

No.2	APPLICATION NO.	2018/1304/OUT
	LOCATION	ORM Works & Former Railway Tavern Railway Road Skelmersdale Lancashire WN8 8TR
	PROPOSAL	Outline - Residential development including details of access (all other matters reserved).
	APPLICANT	Ian & Jeff Hill Partnership
	WARD	Skelmersdale South
	PARISH	Unparished - Skelmersdale
	TARGET DATE	12th March 2019

1.0 SUMMARY

1.1 This is an outline application for redevelopment of the site for residential purposes. Access is to be considered at this stage with details of layout, scale, appearance and landscaping reserved for future consideration. The principle of development is acceptable in this location as is the proposed access, and I am satisfied that a satisfactory layout and appearance which is acceptable in both in terms of visual and residential amenity could be achieved as part of a reserved matters application.

A Bat Survey is currently being undertaken, subject to the findings of this survey being satisfactory I consider that the application should be approved.

2.0 **RECOMMENDATION:** That planning permission be **GRANTED** subject to the applicant demonstrating no detrimental impact on protected species and subject to the signing of an s106 legal agreement and conditions.

3.0 THE SITE

3.1 The application site is located at the junction of Railway Road and Ormskirk Road. The main part of the site comprises hard standing and remnant walls and buildings from the cotton mill and factory, and subsequent training centre that previously occupied the site.

3.2 The site was purchased by the applicants in 2012 to provide indoor and outdoor storage and distribution space for motor vehicles and spare parts in association with their salvage and recycling business based at East Gillibrands Industrial Estate.

3.3 The main vehicular access to the site is from Railway Road to the east. The site also includes the Railway Tavern public house which is located to the north of the site. There is a separate access and parking area for this property.

4.0 THE PROPOSAL

4.1 This application seeks outline planning permission for residential development of the site. Details of access are to be agreed at this stage, with details of layout, scale, appearance and landscape reserved for future consideration as part of an application for reserved matters.

4.2 The indicative site layout submitted as part of the application, shows a residential development of 65no. dwellings, with vehicular access being taken off Railway Road. The proposed dwellings are shown to be a mix of detached, semi-detached and apartments. This layout is only indicative as details in respect of layout are not to be considered at this stage.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2012/0860/COU - Retention of use of land and buildings from former training centre to storage and distribution centre and formation of two hardstanding areas – GRANTED.

6.0 CONSULTEE RESPONSES

6.1 Environmental Health (29.01.19) – No objection subject to condition requiring submission of a noise assessment as part of reserved matters.

6.2 United Utilities (23.01.19) – No objection subject to conditions in respect of surface and foul water.

6.3 Coal Authority (24.01.19) – No objection subject to a condition requiring intrusive investigations prior to commencement of development.

6.4 Lead Local Flood Authority (08.02.19) – No objection subject to condition.

6.5 Highways (18.01.19) – No objection subject to conditions.

6.6 Lancashire County Council School Planning Team (07.01.19) – An education contribution is not required.

6.7 Cadent (20.12.18) – Suggest notes which should be included on any decision notice.

6.8 Merseyside Environmental Advisory Service (17.04.19) – Bat surveys required.

7.0 OTHER REPRESENTATIONS

7.1 Representations have been received in respect of the application, these can be summarised as:

Potential detrimental impact on existing occupiers;

The footpath to the side of no.32 Bromilow Road may cause disturbance to residents;

What will boundary treatments be and will they restrict views?;

Light from street lighting may be excessive;

Roads should have parking restrictions;

Object to a three storey block of apartments on the site of the Railway Tavern due to overlooking and loss of outlook and light.

8.0 SUPPORTING INFORMATION

8.1 Economic Statement
Travel Plan
Transport Assessment
Planning Statement
Heritage Statement
Flood Risk Assessment
Design and Access Statement
Coal Mining Risk Assessment
Biodiversity Survey and Report

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework (NPPF)

Building a strong, competitive economy
Delivering a sufficient supply of homes
Promoting sustainable transport
Promoting healthy and safe communities
Achieving well-designed places
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment

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
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
EC1 – The Economy and Employment Land
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

Supplementary Planning Advice

SPD – Design Guide (January 2008)
SPD – Provision of Public Open Space in New Residential Developments (July 2014)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development - Residential Development

- 10.1 Policy RS1 of the Local Plan states that residential development will be permitted within the Borough’s settlements, including on Brownfield sites. The site is within the Regional Town of Skelmersdale and therefore, the principle of a residential development on the site is acceptable, subject to compliance with other relevant planning policies including those relating to loss of an employment site, and loss of a community facility.

