

<b>No.6</b>	<b>APPLICATION NO.</b>	2018/0686/FUL
	<b>LOCATION</b>	Land To The Rear Of 29 The Gravel, Mere Brow, Tarleton, Lancashire
	<b>PROPOSAL</b>	Erection of 5 No. New detached dwellings with associated soft landscaping. Proposed improvement highway works forming new site access following demolition of existing building. Diversion of public right of way.
	<b>APPLICANT</b>	Bella Homes NW Ltd
	<b>WARD</b>	Tarleton
	<b>PARISH</b>	Tarleton
	<b>TARGET DATE</b>	5th February 2019

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## **1.0 REFERRAL/DEFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillors Mee and G Hodson have requested it be referred to Planning Committee to consider the impacts on flooding, loss of amenity and privacy, highway issues, problems of Japanese Knotweed, maintenance of existing watercourse and loss of the Smithy.

## **2.0 SUMMARY**

- 2.1 The proposed development to erect five detached dwellings on the site is considered to be acceptable in principle and in compliance with Policy RS1 of the West Lancashire Local Plan. The proposal is considered to be appropriate to the location and will not have a significant impact on the character or appearance of the surrounding area or on the amenity of neighbouring properties. Suitable planning conditions are recommended to ensure landscaping, drainage and highway works are carried out appropriately and that the residential amenity of both the proposed occupiers of the dwellings and existing surrounding neighbouring occupants are protected. The proposed development is considered to be compliant with the NPPF and Policies SP1, GN1, GN3, RS1, IF2, IF3, EN1, EN2, EC2 and GN4 of the West Lancashire Local Plan 2012-2027 DPD.

- 3.0 RECOMMENDATION:** APPROVE with conditions.

## **4.0 THE SITE**

- 4.1 The application site relates to a vacant plot of land (approx. 3963m sq) of an irregular shape. The site is located within the settlement boundary of Mere Brow, to the north of The Gravel between no. 29 and 33 The Gravel. Residential properties bound the site to the east at Spring Meadow, south on The Gravel, residential and commercial (Blacksmith and Wheelwrights) to the west and to the north of the access is a commercial property currently occupied by Neptunes (furniture) and three residential properties built under planning permission 2017/0763/FUL. A public right of way (footpaths 16 and 17) run to the east and west of the of access track.

## **5.0 THE PROPOSAL**

- 5.1 This application seeks planning permission for the erection of 5 no. detached dwellings with associated soft landscaping. Highway works are also proposed which include forming a new site access following demolition of existing building.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2017/0763/FUL – GRANTED (16.08.2018) - Erection of three detached dwelling houses including two detached garages to Plots 2 and 3 (Amendment to previously approved planning application 2016/1319/FUL).
- 6.2 2016/1319/FUL – GRANTED (06.03.2017) Erection of three detached dwelling houses including two detached garages.
- 6.3 2015/0587/FUL – GRANTED (11.12.15) Erection of two detached dwelling houses (resubmission of planning application 2014/0612/FUL).
- 6.4 2014/0612/FUL – WITHDRAWN (23.03.15) Two detached dwelling houses. (Re-submission of application no. 2013/0111/FUL).
- 6.5 2013/0111/FUL – WITHDRAWN (29.11.13) Two detached dwelling houses.

## **7.0 CONSULTEE RESPONSES**

- 7.1 Forestry Commission (20/07/2018) – No comment.
- 7.2 Environmental Health (29/10/2018) – Noise assessment required to demonstrate that noise from the nearby dual carriageway will not adversely affect the proposed residential development. Conditions recommended.
- 7.3 Lancashire County Council (Highways) (14/01/2019) – No objections in principle. Recommends planning conditions.
- 7.4 Environmental Health Scientific Officer (20/09/2018) – No objections / comments.
- 7.5 United Utilities (12.11.2018) – No objections in principle. Recommends planning conditions.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Objections from seven addresses have been received on the grounds of:

Flooding and Drainage  
Traffic  
Japanese Knotweed  
Overlooking  
Loss of privacy  
Loss of amenity  
Impact upon public footpaths  
Historical impact of loss of Wheelwrights shop  
Impact of disturbance  
Dirt on highway from construction vehicles  
Lack of neighbour notification  
Impact of road on health and wellbeing  
Concerns of future development

