

No.5	APPLICATION NO.	2019/1093/FUL
	LOCATION	Site Of Former Yew Tree Farm Liverpool Road South Burscough Lancashire
	PROPOSAL	Variation of Condition No. 12 imposed on planning permission 2015/0171/OUT to read: The road linking the A59 Liverpool Road South and Tollgate Road as approved in full under planning permission ref 2018/0525/HYB shall be implemented in accordance with S38 and S278 Agreements prior to the occupation of the 150th dwelling or the 1st January 2021 whichever is the soonest. Variation of Condition No. 36 imposed on planning permission to vary trigger points for monitoring and implementation of junction improvements at Liverpool Road South/Square Lane.
	APPLICANT	Crompton Property Developments Ltd
	WARD	Burscough West
	PARISH	Burscough
	TARGET DATE	10th March 2020

1.0 SUMMARY

- 1.1 I consider the proposal to replace the requirement to carry out junction improvements at the Square Lane/Liverpool Road South junction prior to the occupation of the 100th dwelling with a requirement to complete the road linking the A59 Liverpool Road South with Tollgate Road prior to occupation of the 150th dwelling on the site or by January 2021 to be acceptable. I also consider the reduction in the trigger point at which a monitoring strategy in respect of the operation of the Square Lane/A59 junction is required together with its implementation, as imposed by Condition 36, to be acceptable. I am satisfied that the proposed alterations to the conditions will not have a significant impact on highway safety or highway conditions in the vicinity of the site. On this basis, I am satisfied that the proposal complies with the relevant policies of the Local Plan.

2.0 RECOMMENDATION: **APPROVE with conditions and the signing of a Deed of Variation to the S106 Agreement.**

3.0 THE SITE

- 3.1 The site comprises approximately 40 hectares of land that lies to the west of Burscough between the Burscough Industrial Estate, Higgins Lane and Liverpool Road South. It is a site allocated for residential, employment, education and other community facilities in the West Lancashire Local Plan. Outline planning permission has been granted for mixed residential and employment development on the site and the first phase of residential development is well underway on the eastern part of the site, a new spine road is under construction through the centre of the site and employment development is under construction on the western part of the site.
- 3.2 The surrounding area is mixed in character. To the north-west of Higgins Lane are agricultural fields within the Green Belt and to the north-east of Higgins Lane lies the residential area of the Truscott Estate. To the east beyond Liverpool Road South is the largely residential built up area of Burscough. To the west of the site is Tollgate Road and the Burscough Industrial Estate. To the south of the site is an agricultural field (forming part of the strategic Yew Tree Farm site but safeguarded for future development), beyond

which are residential properties along Liverpool Road North.

- 3.3 The site and surrounding area is relatively flat and open, although there is a slight fall to the north. There are a number of ditches and hedgerows that cross the site along field boundaries together with groups of trees and a pond. A public right of way (FP74) runs from south-east to the north-west of the site.

4.0 THE PROPOSAL

- 4.1 This application seeks to vary two conditions on the original outline planning permission (2015/0171/OUT). Condition 12 states:

The junction improvement at Liverpool Road South/Square Lane shown on Plan Ref:CBO-0054-009 Rev B shall be implemented in accordance with a S278 Agreement prior to the occupation of the 100th dwelling.

- 4.2 For reasons outlined in my observations below, the applicant now proposes to vary this condition to read:

The road linking the A59 Liverpool Road South and Tollgate Road as approved in full under planning permission ref 2018/0525/HYB shall be implemented in accordance with S38 and S278 Agreements prior to the occupation of the 150th dwelling or the 1st January 2021 whichever is the soonest.

- 4.3 Condition 36 states:

A monitoring strategy in respect of trips from the site, the flows at the A59/A5209 junction (to allow the site trips to be discounted and the background flows derived) shall be submitted to and approved in writing by the Local Planning Authority on or before the Occupation of 400 Dwellings. Such monitoring strategy to include but not be limited to the following:

the proposed neutral months to be used for monitoring;
the proposed weeks to be used for monitoring such weeks not being school holidays for the borough or bank holidays and avoiding major roadwork's on the local highway network;
methodology of how the data will be captured;
how and when it will be submitted to the Council;
timetabling of monitoring and submission of data; and
and the approved monitoring strategy shall be carried out at the Owner's expense;
Once approved by the LPA, the monitoring strategy shall be implemented thereafter.

Prior to the Occupation of 450 Dwellings the results of such monitoring shall be submitted to the Local Planning Authority in accordance with the programme for reporting set out in the said approved monitoring strategy. If the "no development" flows exceed the flows set out in the TA received by the LPA on 19th February 2015 then mitigation measures shall be submitted to and agreed in writing with the LPA which address the issues raised by the flows exceeding those set out in the 19th February 2015 TA. Such measures (if any are required) shall be implemented prior to occupation of the 451st dwelling.

- 4.4 For reasons outlined in my observations below, this application now proposes to vary this condition to read:

A monitoring strategy in respect of trips from the site, the flows at the A59/A5209 junction (to allow the site trips to be discounted and the background flows derived) shall be

submitted to and approved in writing by the Local Planning Authority on or before the Occupation of 250 Dwellings or 12 months after the opening of the link road (whichever comes first). Such monitoring strategy to include but not be limited to the following:

*the proposed neutral months to be used for monitoring;
the proposed weeks to be used for monitoring such weeks not being school holidays for the borough or bank holidays and avoiding major roadwork's on the local highway network;
methodology of how the data will be captured;
how and when it will be submitted to the Council;
timetabling of monitoring and submission of data; and
the approved monitoring strategy shall be carried out at the Owner's expense;*

Once approved by the LPA, the monitoring strategy shall be implemented thereafter.