Principle of Development - Loss of an Employment Use

- 10.2 Part 2 of Policy EC1: The Economy and Employment Land outlines the approach to managing development on employment land. The site is categorised as an 'Other Existing Employment Site', and in these locations the Council will permit industrial, business, storage and distribution uses (use classes B1, B2 and B8). The policy also indicates 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).

10.3 Policy GN4 (Demonstrating Viability) seeks to retain existing commercial and industrial land and premises unless it can be demonstrated that one of three tests have been met. These tests are:

a) the continued use of the site / premises for its existing use is no longer viable in terms of its operation of the existing use, building age and format and that it is not commercially viable to redevelop the land or refurbish the premises for its existing use.

In these circumstances, and where appropriate, it will also need to be demonstrated that there is no realistic prospect of a mixed-use scheme for the existing use and a compatible use; or

b) the land / premises is no longer suitable for the existing use when taking into account access / highways issues (including public transport), site location and infrastructure, physical constraints, environmental considerations and amenity issues. The compatibility of the existing use with adjacent uses may also be a consideration; or

c) marketing of the land / property indicates that there is no demand for the land / property in its existing use. Details of the current occupation of the buildings, and where this function would be relocated, will also be required.

10.4 In addition, where an application relies upon a marketing exercise to demonstrate that there is no demand for the land/premises in its current use, the application is expected to include evidence to demonstrate that the marketing was adequate and that no reasonable offers were refused. In these circumstances evidence required is:

i. The marketing has been undertaken by an appropriate agent or surveyor at a price which reflects the current market or rental value of the land / premises for its current use and that no reasonable offer has been refused.

ii. The land / premises has been marketed for an appropriate period of time, which will usually be 12 months, or 6 months for retail premises.

iii. The land / premises has been regularly advertised and targeted at the appropriate audience. Consideration will be given to the nature and frequency of advertisements in the local press, regional press, property press or specialist trade papers etc; whether the land / premises has been continuously included on the agent's website and agent's own papers / lists of premises; the location of advertisement boards; whether there have been any mail shots or contact with local property agents, specialist commercial agents and local businesses; and with regards to commercial / industrial property, whether it has been recorded on the Council's sites and premises search facility.

10.5 The primary consideration in relation to the loss of this employment site relates to adopted Local Plan Policy GN4 and whether one of the tests a) – c) has been satisfied in order that a residential use could be supported on an existing employment site. The Planning Statement that has been submitted with the application seeks to address the policy requirements. The application is also accompanied by a market overview report which assesses the suitability of the site for ongoing employment uses.

10.6 In considering whether the continued use of the existing site is no longer viable in terms of operation and existing use (criterion a), the report states that the applicant purchased the application site and obtained planning permission (ref: 2012/0860/COU) for change of use to B8, with the intention of providing indoor and outdoor storage and distribution space for motor vehicles and spare parts, as an overspill facility in connection with its salvage and recycling business based at East Gillibrands Industrial Estate. However, the applicant has

advised that they have not been able to use the site as envisaged because of the inability to vertically stack vehicle bodies stored externally in the yard (prevented by Condition 4 of permission 2012/0860/COU), which limits the capacity of the site and prevents its efficient use. Instead the company has bought two other sites in Skelmersdale which are more suited to its needs. Criterion a) also requires consideration to be given to the prospect of the site being developed for a mixed-use scheme for the existing use and a compatible use. I do not consider the site to be suitable for development for the existing use and a compatible use because the site is in a largely residential area and any additional industrial/business development is likely to impact on residential amenity. I consider that the proposal satisfies criterion a) of Policy GN4.