- 8.2 Mere Brow Local History Society (30/07/2018) – Comments:

The Wheelwrights shop has been on this site since at least 1841  
Destruction of building is unnecessary

Building is regarded as part of the history and heritage of Mere Brow  
Seeking advice from English Heritage  
Currently being used as a local business

- 8.3 Tarleton Parish Council (30/07/2018) – Objects to the application on the following grounds:

Insufficient parking and substandard access roadway  
A blind bend to the east of the proposed new access prevents clear visibility for vehicles exiting the site  
Drainage and flooding  
Japanese Knotweed  
Demolition of the Blacksmiths Wheelwrights shop a building of great historical interest in Mere Brow

## **9.0 SUPPORTING INFORMATION**

- 9.1 Arboricultural Impact Assessment with Tree Protection Measures  
9.2 Planning Supporting Information (June 2018) Rev A (11.10.18)  
9.3 Drainage Information  
9.4 Ecological Appraisal (June 2018) (Revised October 2018)  
9.5 Design and Access Statement (June 2018)  
9.6 Economical Viability Statement (Rev A) (August 2018)  
9.7 Heritage Statement (September 2018)

## **10.0 RELEVANT PLANNING POLICIES**

- 10.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan (2012-2027) DPD (WLLP) provide the policy framework against which the development will be assessed.  
10.2 The site is located with the settlement boundary of Mere Brow, designated as a Rural Sustainable Village in the Local Plan. The following policies are therefore relevant:-

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

Delivering a sufficient supply of homes  
Building a strong, competitive economy  
Promoting healthy and safe communities  
Promoting Sustainable Transport  
Making effective use of land  
Achieving well – designed places  
Meeting the challenge of climate change, flooding and coastal change  
Conserving and enhancing the natural environment  
Conserving and enhancing the historic environment

### ***West Lancashire Local Plan (WLLP)***

SP1 – A Sustainable Development Framework for West Lancashire

GN1 – Settlement Boundaries  
GN3 – Criteria for Sustainable Development  
RS1 – Residential Development  
IF2 – Enhancing Sustainable Transport Choices  
IF3 – Service Accessibility and Infrastructure for Growth  
EN1 – Low Carbon Development and Energy Infrastructure  
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment  
EC2 – The Rural Economy  
GN4 – Demonstrating Viability

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

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

Principle of Development (Housing / Loss of an employment site / Loss of a potential heritage asset)  
Scale, Design and Appearance  
Highways  
Impact upon neighbouring properties  
Trees and Landscaping  
Ecological considerations  
Drainage

### *Principle of Development - Housing*

11.2 The application site lies within the rural sustainable village of Mere Brow as defined in the Local Plan. Policy RS1 'Residential Development' of the WLLP advises that residential development will be permitted within such areas on greenfield sites not protected by other policies and subject to the proposals conforming with all other planning policy. The greenfield area of the site is not protected by other policies and residential development is therefore acceptable in principle subject to adherence with all other relevant policy requirements.

### *Principle of Development – Loss of employment*

11.3 To facilitate the new access to the site from The Gravel and the erection of a dwelling on Plot 1, a building relating to 'The Smithy' is proposed to be demolished. As the current use of The Smithy building is for commercial purposes, the requirements of Local Plan policy EC1(c) and EC2 must be met. This requires 'other employment sites' to be re-used for industrial, business, storage and distribution uses (B1, B2 and B8). The policy goes on to confirm that "the redevelopment of existing individual employment sites for other uses will be considered where a viability case can be put forward (in line with Policy GN4)..."

11.4 Policy GN4 (Demonstrating Viability) advises that the Council will seek to retain existing commercial/industrial and retail land/premises...unless it can be demonstrated that one of the following tests contained within GN4 can be met.

11.5 Policy GN4 requires, in cases where the existing use is no longer considered viable and a mixed employment led-scheme is also not viable or appropriate, preferential consideration of the following alternative uses prior to consideration of a market housing-led scheme:

For existing retail uses, an alternative use that helps create or maintain the vitality of a town, village or local centre.

