July 2018;
  - Plan Ref: AD 114 D (Proposed Lidl boundary treatments) received by the Local Planning Authority on 17th December 2018;
  - Plan Ref: AD 121 B (Proposed flexible retail/commercial building plan and elevations) received by the Local Planning Authority on 6th December 2018;
  - Plan Ref: AD 122 A (Proposed flexible retail/commercial roof plan) received by the Local Planning Authority on 20th December 2018;

Plan Ref: 17-337-PO2 V (Proposed residential site plan) received by the Local Planning Authority on 17th December 2018;

Plan Ref: 17-337-PO3 A (House type 1) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO4 A (House type 2) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO5 A (House type 3) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO6 A (House type 4) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO5 (Block A) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO8 A (Block B) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO9 C (residential boundary treatments) received by the Local Planning Authority on 17th December 2018;

3. The total gross internal floorspace of the development hereby permitted devoted to Class A1 uses shall not exceed 1726 sqm
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) and Sections 55 (2) and 55 (2A) of the Town and Country Planning Act 1990 (as amended) no part or parts of the A1 units may be subdivided, either horizontally or vertically. No mezzanine floorspace may be created.
5. The flexible use units shall be used for non-food Class A1 retail, Class B1 offices and/or Class B8 trade counters only.
6. No development shall take place until full details of the finished levels of all parts of the site, including the floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those details.
7. The materials 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:

Commercial units:

Plan ref: AD 115 B received by the Local Planning Authority on 5th October 2018;

One design External Materials Schedule received by the Local Planning Authority on 6th December 2018;

Residential units:

Plan Ref: 17-337-PO3 A (House type 1) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO4 A (House type 2) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO5 A (House type 3) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO6 A (House type 4) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO5 (Block A) received by the Local Planning Authority on 6th December 2018;

Plan Ref: 17-337-PO8 A (Block B) received by the Local Planning Authority on 6th December 2018;

8. No part of the development hereby permitted, including any works of demolition, shall be commenced until a Construction Management Plan that details the means of mitigation of construction effects has been submitted and agreed in writing by the Local Planning Authority.

This shall include the following:

- The areas for the storage of plant and materials.

- A programme of works, including phasing
- Location of site compound, including any loading/unloading areas, turning areas for delivery vehicles and construction staff parking arrangements
- On site facilities 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

All site works shall then proceed only in accordance with the approved management plan.

9. Notwithstanding the submitted Phase 2 Ground Investigation Report, prior to the commencement of development (including any groundworks) a further study should be undertaken which clearly identify the types and levels of contaminants present on site and provides a clear Remediation Strategy to remove the risk to receptors whether human or otherwise and to make the site suitable for its intended use and surrounding environment including any groundwater and public water supply.

The details of the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority before development of the affected part of the site commences. Prior to the first occupation of the building on site and for each phase of development a Validation/Closure report shall be submitted to and approved in writing by the Local Planning Authority.

The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy (Scott Hughes, reference 3338-SHD-00-ZZ-RP-C-0001 rev. 5, dated 5th November 2018) and the mitigation measures detailed within the FRA.

11. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Those details shall include, as a minimum:

a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;

c) A plan of overland flow routes and or flood water exceedance routes, both on and off site;

d) A timetable for implementation, including phasing as applicable;

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details. The remediation scheme approved shall be carried out as part of the development of the site, and shall be followed by a validation report sufficient to prove that the remediation has been effective. The validation report shall be submitted to be approved in writing by the local planning within three months of the remediation of that part of the site affected by contamination.



12. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
  - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
  - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
    - i. on-going inspections relating to performance and asset condition assessments
    - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
  - c) Means of access for maintenance and easements where applicable.The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.
13. No part of the development hereby approved shall commence until a scheme for the construction of the site access and all off-site works of highway improvement including HGV signage on Hattersley Way has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority Act 1980 as part of a section 278 agreement, under the Highways. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme has been constructed and completed in accordance with the scheme details.
14. 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].
15. The new estate road/access between the site and Atkinson Road and Hattersley Way shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site. The new estate road/access between the site and Atkinson Road and Hattersley Way shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.
16. The food store shall only be open for customers between the hours of 0700 and 2200 on any day.
17. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the food store (including waste collections) outside the following times 0700 to 2300 on any day
18. The plant area for the food store shall be bounded by a 3m high acoustic barrier in the location marked on Figure 5 of the noise report reference 12500.01.v2, submitted with the application on 26 July 2018, and to the standard described in paragraphs 4.8 and 4.9 of that report prior to the food store opening for business and shall be retained in situ thereafter.
19. The car park area for the food store shall be bounded by a 2.1m high acoustic barrier in the location marked on Figure 5 of the noise report reference 12500.01.v2, submitted with the application on 26 July 2018, and to the standard described in paragraph 4.40 of that report prior to the food store opening for business and shall be retained in situ thereafter.
20. The rating level of noise from fixed plant on the food store site shall not exceed 40dB(A) daytime and 24dB(A) night-time as measured or calculated at the façade of any nearby residential premises. All measurements and assessments shall be done in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.