- 10.7 Test b) deals with site suitability for employment use. The Report indicates that the site is remote from other existing and planned strategic locations in Skelmersdale, where the level of accessibility is a significant attraction for businesses wishing to relocate to the area. In contrast the application site is isolated towards the western edge of Skelmersdale and is remote and not supported by the same levels of adjacent employment infrastructure as other employment sites in the area. A full commercial use may also generate high numbers of vehicular movements (including HGVs) and create noise and disturbance which would be detrimental to surrounding residential occupiers. I am satisfied that the proposal meets the requirements of criterion b).
- 10.8 The applicant has not addressed Test c) of Policy EC1 which relates to marketing of the site, but I am satisfied that the requirements of Tests a) and b) have been met and therefore the loss of employment uses at this site can be justified. Furthermore, the site was assessed in the 2010 Joint Employment Land and Premises Study (JELPS), which concluded that the site is not an appropriate future employment site and that should be de-allocated as employment and considered for a future housing site.
- 10.9 The NPPF in paragraph 68 requires local authorities to give great weight to the benefits of using suitable sites within existing settlements for homes, and paragraph 118 goes on to say that planning decisions should promote and support the development of under-utilised land and buildings. In this respect, the site is within an existing settlement and its development would utilise an unused site, in accordance with the NPPF.

Principle of Development - Loss of a Community Facility

- 10.10 The proposed development involves the loss of the Railway Tavern. Policy IF3 states that the loss of facilities such as pubs will be restricted unless it is demonstrated that the facility is no longer needed, or can be relocated elsewhere to an equally accessible place for the local community. The Planning Statement submitted with the application advises that the public house closed in late 2014 as a result of declining trade and increasing overheads, such that it could no longer operate as a viable business. There are a number of other public houses within the vicinity, accessible from the site, including the Victoria Hotel and the Market Gate, both of which are within walking distance. For this reason I consider that the loss of the community facility is justified in this instance, in accordance with Policy IF3 of the Local Plan.

Affordable Housing and Provision of Accommodation for the Elderly

- 10.11 Provision of 20% affordable housing is required on the site under the terms of Policy RS2 of the Local Plan. However, an important material consideration is vacant building credit (VBC) which was introduced in 2014 via a ministerial statement, and incorporated into National Planning Practice Guidance (NPPG). The VBC allows for existing vacant floorspace to be taken into account when calculating affordable housing requirements, and is seen as a way to incentivise development on brownfield land.

- 10.12 The VBC allows for existing vacant floorspace to be taken into account when calculating affordable housing requirements, provided it is the case that the vacant buildings on the site have not been abandoned. In summary, the existing floorspace of a vacant building should be credited against the floorspace of the new development i.e. a developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.
- 10.13 The available VBC is calculated on the basis of the existing vacant floorspace of 1,052sqm, expressed as a percentage of the total gross floorspace of the number of dwellings that will be proposed in a future application for the approval of reserved matters. The VBC percentage is then deducted from the number of affordable houses required in accordance with Policy RS2, giving a net affordable housing requirement.
- 10.14 As the application is in outline form, exact dwelling numbers are not known at this stage. Should planning permission be granted, the calculation for VBC will be incorporated into a Section 106 Legal Agreement; specific tenure details can also be secured by legal agreement. In terms of provision of accommodation for the elderly, in developments of this size Policy RS2 requires 20% of the units to be designed specifically as accommodation for the elderly. This can also be secured by legal agreement.

Public Open Space

- 10.15 Policy IF4 of the Local Plan sets out the role of contributions in providing resources to achieve the objectives of the Local Plan and to meet, as far as possible, the infrastructure costs arising from development. The adopted SPD: Open Space/Recreation Provision requires that, on developments over 39 dwellings, on-site provision of Public Open Space be incorporated within the development, and if these requirements are not to be met on site, clear and robust justification provided. The indicative layout does not allocate an area for public open space on the site, but as the application is in outline form, with the exact layout not being considered at this stage the matter will be dealt with as part of the reserved matters application. Details of the management and maintenance of the public open space can be secured by s106 legal agreement.

Design/Layout/Impact on Residential Amenity

- 10.16 A layout plan has been submitted with the application; this plan is indicative and as such design, layout and impact on existing residents would be fully assessed at reserved matters stage. The indicative layout appears a little cramped in some areas which may give rise to an unacceptable impact on existing residents, but given the size of the site I am satisfied that it would be possible to achieve a suitable residential development on the site; details of layout will be agreed as part of a reserved matters application.
- 10.17 The Council's Environmental Protection officer has been consulted on the application and has advised that they do have some concerns which would also have to be addressed at reserved matters stage. The site lies adjacent to Railway Road which is well trafficked as it is used as a link road to the M58. As such any proposed properties to the east side and north-east of the development site have the potential to be affected by road traffic noise. Adjacent to the south of the site is the JMO Sports Park which is a busy sports facility consisting of 11 floodlit pitches, and so there will be noise associated with this facility. Neither of these noise sources have been considered as part of this outline application, and for this reason a condition will be implemented to require submission of a noise assessment with an application for reserved matters. The noise assessment will be used

to inform the design the proposed layout and also advise if any noise mitigation measures are required.