- 11.6 An 'Economic Viability Report (Rev A)' has been submitted with the planning application which puts forward a supporting case to satisfy Policy GN4, EC1 and EC2.
- 11.7 The applicant advises that the building that is proposed to be demolished forms part of a pair of buildings used as part of a commercial business manufacturing gate and railings. The smaller building is to be demolished whilst the larger building is to be retained. The building to be demolished is single storey and measures approx. 7m x 5m. It is confirmed that given the limited internal space the smaller building it is now only used as an ancillary storage room for some of the more bespoke ornamental pieces which are long discontinued as they are no longer commercially viable to produce. The building is too small to store products that are manufactured by the business. All of the core business practices are located within the larger building which is to be retained.
- 11.8 Given that the existing commercial use of the site will still continue in the larger Smithy building and there will be no net loss of employment, I consider that the development would comply with Policy EC2 of the WLLP.

*Principle of Development – Potential loss of a heritage asset*

- 11.9 The Smithy building to be demolished is an undesignated mid-late 19th century single-storey building that forms part of the smithy and was originally used as a wheelwright's premises.
- 11.10 Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 11.11 A Heritage Statement (September 2018) has been submitted with the planning application.
- 11.12 The statement confirms that the building is of no particular architectural quality, being essentially a plain brick hut with an altered interior. Its interest stems more from its historical role, and interest to the local community, as a mid-late 19th century former wheelwright's premises that later became part of the village smithy. The building has a group value with the adjoining principal building of the smithy. However of the two structures, the principal building is considered to have greater value in heritage terms as it is a more substantial and noteworthy structure that still performs the role for which it was built.
- 11.13 I have no reason to disagree with the assessment and summary made in the report. Although the building to be demolished is of local interest and has some group value with the remaining Smithy building it would not meet the requirements for statutory designation.
- 11.14 Where heritage assets are undesignated, paragraph 197 of the NPPF requires a balanced judgment to be made with regards to the scale of harm or loss and the significance of the asset. Whilst this application would result in the loss of the building it has limited heritage value and its demolition is considered acceptable in principle.

*Scale, Design and Appearance*

- 11.15 Policy GN3 in the Local Plan states that new development should be of a high quality design and complement or enhance any attractive attributes and/or local distinctiveness within its surroundings through sensitive design, including appropriate siting, orientation, scale, materials, landscaping and boundary treatment.

- 11.16 Five detached dwellings are proposed. The immediate area is characterised by a mixture of detached residential and commercial properties, including backland developments in mixed sized plots including the three detached dwellings built under planning permission 2017/0763/FUL and properties located at Spring Meadow and Cinder Lane. Although there is open land to the west of application 2017/0763/FUL and to the east (rear of Spring Meadow), when viewed in the context of the wider settlement area, I am satisfied that the siting of the proposed development is acceptable and is in context with the local grain and settlement pattern for the area.
- 11.17 In terms of the design of the dwellings, I consider that they are acceptable. Although the site is a backland development, they blend well with existing built development including the three houses already built on site granted under 2017/0763/FUL and therefore would not appear out of character. Plot 1 is along the road frontage. Street scape drawings have been provided and I am satisfied that the dwelling would integrate well in terms of its design, siting and scale.
- 11.18 In terms of garden depths, I am satisfied that Plots 1 and 3-5 provide sufficient amenity areas. The proposed garden depth of Plot 2 would fall short of the guidance given in the Design SPD. However, as accepted with the adjacent dwellings the amenity area is relatively wide which would compensate for this. To the rear of Plot 2 is a commercial premises, therefore there would not be any concerns in respect to any residential overlooking / loss of privacy. I note a 1.85m fence is proposed to the eastern boundary of Plot 2. To soften this hard boundary appearance landscaping will be requested as part of a planning condition.
- 11.19 The garages proposed at Plots 1 and 2 are in the rear garden area. The garages would be subordinate in scale to the dwelling houses and provided that they are constructed from matching materials would be acceptable in accordance with Policy GN3 of the Local Plan.
- 11.20 On balance the scale, design and appearance of the proposed development is considered to be compliant with Policy GN3 of the Local Plan along with the Council's SPD Design Guide. In terms of its siting, in the wider context of the local area I am satisfied that it is acceptable.