21. The non-food retail/business units shall only be open for customers between the hours of 0700 to 2200 on any day.
22. No plant or machinery shall be operated, and no process shall be carried out at the non-food retail/business units between 2200 and 0700 on any day.
23. No loading/unloading of vehicles and no deliveries shall be taken at or dispatched from the non-food retail/business units (including waste collections) between 2300 and 0700 on any day
24. No machinery or power tools shall be operated on the site other than inside the buildings
25. The rating level of noise from fixed plant and/or the operation of plant and machinery at the non-food retail/business units shall not exceed 40dB(A) daytime and 24dB(A) night-time as measured or calculated at the façade of any nearby residential premises. All measurements and assessments shall be done in accordance with BS4142:2014 Methods for rating and assessing industrial and commercial sound.
26. All habitable rooms shall be fitted with glazing with a minimum acoustic performance of 31 dB Rw. All Bedrooms shall be fitted with specialist acoustic vents with a minimum performance of 40 dB Dn,ew when open. Living rooms may be fitted with standard window head trickle vents.
27. No building shall be open for business or any dwelling occupied until a scheme detailing the proposed lighting to be installed on the commercial part of 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.
28. Prior to first occupation of an individual house, a three pin 13 amp external electrical socket which is also suitable for outdoor use shall be installed at that individual house. The socket shall be located in a suitable position to enable the charging of an electric vehicle on the driveway of each property using a 3m length cable.
29. Prior to the occupation of the foodstore and/or flexible retail/employment units (whichever is occupied first) at least 10% of the approved car parking spaces shall be marked out for use by electric vehicles, together with an adequate charging infrastructure and cabling for each marked bay, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and thereafter retained in situ throughout the duration of the development.
30. No commercial building shall be occupied until a scheme detailing the method of storage and disposal of litter and waste materials, including recycling facilities, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided including, where appropriate, containers and details for how the recyclable materials will be collected from the site with timescales for collection. The approved scheme shall be implemented before the commercial development hereby permitted is brought into use and no waste or litter shall be stored or disposed of other than in accordance with the approved scheme.
31. The landscaping and planting shall be implemented in accordance with the details provided in Landscape Layout 3111 101E and Planting Plans 3111 201D and 202D and Landscape Management Plan Ref 3011-501 received on 12th December 2018. Planting shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within ten years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation. The landscape maintenance shall be carried out in accordance with Landscape Management Plan.
32. Notwithstanding the approved plans, no commercial building shall be occupied until facilities for cycle and motorcycle parking have been provided in accordance with a plan and delivery schedule to be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle and motorcycle parking areas shall be provided in accordance with the approved details.

33. Prior to occupation of any apartment dwelling, at least 10% of apartment parking spaces shall be marked out for use by electric vehicles only, together with an adequate charging infrastructure and cabling for each marked bay, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any apartment dwelling. The agreed scheme shall be implemented and thereafter the electric vehicle charging point shall be retained throughout the duration of the development.

### **Reasons**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. In order to protect the vitality and viability of Ormskirk and Burscough town centres in accordance with Policy IF1 of the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
4. To prevent subdivision and mezzanine development from resulting in more net retail floorspace in order to protect the vitality and viability of Ormskirk and Burscough town centres in accordance with Policy IF1 of the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
5. In order to protect the vitality and viability of Ormskirk and Burscough town centres in accordance with Policy IF1 of the West Lancashire Local Plan 2012-2027 Development Plan Document and the NPPF.
6. 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.
7. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. To enable any potential contamination to be identified and remediated in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document and to prevent pollution of the water environment in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document
10. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document
11. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document
12.
  - a. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development
  - b. To reduce the flood risk to the development as a result of inadequate maintenance.
  - c. To identify the responsible organisation/ body /company /undertaker for the sustainable drainage system and so to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. To allow for the effective use of the internal road network and to ensure that the development complies with the provisions of Policies GN3 & IF2 of the West Lancashire Local Plan 2012-2027 Development Plan Document

15. To allow for the effective use of the internal road network and to ensure that the development complies with the provisions of Policies GN3 & IF2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
16. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. To safeguard the occupiers of the surrounding area from excessive noise intrusion and so ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
19. To safeguard the occupiers of the surrounding area from excessive noise intrusion and so ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
20. To safeguard the occupiers of the surrounding area from excessive noise intrusion and so ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
21. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
22. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
23. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
24. To prevent noise-generating activities taking place in the open with the consequent deterioration in the quality of the local environment, and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
25. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
26. 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.
27. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
28. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
29. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
30. To prevent unsightliness and visual intrusion and so ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
31. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
32. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
33. In the interests of sustainability in accordance with 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
  - GN4 - Demonstrating Viability
  - GN5 - Sequential Tests
  - EC1 - The Economy and Employment Land
  - RS1 - Residential Development
  - RS2 - Affordable and Specialist Housing
  - IF1 - Maintaining Vibrant Town and Local Centres
  - IF2 - Enhancing Sustainable Transport Choice
  - IF3 - Service Accessibility and Infrastructure for Growth
  - IF4 - Developer Contributions
  - EN1 - Low Carbon Development and Energy Infrastructure
  - EN2 - Preserving and Enhancing West Lancashire's Natural Environment
  - EN3 - Provision of Green Infrastructure and Open Recreation Space

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.