Prior to the Occupation of 300 Dwellings or 24 months after the opening of the link road (whichever comes first) the results of such monitoring shall be submitted to the Local Planning Authority in accordance with the programme for reporting set out in the said approved monitoring strategy. If the "no development" flows exceed the flows set out in the TA received by the LPA on 19th February 2015 then a strategy and timetable for mitigating the impact including if required the junction improvement at Liverpool Road South/Square Lane shown on Plan Ref CBO-0054-009 Rev B (or a similar scheme to be agreed on land within the adopted highway) shall also be submitted to and approved in writing by the Local Planning Authority. Any mitigation shall thereafter be implemented in accordance with the approved strategy and timetable for implementation.

The differences between the two conditions have been underlined.

- 4.5 In order to link the outline planning permission to this current proposed application and (which in effect would be a new outline permission if it were to be granted) it is proposed to add a condition to make it clear that the reserved matters approved to date and the conditions discharged in relation to those phases will also apply to any new permission. The proposed wording is as follows:

This outline permission shall be read alongside the original outline planning permission 2015/0171/OUT and the conditions attached to that permission shall apply equally to this new outline planning permission (save for the amendment of conditions 12 and 36 where the new wording shall supersede the previous conditions) and all future reserved matters approvals and approvals of details by condition permissions pursuant to either outline planning permission shall be treated as an approval pursuant to this new planning permission.

5.0 RELEVANT APPLICATIONS

- 5.1 2019/1316/FUL - The construction of access roads, substations and a pumping station to facilitate the phase 2 residential development within the Yew Tree Farm strategic site. PENDING CONSIDERATION
- 5.2 2019/1182/ARM - Approval of Reserved Matters - Erection of 267 dwellings including details of appearance, landscaping, layout and scale. Discharge of Condition Nos. 5, 8, 14, 16, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 35 from outline planning permission 2015/0171/OUT. PENDING CONSIDERATION
- 5.3 2019/0947/ARM - Proposed re-plan of plots 74-88 and 116-131 of reserved matters

2017/0431/ARM to provide 16 no. detached houses (net loss of 15 dwellings). PENDING CONSIDERATION

- 5.4 2019/0438/FUL - The erection of a building for use as employment (B1, B2 or B8) or leisure (D2), together with the laying of an access road from the existing roundabout at Tollgate Road, and other associated works. APPROVED
- 5.5 2019/0311/ARM – Reserved Matters - Construction of seven employment buildings (falling within use classes B1, B2 & B8) comprising a total of 11,721 sqm (GEA) and associated works pursuant to outline planning permission Ref. 2015/0171/OUT. Including Approval of Details Reserved by Condition 8 (Highways), 16 (Arboricultural Method Statement), 18 (Landscaping), 27 (Foul/Surface Water Drainage Strategy), 28 (Foul Drainage), 29 (surface water regulation system), 31 (Levels) and 35 (Noise). APPROVED
- 5.6 2018/0525/HYB - Hybrid Application - Full planning permission for the construction of a link road between Tollgate Road/Ringtail Road and the Phase 1 residential development of the Yew Tree Farm site including associated drainage and other works; and Outline planning permission for the construction of 31,100 sqm of B1, B2 and/or B8 employment development (all matters reserved except for access positions from the existing/new roads) together with the provision of related infrastructure including the construction of drainage works, services and related utilities. APPROVED
- 5.7 2017/0431/ARM - Approval of Reserved Matters for 146 dwellings with associated car parking and landscaping for phases 1a & 1b (denoted as 1 & 1a on the Outline approved master plan). The reserved matters for which consent is sought on these two phases are appearance & scale, layout and landscaping. Discharge of Condition No. 27 (foul and surface water drainage strategy) and Condition No. 35 (updated noise assessment) of planning permission 2015/0171/OUT. APPROVED
- 5.8 2015/0171/OUT - Demolition of the existing buildings, and outline planning permission (including details of access) for the erection of up to 580 dwellings (C3); Extra Care or Care Accommodation (C2); a Local Centre (comprising up to 500m² of A1, A2, A3, A4 and A5 floorspace; and community uses); the construction of 4.6 hectares of Employment Development (up to 13,800m² of B1, B2 and B8 floorspace); the provision of open space and associated recreation facilities (including parkland, allotments, play areas, a linear park, cycle and pedestrian facilities); together with the provision of related infrastructure including the construction of drainage works (including sustainable urban drainage systems), roads, services and related utilities; and associated works. APPROVED SUBJECT TO A S106 AGREEMENT
- 5.9 2014/1054/SCO - Scoping Opinion - Residential-led mixed-use development - Development IS EIA development (25.11.2014)

Land to south-west at end of Lordsgate Lane

- 5.10 2016/0406/FUL - Erection of 6 No. (3 pairs of semi-detached) dwellings. APPROVED

6.0 CONSULTEE RESPONSES

- 6.1 LCC HIGHWAYS (03.02.2020 and 05.03.2020) – No objections. The highway authority can support this application with the removal of the 100 dwelling trigger point however the spine road must be open for public use as indicated in the revised planning condition i.e. at 150 dwellings occupied or prior to January 2021. After discussion and amendment to the proposed wording of Condition 36, there is no objection to the revised trigger points of 250 and 300 dwellings, provided any works required within the highway boundary (similar

to that approved by the original permission) that it be delivered by the applicant/developer under a S278 Agreement and the S106 funds be used to support its delivery. Or if an alternative scheme is brought forward beyond the highway boundary, the S106 funds be used to support its delivery. The responsibility to deliver such a scheme is to be agreed but should not place any liability or burden on the highway authority.