### *Highways*

- 11.21 A new site access is proposed from The Gravel. The access track will allow access to the proposed dwellings and the three existing houses already built under planning permission 2017/0763/FUL.
- 11.22 A public footpath (8-16-FP 16 and 8-16-FP 17) runs to the east and west of the existing access track. Plot 1 of the proposed development is over the existing public right of way (Footpath 16) – the plans indicate that the footpath is to be diverted. The Town and Country Planning Act 1990 has provision for diverting the Definitive Public Right of Way if a diversion is necessary to allow the development to take place. However, the diversion of the public footpath must not commence until the necessary procedures are in place – this will be subject to a planning condition.
- 11.23 The proposed layout and turning heads are not to an adoptable standard and therefore would not be considered for adoption. A suitable planning condition will be attached to any planning permission to agree highway future management and maintenance.

11.24 In terms of parking provision, I am satisfied that the level of on-site parking is satisfactory and in accordance with Policy IF2 of the WLLP.

*Impact upon neighbouring properties*

11.25 Policy GN3 requires proposals for new development to retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of proposed and neighbouring properties.

11.26 No. 33 The Gravel is adjacent to Plot 1, to which there is an approx. 6m separation distance. The proposed dwelling would be set forward of the building line for no.33. No. 33 has side facing windows at both ground and first floor however they are secondary windows. Taking this into consideration, the distance and juxtaposition of the dwellings and subject to a planning condition which requires side windows on Plot 1 to be obscure glazed, I do not consider that the development would result in a significant impact upon the residents of no.33. I note overlooking concerns from the residents of no.33 in relation to front dormers on Plot 2. These windows have now been removed from the scheme.

11.27 To the east of the site are properties located on Spring Meadows. Proposed plots 3-5 are located to the north western rear. The interface distances between these sites meet the minimum standards as outlined in the Councils SPD Design Guide. The design and siting of these properties should not detrimentally impact upon the residents of properties along Spring Meadows.

11.28 Therefore I am satisfied the scheme would have a satisfactory relationship to surrounding residential properties in compliance with Policy GN3 of the WLLP.

*Trees and Landscaping*

11.29 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.

11.30 An Arboricultural Impact Assessment with Tree Protection Measures accompanies this planning application. The proposals require the removal of trees within the field to the rear of the site which are lower grade trees as listed in the submitted survey data.

11.31 The boundary hedges are an important feature, particularly adjacent to Spring Meadow on the eastern side. It is proposed to retain the hedge with pruning as stated in the tree survey data. The loss of trees would not lead to a significant loss of landscape amenity. The submitted landscaping scheme shows substantial replacement tree planting on the site which would lead to an increase in tree cover across the site. On consultation with the Councils Arboricultural Officer it is advised that a condition for full landscape details and details for hedge management works are imposed in the event of planning permission being granted.

*Ecological considerations*

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

11.33 An Ecological Appraisal (June 2018) (Revised October 2018) (Envirotech) has been submitted with the planning application. This report concludes that there was no conclusive evidence of bats, water voles, amphibians and nesting birds regularly occurring on the site or the surrounding area which would be negatively affected by site development. The mitigation measures outlined in paragraph 7 of the report will be subject to planning condition.

11.34 The report advises that Japanese knotweed is present in several small scattered stands on the site. Japanese knotweed is an invasive species which has the potential to spread onto the development site during the construction period. For this reason it is necessary to attach a condition to require a method statement to be submitted to prevent the spread of this species.

#### *Drainage*

11.35 Drainage plans have been provided with the planning application. The plans indicate that the surface water will discharge to the watercourse with an agreed discharge rate of 3 l/s. These details are acceptable in principle subject to a final drainage design being submitted.

11.36 In terms of foul water this will be disposed of via main sewer, again, this will be final details will be subject to a planning condition.

### **12.0 SUMMARY**

12.1 The proposed development is considered to be acceptable in principle and would provide a suitable residential environment for future occupants without significant detriment to nearby occupiers, highway safety or the character of the area. The scheme complies with the relevant local plan policies.

### **13.0 RECOMMENDATION**

13.1 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.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference 28 and 26 received by the Local Planning Authority on 05/09/2018.  
Plan reference 25; 29; 14; 15 PL07 Rev A received by the Local Planning Authority on 12/10/2018.  
Plan reference PL20; PL10 and 18.005.PL01 Rev B received by the Local Planning Authority on 16/11/2018.  
Plan reference PL22 Rev A; PL24 Rev E; 30 Rev E; PL12 Rev A; PL03 Rev D and PL02 Rev G received by the Local Planning Authority on 11/12/2018.
3. No development above slab level shall take place until full details and samples of the external materials to be used for the construction of the dwellings have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. 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.