- 10.18 I am satisfied that given the size of the site it would be able to accommodate a residential development which provides an adequate standard of amenity to both existing and future residents, in accordance with Policy GN3 of the Local Plan.

Drainage

- 10.19 It is proposed that foul drainage will discharge to the adopted sewer serving the site. A Flood Risk Assessment has been submitted with the application and concludes that surface water run-off should be suitably attenuated and drained to the watercourse that runs along the south eastern boundary of the site on the basis that ground conditions will not support the use of soakaways. It is proposed that the system will incorporate attenuation via oversized pipes and a Hydrobrake or equivalent flow control, designed to limit the peak surface water runoff into the ditch. The Lead Local Flood Authority has assessed the Flood Risk Assessment and advised that they have no objection subject to a planning condition requiring submission of a surface water drainage scheme at reserved matters stage. I am satisfied that an appropriate drainage strategy can be implemented on the site, in accordance with Policy GN3 of the Local Plan.

Highways

- 10.20 The main access to the site is currently located off Railway Road which has a speed limit of 40mph fronting the site access. There are two other existing access points to the site off Ormskirk Road via Taylor Street which is an adopted highway, and an un-named road between nos. 53 and 55 Ormskirk Road. The un-named road is a private access road with no footways which also appears to provide vehicular access to the rear of nos. 55-65 Ormskirk Road.
- 10.21 Vehicular access is a matter submitted for approval with this outline application. The proposal is to utilise the existing access which is located approximately 65m from the 5 arm roundabout junction to the north of the access. The required sightlines can be fully achieved at this access point over the applicant's land and over existing adopted highway.
- 10.22 Based on the indicative layout, the Transport Assessment (TA) submitted with the application predicts the traffic generation for the proposed development having a weekday peak traffic flow of 31 vehicles (8in/23 out) during the am peak, and 33 vehicles (7in/28 out) during the pm peak period. The previous use of the site was for commercial purposes, and according to the TA the development of the site for housing is likely to generate fewer vehicle movements during the morning and evening peak periods than the permitted use of the site, and the removal of the existing commercial use would also reduce the number of potential HGV movements to and from the site. I consider that the development would have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site.
- 10.23 The application is in outline form and layout is not to be agreed as part of this application, and as such bedroom numbers are not yet known. For this reason details of off road parking have not been agreed but can be addressed at reserved matters stage
- 10.24 I am satisfied that the proposed development will be acceptable in terms of highway safety and that adequate off road parking could be provided as part of an application for reserved matters.

Trees

- 10.25 There are few trees present on the site, however, there appear to be some on the northern boundary in the adjacent residential properties. As part of an application for reserved matters a tree survey should be submitted to determine if they would pose a constraint to development, and if they do how this is to be dealt with. This can be secured by planning condition. Any application for reserved matters would also have to include landscaping details.

Ecology

- 10.26 The development site is close to the following designated sites; Martin Mere SPA; Martin Mere Ramsar site; Ribble and Alt Estuaries Spa; and, Ribble and Alt Estuaries Ramsar site. The Council's ecology advisors MEAS have reviewed the proposal submitted by the applicant and considered the possibility of likely significant effects under the Habitats Regulations using the source-pathway-receptor model, and advise that there is no pathway that could give rise to likely significant effects on the European sites and it does not warrant a detailed Habitats Regulations Assessment report.
- 10.27 There is potential for bat roosts on the site and the Council must determine if roosting bats will be affected prior to determination of the application, therefore, bat emergence and/or dawn re-entry surveys are required prior to determination of the application in order to inform any proposed avoidance/mitigation works that may be necessary, and once these reports are received the Council will also be able to fulfil obligations under the Habitats Regulations.
- 10.28 The applicant is currently undertaking these surveys which will then have to be reviewed by MEAS. As ecology, with particular reference to bats, is now the only outstanding matter remaining it is suggested that the application is recommended for approval subject to MEAS being satisfied that there would be no detrimental impact on roosting bats as a result of the development, and securing any potential avoidance/mitigation measures that may be deemed necessary by imposition of planning conditions.