7.0 OTHER REPRESENTATIONS

7.1 Burscough Town Council object to the application on the basis that the junction should be upgraded as soon as possible and in accordance with the original plan as WLBC agreed the development regarding the proposed Meadowbrook development with this junction upgrade being in the original plan and there is concern that this may lead to the junction not being upgraded at all.

7.2 I have received four letters of objection from surrounding residents who raise the following concerns:

Square Lane junction already busy with long queues at times and any increase in traffic from Yew Tree Farm will exacerbate the situation;

Developer trying to get out of obligations and the original condition may never be met and even if it is, it could be years off;

When the A59 is connected with Tollgate Road, it will become another main access point for the industrial estate, generating more HGV's and commercial traffic into a central residential area with two major schools in close proximity and an already busy road;

Will the connecting road have weight restrictions placed on it and traffic measures incorporated?;

Concerned if connecting road is signposted to Southport, increasing traffic into a residential area;

Object to any measure which generates more traffic beyond the increase which the YTF development will cause on grounds of increased noise, noise nuisance and vibration damage;

Increased pollution.

8.0 SUPPORTING INFORMATION

8.1 The application is supported by the following information:
Supporting Letter
Highway Benefits Statement

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG), West Lancashire Local Plan (2012-2027) (WLLP) and Burscough Parish Neighbourhood Plan provide the policy framework against which the development will be assessed. The site is subject of a Supplementary Planning Document: Yew Tree Farm Masterplan (February 2015) which aims to guide developers and their applicants in their proposals and planning applications for development on the site.

9.2 The majority of the site is allocated as SP3 – Yew Tree Farm, Burscough – A Strategic Development Site. The western part of the site is allocated as a Strategic Employment Site. The site also falls within the Mineral Safeguarding Area as designated under Policy M2 of the Joint Lancashire Minerals and Waste Local Plan.

9.3 The following policies apply:

National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development

Section 4 Decision making

Section 6 Building a strong, competitive economy

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Section 17 Facilitating the sustainable use of minerals

West Lancashire Local Plan (2012-2027) DPD

SP1 – A Sustainable Development Framework for West Lancashire

SP3 – Strategic development Site: Yew Tree Farm

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

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

EN3 – Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire’s Built Environment

The site is also within a Mineral Safeguarding Area and therefore an assessment of whether or not the site should be retained for future mineral extraction should be made in order to accord with Policy M2 of the Lancashire Minerals and Sites Allocation and Development Management Policies Local Plan

Burscough Parish Neighbourhood Plan

BPI1: Development and Infrastructure

BPI2: Surface Water Drainage

BPI3: Foul Water Drainage

BPH1: New Residential Development

BPH2: Housing Mix

BPE1: Burscough Industrial Estate

BPT1: Transport and Development

BPT2: Environmental Improvement Corridors

BPD1: Design and Accessibility Principles

BPD2: Detailed Design Elements

BPC1: Community Infrastructure

9.4 The following supplementary planning documents are also relevant:

SPD – Yew Tree Farm Masterplan (Feb 2015)

SPD – Design Guide (Jan 2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR PLACE AND COMMUNITY

Background

10.1 Outline planning permission, with all matters reserved except access, was granted for a mixed-use development on the site (comprising up to 580 dwellings, care accommodation, a local retail centre, community uses, 4.6 hectares of employment development, the provision of open space and associated recreation facilities including a linear park) on 20th March 2017 (Ref: 2015/0171/OUT). The outline permission includes 36 conditions and a

S106 Agreement.

- 10.2 The first phase of residential development for 146 dwellings along with the access onto Liverpool Road South and the first part of the spine road was granted planning permission in October 2017 and is well under way. The remainder of the spine road and outline permission for employment purposes along Tollgate Road was granted permission in November 2018 and more recently, reserved matters approval was granted for employment and leisure units accessed off Tollgate Road (July 2019). Work has now commenced on these units. An application for the second phase of residential development (267 dwellings) is currently under consideration.
- 10.3 A number of conditions imposed on the outline planning permission relate to highway matters, which were a significant consideration during assessment of the application. Following detailed discussions and submission and assessment of traffic and transport information an analysis was made of the impact of the proposed development on junction capacity in the surrounding area. One junction that was considered to be significantly impacted at peak travel times was the Liverpool Road South/Square Lane junction. As a result, Conditions 12 and 36 were imposed to assess at what point the junction would approach capacity and junction improvements become necessary. These triggers were set at "prior to occupation of the 100th dwelling" before a signalised junction was necessary (Condition 12) and "prior to occupation of 400 dwellings to submit a monitoring strategy in respect of trips from the site and flows at the junction and, if required, before occupation of the 451st dwelling implement further junction improvements" (Condition 36). Neither of these trigger points have been met to date.
- 10.4 Since these conditions were imposed, planning permission has been granted (in accordance with the Yew Tree Farm Masterplan SPD) for a new spine road linking Liverpool Road South with Tollgate Road, potentially providing an alternative traffic route. As such, the applicant considers the junction improvements no longer need to be delivered prior to occupation of the 100th dwelling but could potentially be delivered at a later date and is proposing to vary the conditions.