5. A scheme for protecting the proposed dwellings (including garden areas) from noise from Southport New Road shall be submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied and retained thereafter. The specification of the glazing and vents should be stated; together with a detailed specification for any acoustic barriers.
6. Prior to the first occupation of the dwellings, each shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
7. No development shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. Trees and shrubs planted shall comply with BS. 3936(Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
8. No development shall take place until the final detailed drainage design for the separate foul and surface water drainage of the development, including any necessary attenuation measures, has been fully agreed with the relevant statutory body/bodies, and until written evidence of that agreement has been provided to and acknowledged in writing as acceptable by the Local Planning Authority. The surface water drainage scheme must be in accordance with this Council's Planning Applications - Drainage, Flood Risk and Sustainability guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The drainage scheme shall be completed in accordance with the approved details prior to occupation of any dwelling.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garages shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
10. The mitigation recommendations contained within paragraph 7 of the Ecological Appraisal (Envirotech) received by the Local Planning Authority on 12/10/2018 shall be implemented in full throughout the duration of the development.
11. No gates shall be erected between the highway boundary of The Gravel and the Public Right of Way (Footpath No. 16 and Footpath No. 17)
12. Prior to occupation of Plot 1 hereby approved the first floor en-suite window(s) on the eastern side elevation below a height of 1.7m above the floor of the room in which the window is installed, shall be fitted with obscure glazing (Pilkington level 3 or equivalent) and shall be non-opening and shall remain so fitted at all times thereafter for the duration of the development.
13. No development shall take place until a method statement for the control of Japanese knotweed during the construction period has been submitted to and approved in writing by the local planning authority. The statement shall include the following:-  
A plan showing the spread of Japanese knotweed  
What methods will be used to prevent the plant spreading further, including demarcation fencing, signage and briefing of construction workers.  
The agreed methodology shall be implemented in full at all times during the construction phase.
14. The proposed drives and paved areas within each plot shall be made of a porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the site boundaries.
15. For the full period of 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.
16. Prior to each dwelling being occupied the associated parking areas shall be provided in accordance with the approved plans.
  17. The new estate road/access between the site and The Gravel 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.
  18. The proposed access from the site to The Gravel shall be constructed to a (minimum) width of 5.5m and this width shall be maintained for a minimum distance of 10m measured back from the nearside edge of the carriageway.
  19. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. The site access shall be constructed in accordance with the approved scheme.
  20. No dwelling shall be occupied 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.

### **Reasons**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To protect the amenity of the occupiers of the proposed residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To ensure that the development complies with the provisions of Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. 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.
8. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. To allow for the effective use of parking areas and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.
11. To ensure the right of way remains unobstructed.
12. To protect the privacy of adjacent residential properties and so comply with the provisions of Policy GN1 in the West Lancashire Local Plan.
13. To prevent the spread of Japanese knotweed.

14. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. To prevent stones and mud being carried onto the public highway to the detriment of road safety and to ensure compliance with Policy GN3 of the West Lancashire Local Plan.
16. Vehicles reversing to and from the highway are a hazard to other road users.
17. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
18. To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users.
19. In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.
20. 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.

### **Notes**

1. The highway is not to an adoptable layout and will remain private. With regard to condition 17 it is advised the carriageway construction is based on the Lancashire County Council Specification for estate roads 2011 edition. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "construction of estate roads".
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 Environment Directorate for further information and advice by telephoning the Development Support Section on 0300 123 6780, or email [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) This consent does not give approval to a connection being made to the County Council's highway drainage system.
3. The applicant is advised that to discharge condition 21 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes
4. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
5. This consent does not give approval to a connection being made to the County Council's highway drainage system.

### **Reason for Approval**

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
  - SP1 – A Sustainable Development Framework for West Lancashire
  - GN1 – Settlement Boundaries
  - GN3 – Criteria for Sustainable Development
  - RS1 – Residential Development
  - IF2 – Enhancing Sustainable Transport Choices
  - IF3 – Service Accessibility and Infrastructure for Growth
  - EN1 – Low Carbon Development and Energy Infrastructure
  - EN2 – Preserving and Enhancing West Lancashire's Natural Environment

EC2 – The Rural Economy

GN4 – Demonstrating Viability

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.