Conclusion

- 10.29 The principle of development is acceptable in this location as is the proposed access, and I am satisfied that a satisfactory layout and appearance which is acceptable in both in terms of visual and residential amenity could be achieved as part of a reserved matters application. A Bat Survey is currently being undertaken, subject to the findings of this survey being satisfactory I consider that the application should be approved. I consider that the proposed development complies with all relevant policies in the Local Plan.

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 confirmation that the development will not have a detrimental impact on bats and the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure

The terms and conditions of the affordable housing.

The terms and conditions of the accommodation for the elderly.

The management and maintenance of public open space.

- 11.2 That any planning permission granted by the Director of Development and Regeneration pursuant to the recommendation above be subject to the following conditions and any additional conditions being added in respect of ecology.

Conditions

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. Details of the reserved matters set out below shall be submitted to the local planning authority for approval within 3 years from the date of this permission:
 - i) external appearance
 - ii) landscaping
 - iii) layout
 - iv) scaleApproval of all reserved matters shall be obtained from the local planning authority in writing prior to commencement of development.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference '17/065/L01 – Location Plan' received by the Local Planning Authority on 11.12.18.
4. No construction shall take place until full details and samples of the external brickwork and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. As part of any reserved matters application and prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the local planning authority.
 1. Surface water drainage scheme which as a minimum shall include:
 - 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, means of access for maintenance and easements where applicable, 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 scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
 - c) Flood water exceedance routes, both on and off site;
 - d) A timetable for implementation, including phasing where applicable;The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
6. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:
 - a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
 - b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments

ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

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

7. Foul and surface water shall be drained on separate systems.
8. Prior to the Reserved Matters application, a noise assessment shall be carried out that encompasses noise measurements throughout the day and night-time periods. The scope of the assessment shall be agreed with the Local Planning Authority before commencement. The results of the noise assessment shall be used to define a scheme for protecting the dwellings from noise from road traffic and from the JMO Sports Park which shall be submitted to and approved in writing by the local planning authority. The scheme shall include suitable locations and orientation of the houses along with any noise mitigation measures. All works which form part of the scheme shall be completed before the individual dwellings to which they relate are occupied and shall be retained thereafter.
9. Prior to commencement of development, a scheme of intrusive site investigations which is adequate to properly assess the ground conditions and the potential risks posed to the development by past coal mining activity shall be undertaken. A report of findings arising from the intrusive site investigations, including details of any remedial works necessary for approval shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those remedial works.
10. No construction shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; any protection measures that may be required during the development; 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.
11. Prior to occupation of the dwellings hereby approved, sight lines of 2.4 x 102m shall be provided in a southerly direction from the centre of the new site access onto Railway Road.
12. 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.
13. No dwelling shall be occupied until the associated off road car parking spaces are laid out and available for use in accordance with the approved plan.
14. 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.
15. Prior to the first occupation of any dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
16. 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].

Reasons

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. The application is in outline and the matters referred to in the Condition are reserved for subsequent approval by the Local Planning Authority.
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 prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To reduce the risk of flooding to the proposed development, elsewhere and to future users.
6. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
7. To secure proper drainage and to manage the risk of flooding and pollution.
8. To safeguard the amenity of occupiers of the development and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. To ensure that the application site is, or can be made, safe and stable for the proposed development.
10. 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.
11. 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.
12. To prevent stones and mud being carried onto the public highway to the detriment of road safety.
13. Vehicles reversing to and from the highway are a hazard to other road users.
14. 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.
15. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. 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. Paragraph 163 of the National Planning Policy Framework (NPPF) and Written Statement on Sustainable Drainage Systems (HCWS161) requires that surface water arising from a developed site should, as far as it is practicable, be managed in a sustainable manner to mimic surface water flows arising from the site prior to the proposed development, whilst reducing flood risk to the site itself and elsewhere, taking climate change into account. Lead Local Flood Authority encourages that site surface water drainage is designed in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems and Planning Practice Guidance, including restricting developed discharge of surface water to greenfield runoff rates making suitable allowances for climate change and urban creep.

Regardless of the site's status as greenfield or brownfield land, the Lead Local Flood Authority encourages that surface water discharge from the developed site should be as close to the greenfield runoff rate as is reasonably practicable in accordance with Standard 2 and Standard 3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Sustainable drainage systems offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open space.

The wide variety of available sustainable drainage techniques means that virtually any development should be able to include a scheme based around these principles and provide multiple benefits, reducing costs and maintenance needs.

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

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

EC1 - The Economy and Employment Land

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

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.