Highway Implications

- 10.5 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions. It advocates that the purpose of the planning system is to contribute to the achievement of sustainable development, by performing an economic, social and environmental role. Para 103 advises that the planning system should actively manage patterns of growth in support of these objectives. Para 108 states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should ensure that *inter alia* any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.6 The main consideration in assessing whether or not the proposed varied conditions are acceptable is the highway impact. The main reason that the variations have been proposed is that the link road through the Yew Tree Farm site, providing access from the A59 to the industrial estates west of Burscough and Ringtail Retail Park, will now be delivered much earlier than originally thought and this has implications for the local highway network. It should be noted that the initial eastern section of link road (450m) and signals with the A59 have been delivered. The middle section of the link road is currently being designed, and once complete, LCC will review and when satisfied, approve the detail. The western end has been designed and approved by LCC. The applicant now intends to deliver the road and it to be open for public use before January 2021.

- 10.7 To assess what early delivery of this link road means in highway terms, it is necessary to consider the local highway network. The A59 runs north/south through West Lancashire and operates as a strategic route between central Lancashire and Liverpool as well as serving local journeys within the borough. LCC Highway advise that there is currently a level of congestion that occurs in and around Burscough during peak periods. These include the junction with A5209 Square Lane, the signalised junction with B5241 Junction Lane and locations around the town centre between the rail and canal bridges. The A5209 runs west/east between A59 and A49 at Standish via Parbold, Wrightington Hospital and M6 junction 27 at Shevington. This again acts as a strategic route taking cars and goods vehicles from West Lancashire and the industrial estates at Burscough to the strategic highway network and the Wigan area. The intersection of these key strategic routes through West Lancashire is at the Liverpool Road South/Square Lane junction currently with priority Give Way control.
- 10.8 The B5242 Pippin Street commences south of Burscough at a roundabout with the A59 and travels in a north-westerly direction to the A570 near Scarisbrick. This provides a highway corridor from the A59 and the industrial estates in Burscough to Southport, avoiding congestion around Ormskirk.
- 10.9 LCC have advised that delay is incurred on the A59 and other connecting corridors which does extend beyond the traditional peaks. Notwithstanding this it is also noted traffic flows during the peaks at key junctions overall have not changed significantly and have not experienced the year on year growth originally predicted upon consideration of the outline planning application at Yew Tree Farm. However what is clear is that there is regular delay and operational difficulties through Burscough and any benefits released from early delivery of highway infrastructure will always be considered having regard to the wider network.
- 10.10 In the original outline application no regard was had to the benefits of early delivery of the link road and the potential influence on traffic redistribution it may bring, as it was originally planned to be delivered as part of a later phase of the development. It is now anticipated that the link road will be delivered and available for public use by January 2021 or by 150 units occupied (whichever is the sooner). With the link road in place, it is the applicant's view that the original trigger for junction improvements at Square Lane could be amended, assuming other triggers are in place to ensure delivery of specific junction improvements when needed.
- 10.11 The applicant's transport consultant, CBO, have undertaken analysis which considered the level of redistribution and which parts of the highway network the link road will influence. In addition, they also reviewed traffic levels between 2012 and 2019 at various locations on the network. Moreover, a number of junctions have been modelled having regard to the complete approved Yew Tree Farm development, other commitments, traffic growth (to 2027) and the impacts of redistribution. The results indicate the following:
- A59 Liverpool Road South/link Road (eastern site access) – Junction operates with spare Practical Reserve Capacity (PRC)
 - Tollgate Road/Site access – (western site access) – Junction operates within practical Ratio of Flow to Capacity (RFC)
 - Pippin Street/Tollgate Road– Junction operates within practical Ratio of Flow to Capacity (RFC)
 - Tollgate Road/Ringtail Road/New Link Road – Junction operates within practical Ratio of Flow to Capacity (RFC)
 - A59 High Lane with Pippin Street – Junction operates within practical Ratio of Flow to Capacity (RFC). However the modelling indicates that with the link road the results are

slightly worse than a no link road option, the residual spare capacity at the junction is much lower especially in the PM peak

- 10.12 LCC Highways have assessed this information and comment that junction models produced by CBO do not replicate current levels of queuing. Therefore absolute results are not supported nor accurate from an operational perspective. Each model is built and operated in isolation, thus excluding influences both up and downstream. LCC are of the view that the theoretical exercise undertaken has limited merit, but is suitable for the purpose as presented. The modelling is not suitable for any other purpose other than a simple test, as it has not been validated.

Condition 12

- 10.13 Notwithstanding the above, LCC have discussed the merits of the early delivery of the link road and at what trigger points highway improvements will be necessary with the applicant, having regard to the currently worded planning conditions. As a result of these discussions, LCC Highways have agreed that the proposed highway improvement (signalisation) at the Square Lane/Liverpool Road South junction, required by Condition 12 of the outline permission, no longer has to be delivered before occupation of the 100th dwelling. LCC consider that the early delivery of the link road will offer some network benefit (on the A59 between Ringtail Retail Park and Higgins Lane) as some vehicles will redistribute from current routes and use the link road and Tollgate Road. The key routing changes that could be expected will be to those travelling between the A59 north of Higgins Lane and the employment area around Tollgate Road and those who use Pippin Street as part of a longer journey. These changes in routing will, in LCC's opinion, reduce overall traffic flow at Square Lane. The link road will also provide some early sustainable provision for pedestrians and cyclists along its length and could also provide new opportunities for bus routing. As such, I am satisfied that the proposed rewording of Condition 12 is acceptable.
- 10.14 LCC have been clear that at no point should any highway improvement works that are required as a result of development, place any financial burden or liability on the highway authority. To provide additional comfort, in the event that the link road is not completed prior to January 2021 or before occupation of the 150th dwelling (whichever is soonest), the applicant has proposed a financial commitment of £245,000 to provide the Council with funds to deliver initial changes at the Square Lane junction (i.e. that required at 100 units) should this be necessary. A S106 Agreement has been submitted to ensure that the terms of the funds and delivery of any junction improvements required can be implemented through a S278 Agreement with the applicant/developer and meet the CIL Regulation tests.

Condition 36

- 10.15 Condition 36 of current permission requires that prior to occupation of the 400th dwelling on the site (NB the total number of dwellings on the site is up to 580 dwellings) a monitoring strategy in respect of how the Square Lane/Liverpool Road South junction operates, be submitted to the LPA and once agreed, monitoring take place in accordance with the strategy and the results be provided to the LPA prior to occupation of the 450th dwelling on the site. Should the junction be operating beyond the predicted flows set out in the original Transport Assessment (2015) then mitigation (i.e. highway improvements) should be proposed, agreed and implemented prior to the occupation of the 451st dwelling. In effect, if junction improvements are necessary at that point in time, then no more than 450 dwellings could be occupied until those improvements have been implemented.

- 10.16 The applicant originally sought to vary this condition by inserting reference to a specific signalised junction improvement (the same one as was originally proposed through Condition 12) which should be delivered prior to occupation of the 499th dwelling on the site. In effect, although there would be a link road in place to redistribute some traffic, there would be potentially no junction improvement until occupation of the 499th dwelling. The current outline permission requires a junction improvement prior to occupation of the 100th dwelling and then potentially a further improvement and/or sustainable travel measures prior to occupation of the 451st dwelling.
- 10.17 Whilst LCC are content to agree that no initial junction improvement is now necessary, provided the link road is implemented before January 2021, they are not prepared to accept that the potential for any junction improvement has to wait until monitoring takes place until occupation of the 400th dwelling on the site. Therefore, through discussion with the applicant, an agreement has been reached that a reasonable approach is to require monitoring to take place, after agreeing a monitoring strategy on or before the occupation of 250 dwellings or 12 months after the opening of the link road (whichever comes first). This allows time to assess the highway impact on traffic flows at the Square Lane junction of the link road over a 12 month period or once a significant number of dwellings have been occupied (up to 250). Results of such monitoring should be submitted to the LPA before occupation of 300 dwellings (or 24 months after opening of the link road (whoever comes first)). Should the junction be operating beyond the predicted flows set out in the original Transport Assessment (2015) then mitigation (i.e. highway improvements within the existing highway, such as that proposed by the original Condition 12 - signalisation) must be proposed, agreed and implemented. In effect, if junction improvements are necessary at that point in time, then no more than 300 dwellings could be occupied until those improvements have been implemented. LCC do not object to this variation and I concur with this view.
- 10.18 It is also to be recognised that this proposal does not negate the need for the delivery of previously agreed highway improvements such as that at the A59 Liverpool Road South/B5241 Junction Lane (Condition 13 of the outline permission). It should also be noted that LCC Highways remain of the view that in the long term, the full impacts of the whole of the strategic Yew Tree Farm site (i.e. both the allocated and safeguarded land together) are yet unknown and it is likely that the provision of a comprehensive scheme of highway improvements at the Square Lane/Liverpool Road South junction will require 3rd party land to delivery those highway improvements. At the current time however, I am satisfied that the variations to conditions as proposed will not have a detrimental impact on highway conditions in the vicinity of the Yew Tree Farm site and the current application is acceptable in principle.

Proposed Additional Condition

- 10.19 In order to link the outline planning permission to this current proposed application (which in effect would be a new outline permission if it were to be granted) it is proposed to include a condition that makes it clear that the reserved matters approved to date and the conditions discharged in relation to existing phases of development will also apply to any new permission. In my view, due to the complexity of procedural requirements when using the S73 mechanism to amend conditions on a phased development, (which has already commenced and some conditions already partially approved) this approach seeks to tie the two permissions together. This will not, as the applicant also states, result in any amendment to the proposed development (other than the two proposed varied conditions 12 and 36 assessed above) but provides procedural clarity.

Summary

10.20 I consider the replacement of the current trigger point required by Condition 12 of the outline planning permission (junction improvements at the Square Lane/Liverpool Road South junction prior to occupation of 100 dwellings on the site) with a requirement to complete the road linking the A59 Liverpool Road South with Tollgate Road prior to occupation of the 150th dwelling on the site or by January 2021 to be acceptable as it would not result in any significant increased highway impact over and above that existing under the current outline planning permission. I also consider the reduction in the trigger point at which a monitoring strategy in respect of the operation of the Square Lane/A59 junction is required together with its implementation, as imposed by Condition 36, to be acceptable in highway terms. As a safeguard, a supplementary S106 is proposed to require a financial bond which can be triggered as a mechanism to secure funds to contribute towards a junction improvement scheme at Square Lane if necessary. On this basis, I am satisfied that the proposal complies with the relevant policies of the Local Plan.

11.0 RECOMMENDATION

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

(a) The highway works contribution of £245,000

11.2 That any planning permission granted by the Corporate Director of Place and Community pursuant to recommendation 11.1 above be subject to the following conditions:

Condition(s)

1. An application for approval of the first reserved matter must be made not later than the expiration of five years beginning with the date of this permission with the application for the approval of the final reserved matter being made not later than ten years beginning with the date of this permission. 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.
Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. Before any part of the development hereby approved is commenced approval shall be obtained from the Local Planning Authority for the reserved matters namely the layout, scale and appearance of the building(s); and landscaping of the site.
Reason: The application is in outline and the matters referred to in the Condition are reserved for subsequent approval by the Local Planning Authority.
3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on plan reference 6815_SP(90)01 (Location Plan - Red Line Boundary) received on 19.02.2015.
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy SP3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. Development shall not begin until a phasing programme for the whole of the site has been submitted to and approved in writing by the Local Planning Authority. The phasing plan shall identify residential and employment phases, drainage phases, provision of the internal link roads, provision of the public open space, provision of the Linear Park and provision of the retail/community development. Any amendment to the phasing programme should provide evidence to demonstrate that such changes would not be likely to give rise to any significant environmental impacts. In instances where phasing changes may give rise to environmental impacts then the amended phasing programme shall be

accompanied by an Environmental Statement prepared in accordance with the (Environmental Impact Assessment) Regulations 2011 (or as amended).

Reason: To ensure a holistic approach to the phasing of the development and indicate how each phase relates to and supports the next phase, particularly in terms of infrastructure provision in accordance with Policy SP3 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. For each phase of development (as set out in the phasing programme) no development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays, where appropriate;
 - v) wheel washing facilities;
 - vi) a management plan to control the emission of dust and dirt during construction identifying suitable mitigation measures;
 - vii) a scheme for recycling/disposing of waste resulting from construction work (there shall be no burning on site);
 - viii) a scheme to control noise during the construction phase, and
 - ix) the routing of construction vehicles and deliveries to site.

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and in the interests of residential amenity in accordance with Policy GN3 in the adopted West Lancashire Local plan 2012-2027 Development Plan Document.

6. The estate road for each phase (as set out in the phasing programme) of the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the phase and shall be further extended before any development commences fronting the new estate road.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

7. Car parking and vehicle turning areas within each phase (as set out in the phasing programme) shall be surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the dwellings and other buildings/uses within the phase hereby permitted become operative.

Reason: To allow for the effective use of the parking areas in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

8. No construction works shall commence on each phase of development (as set out in the phasing programme) until a scheme for the construction of the internal access road, cycleway and footway networks for that phase of development has been submitted to, and approved in writing by the Local Planning Authority. Thereafter development shall be carried out in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. Also, in order to provide a safe access to the site and ensure that users of the development have appropriate access to sustainable transport options in accordance with Policy GN3 and Policy SP3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. No construction works shall take place on any residential phase until full engineering details of the signalised junction at the main entrance to the site on Liverpool Road South as shown on Plan Ref CBO-0054-001 Rev E have been submitted to and approved in

writing by the Local Planning Authority. No dwellings, other than those adjacent to Lordsgate Lane (as shown in orange on Parameters Plan ref:

6815_SP(90)22/I) shall be occupied until the new junction has been provided in accordance with the approved details.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

10. The southern roundabout access shown on Plan Ref HC/15820/001 shall be implemented in accordance with a S278 Agreement before any development served from that access is occupied.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

11. The access shown on Plan Ref CBO-0054-004 shall be implemented in accordance with a S278 Agreement before any development served from that access takes place.

Reason: In order that the existing highway network is not undermined and that the scheme is delivered in advance of the completion of the development in accordance with Policy GN3 and Policy SP3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

12. The road linking the A59 Liverpool Road South and Tollgate Road as approved in full under planning permission ref 2018/0525/HYB shall be implemented in accordance with S38 and S278 Agreements prior to the occupation of the 150th dwelling or the 1st January 2021 whichever is the soonest.

Reason: In order that the existing highway network is not undermined and that the scheme is delivered in advance of the completion of development in accordance with Policy GN3 and Policy SP3 in the adopted West Lancashire Local plan 2012-2027 Development Plan Document.

13. The junction improvement at Liverpool Road South/Junction Lane/Trevor Road shown on Plan Ref CBO-0054-010 Rev C shall be implemented in accordance with a S278 Agreement prior to occupation of the first dwelling.

Reason: In order that the existing highway network is not undermined and that the scheme is delivered in advance of the completion of the development in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason: In order that the existing highway network is not undermined and that the scheme is delivered in advance of the completion of the development in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

14. Notwithstanding the particulars accompanying the planning application, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of each phase of the development. The Travel Plan shall include objectives, targets, measures and funding mechanism to achieve targets, monitoring, implementation timescales for delivery (which exceeds the build out period) and the provision of a travel plan co-ordinator. The approved plan shall be audited and updated at intervals as approved. The approved plan shall be implemented in accordance with the details as approved.

Reason: To promote sustainable transport in the interests of good planning and to comply with Policy IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

15. There shall not be at any time in connection with the development hereby permitted be planted hedges, trees or shrubs over 1m above the road level within any visibility splay required to maintain safe operation for all users.
Reason: To ensure adequate visibility splays are maintained at all times in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. No development shall take place within a phase until a Method Statement detailing measures to be taken during construction within that phase to protect the health of the existing trees on and adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved Method Statement shall be fully implemented during construction.
Reason: To protect the trees and shrubs and thereby retain the character of the site and the area and to ensure that the development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between the months of March to August inclusive unless the absence of nesting birds has been confirmed by further surveys or inspections. Such surveys shall be carried out by a suitably qualified and experienced ecologist. If nesting birds (or dependent young) are found to be present, works shall be delayed until such time as nesting is complete and the young have fledged.
Reason: In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. No development shall take place on each phase until a landscaping and detailed habitat creation/landscaping and management plan (to include compensatory planting for loss of trees and length of hedgerow; management details of replacement planting, retained areas of semi-natural vegetation and opportunities for biodiversity enhancement) for that phase has been submitted to and approved in writing 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 of each dwelling being occupied the respective landscaping details relating to that plot 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. The landscape management plan shall include details of management responsibilities, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens) in perpetuity.
The agreed landscape and habitat creation shall be implemented in full, in accordance with timescales indicated in the approved scheme and thereafter the site shall be maintained in accordance with the approved landscape management plan.
Reason: To enable adequate maintenance and management of landscaped areas and provide compensatory planting so ensure the development complies with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
19. The existing buildings at Yew Tree Farm shall not be demolished until a copy of the relevant licence/s (if required) from Natural England for the derogation of the protection of European Protected Species under the Habitats Directive is provided to the Local Planning Authority.
Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document and the Habitats Directive.

20. The development hereby approved shall incorporate the bat mitigation measures stated in paragraphs 16.5 to 16.9 of Chapter I of the Environmental Statement 41295/03/SPM dated February 2015 and in the Response to MEAS comments, The Tyrer Partnership, undated unless otherwise agreed in writing by the Local Planning Authority. The structures provided as mitigation should be retained as a bat roost in perpetuity.
Reason: To safeguard protected species and so ensure compliance with Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
21. The development hereby approved shall incorporate the amphibian mitigation measures stated in paragraph 16.13 of Chapter I of the Environmental Statement 41295/03/SPM dated February 2015 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard protected species and so ensure compliance with Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
22. The development hereby approved shall incorporate the brown hare mitigation measures stated in paragraph 16.14 of Chapter I of the Environmental Statement 41295/03/SPM dated February 2015 unless otherwise agreed in writing by the Local Planning Authority.
Reason: To safeguard protected species and so ensure compliance with Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
23. Immediately prior to construction on each phase, a pre-construction site check for barn owls shall take place and the results of the check shall be submitted to the Local Planning Authority. Should any barn owl nest or roost be found to be present, appropriate mitigation shall be identified and submitted for approval to the Local Planning Authority. Development must proceed in accordance with the agreed mitigation.
Reason: To safeguard protected species and so ensure compliance with Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
24. No development shall take place on a phase until a construction environment management plan (CEMP) for that phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full. The plan shall provide for:
- Details of measures to mitigate impacts on biodiversity including a timetable of mitigation works relative to site investigation, site preparation and site clearance;
 - Updated surveys to be carried out for features of biodiversity value to inform mitigation proposals;
 - Survey for species in schedule 9 of the Wildlife and Countryside Act 1981 (as amended) shall also be undertaken. If any schedule 9 species are found to be present a method statement will be submitted for approval by the Local Planning Authority which includes the following:
 - A plan showing the extent of the plant(s);
 - What method(s) will be used to prevent the plant spreading further, including demarcation; and
 - What method(s) of control will be used, including details of monitoring.
 - A validation report is then required confirming the remediation treatment carried out and that the site has been free of the invasive species for 12 consecutive months for approval in writing by the Local Planning Authority.
- Reason: In the interests of protecting biodiversity and residential amenity so to ensure compliance with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
25. No construction shall take place on a phase until details of a lighting scheme for that phase designed so as to avoid excessive light spillage onto bat foraging and commuting habitat has been submitted to and approved in writing by the Local Planning Authority. The agreed lighting scheme shall be implemented thereafter.
Reason: In the interests of protecting biodiversity and residential amenity so to ensure compliance with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
26. At the same time as the submission of the first Reserved Matters application a Foul and Surface Water Drainage Strategy for the whole site shall be submitted to the Local

Planning Authority for approval. The strategy shall be in accordance with the approved Flood Risk Assessment - Yew Tree Farm Burscough - Crompton Property Developments Ltd dated 16 February 2015 Revision 3 project no 62000610 including the Conceptual Surface Water Drainage Strategy Ref: 0772-D-04 and the Conceptual Foul Water Drainage Strategy Drainage Strategy Ref: 0772-D-05 prepared by WSP.

The strategy shall include the following details as a minimum:

- a. the proposed foul connection points to the existing public sewerage infrastructure for that phase.
- b. the envisaged foul connection points to the existing public sewerage infrastructure for subsequent phases.
- c. works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which may include refurbishment of existing culverts and headwalls where relevant).
- d. any other drainage infrastructure connections (foul and surface water) including the volume of flows between the different phases of the development defined by Condition 4. There shall be no foul and surface water drainage connection between the phases of development other than those approved in writing with the LPA.
- e. details of how surface water from Lordsgate Lane currently entering the combined sewer will be diverted to the surface water drainage system on the application site, including a timetable of when such works will be carried out.
- f. a timetable for delivery of the drainage infrastructure;

Thereafter development should proceed in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

27. The Reserved Matters application for each phase shall include an updated foul and surface water drainage strategy. No part of the development shall be commenced on any phase of the development hereby permitted until the Drainage Strategy for that phase has been approved in writing by the Local Planning Authority. No housing or other development shall be occupied on a phase until the approved drainage scheme for that phase has been completed in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

28. No development shall take place on a phase until full details of the foul drainage scheme for that phase, including full details of any connections to the foul sewer network and any necessary infrastructure, have been submitted to and approved in writing by the Local Planning Authority. The details for each part or phase must be consistent with the Drainage Strategy submitted and approved pursuant to Condition 26 above and with the principles of the approved Flood Risk Assessment - Yew Tree Farm Burscough - Crompton Property Developments Ltd dated 16 February 2015 Rev 3 Project No 62000610. No housing or other development shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details and written notice of this fact has been sent to the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

29. Prior to the commencement of each phase of the development, full details for a surface water regulation system and means of disposal for that phase based wholly on sustainable drainage principles and evidence of an assessment of the hydrological and hydrogeological context of the development for that phase shall be submitted to and approved by the Local Planning Authority in writing. For the avoidance of doubt no surface

water shall discharge directly or indirectly into the public foul, combined or surface water sewerage systems and the drainage scheme shall demonstrate that the surface water run-off from rainfall events generated up to and including the 1 in 100 year critical storm +30% allowance for climate change will not exceed the run-off to watercourse from the existing undeveloped site and following the corresponding rainfall events. In the 1 in 100 year critical storm +30% allowance for climate change event the approved drainage scheme shall demonstrate any overland flow paths on and off site do not flood dwellings or their associated residential curtilages.

The details for each phase must be consistent with the Drainage Strategy submitted and approved pursuant to condition 26 and 27 above and with the principles of the approved Flood Risk Assessment - Yew Tree Farm Burscough - Crompton Property Developments Ltd dated 16 February 2015 Revision 3 project no 62000610.

The details shall include:

- a. site investigation and test results to confirm infiltration rates;
- b. Information about the design storm period and intensity (1 in 30 and 1 in 100 year +30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, 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;
- c. details of how surface water attenuation and pollution prevention will be managed during each construction phase;

No housing or other development shall be occupied for that phase until the approved surface water drainage scheme for that phase has been completed in accordance with the approved details and written notice of this fact has been sent to the Local Planning Authority.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of the NPPF, NPPG and Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

30. Prior to the commencement of each phase of the development hereby permitted, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing.

The sustainable drainage management and maintenance plan shall include as a minimum:

- a. consistency with the principles in the Drainage Strategy submitted and approved pursuant to Condition 27 above and with the principles of the approved Flood Risk Assessment dated 16 February 2015;
- b. the arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and
- c. 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 ongoing inspections relating to performance and asset condition assessments, operation costs, 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.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

31. No construction within a phase (as set out in the phasing programme) shall take place until full details of the finished levels of all parts of the site within that phase, 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 the approved details.

Reason: 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.

32. Notwithstanding the provisions of Schedule 2, Part 15 Class B(e) to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no substations shall be provided within the site without the prior approval in writing of the LPA of the detailed siting and external appearance of the substations.

Reason: To enable the Local Planning Authority to consider the appearance of substations or other such buildings given the high standard of public realm considerations for the overall layout of the site whereby non-sensitive infrastructure would undermine the achievement of quality public spaces and wider public realm and therefore to comply with Policy GN3 and Policy SP3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

33. Prior to any installation, full details of the siting, design and specification of all external lighting for outdoor open space and recreation facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in complete accordance with the agreed details.

Reason: In the interests of protecting biodiversity and residential amenity so to ensure compliance with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

34. No construction shall take place on that part of the site identified as having potential archaeological value within Chapter J of the ES (Ref 41295/03/SPM) until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy EN4 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

35. The Reserved Matters application for each phase shall include an updated noise assessment in respect of noise from current and proposed industrial and commercial uses. The results of the noise assessments shall be used to define suitable location and orientation and building fabric design of the business uses and the residential uses in the vicinity, and incorporate any necessary noise mitigation measures.

Reason: 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.

36. A monitoring strategy in respect of trips from the site, the flows at the A59/A5209 junction (to allow the site trips to be discounted and the background flows derived) shall be submitted to and approved in writing by the Local Planning Authority on or before the Occupation of 250 Dwellings or 12 months after the opening of the link road (whichever comes first). Such monitoring strategy to include but not be limited to the following:

- the proposed neutral months to be used for monitoring;
- the proposed weeks to be used for monitoring such weeks not being school holidays for the borough or bank holidays and avoiding major roadwork's on the local highway network;
- methodology of how the data will be captured;
- how and when it will be submitted to the Council;
- timetabling of monitoring and submission of data; and
- the approved monitoring strategy shall be carried out at the Owner's expense;

Once approved by the LPA, the monitoring strategy shall be implemented thereafter.

Prior to the Occupation of 300 Dwellings or 24 months after the opening of the link road (whichever comes first) the results of such monitoring shall be submitted to the Local

Planning Authority in accordance with the programme for reporting set out in the said approved monitoring strategy. If the "no development" flows exceed the flows set out in the TA received by the LPA on 19th February 2015 then a strategy and timetable for mitigating the impact including if required the junction improvement at Liverpool Road South/Square Lane shown on Plan Ref CBO-0054-009 Rev B (or a similar scheme to be agreed on land within the adopted highway) shall also be submitted to and approved in writing by the Local Planning Authority. Any mitigation shall thereafter be implemented in accordance with the approved strategy and timetable for implementation.

Reason: In order that the highway network is not undermined and that the development continues to comply with Policy GN3 and Policy SP3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

37. This outline permission shall be read alongside the original outline planning permission 2015/0171/OUT and the conditions attached to that permission shall apply equally to this new outline planning permission (save for the amendment of conditions 12 and 36 where the new wording shall supersede the previous conditions) and all future reserved matters approvals and approvals of details by condition permissions pursuant to either outline planning permission shall be treated as an approval pursuant to this new planning permission.

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy SP3 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
SP3 - Strategic development Site: Yew Tree Farm
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
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
EN3 - Provision of Green Infrastructure and Open Recreation Space
EN4 - Preserving and Enhancing West Lancashire's Built 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.