

<b>No.2</b>	<b>APPLICATION NO.</b>	2019/1182/ARM
	<b>LOCATION</b>	Site Of Former Yew Tree Farm Liverpool Road South Burscough Lancashire
	<b>PROPOSAL</b>	Approval of Reserved Matters - Phased development 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.
	<b>APPLICANT</b>	Anwyl Homes (Lancashire)
	<b>WARD</b>	Burscough West
	<b>PARISH</b>	Burscough
	<b>TARGET DATE</b>	12th March 2020

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## 1.0 SUMMARY

- 1.1 This is a Reserved Matters application for the erection of 267 dwellings. Outline planning permission has previously been granted for residential development on this site, therefore the principle is considered to be acceptable. I consider the layout, scale, proportions and design of the proposed dwellings to be acceptable and the scheme would not adversely impact on neighbouring amenity of surrounding properties. I am also satisfied that the scheme will not have a significant impact on highway safety and adequate parking will be provided. I consider that sufficient interface distances have been achieved in order to protect neighbouring residential amenity. The requisite level of affordable housing has been provided on this phase and drainage proposals are in accordance with the overall strategy for the wider site. In my view the proposal complies with the relevant policies in the NPPF, the Local Plan, the Burscough Parish Neighbourhood Plan and the Yew Tree Farm Masterplan.

## 2.0 RECOMMENDATION: APPROVE with conditions

### 3.0 THE SITE

- 3.1 The site comprises Phase 2 of the residential element falling within the wider Yew Tree Farm site. The wider 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 (Redrow), a new link road is under construction through the centre of the site and employment development is under construction on the western part of the site, off Tollgate Road.
- 3.2 This Phase 2 site is located immediately south of Phase 1, a residential development under construction by Redrow and to the west of the new link road currently under construction. It includes approximately 9.6 hectares of grassland. To the immediate east of the site is a drainage ditch and a field, beyond which are existing residential properties along Liverpool Road South. To the west of the site lies the proposed play area, school site and drainage basin with employment uses on Tollgate Industrial Estate beyond. To the south of the site are open agricultural fields (forming part of the wider strategic Yew Tree Farm site but safeguarded for future development) beyond which lie existing properties along Liverpool Road North, Meadowbrook and Springfield Close.

- 3.3 The site is presently grassland and bound by a ditch and sporadic hedgerow to the east and west and a mature hedgerow to the south.

#### **4.0 THE PROPOSAL**

- 4.1 This is a reserved matters application for the erection of 267 dwellings. The application includes details of site layout, scale, appearance and landscaping. The site will be accessed directly from the new link road (approved by applications 2017/0431/ARM, 2018/0525/HYB and 2019/1316/FUL). Two access points lead into the site in a north/south direction so as to link with future phases of development. Each of these accesses will be tree-lined. The north of the site includes a SuDs feature incorporating a basin and swales lying between the dwellings and the link road.
- 4.2 The proposal includes a mix of 1, 2, 3 and 4 bedroomed terraced, semi-detached, detached houses, apartments and bungalows. The layout is arranged so that the dwellings, on all boundaries except the southern boundary fronting the existing hedgerow, face outwards towards public areas. All dwellings, with the exception of 8 bungalows on the site, would be two storey. There is also a proposed two storey block of 6 apartments. All dwellings incorporate private gardens with the exception of a shared garden for the 6 apartments. Each dwelling and apartment has an appropriate level of off street car parking within garages, driveways or parking courts.
- 4.3 A total of 94 affordable dwellings equating to 35% are located within the layout. 30 dwellings would be shared ownership and 64 would be for affordable rent. Of the affordable units, 19 are considered to be suitable for the elderly/mobility impaired as they are either bungalows or ground floor apartments.
- 4.4 As part of the Reserved Matters application, it is also proposed to provide the details to discharge some of the outline planning permission conditions.

#### **5.0 RELEVANT APPLICATIONS**

- 5.1 2020/0225/COU - Change of use of Unit 4B within Dakota Business Park from flexible employment uses (use classes B1, B2 or B8) to flexible employment uses with leisure (use classes B1, B2, B8 or D2), along with the creation of a link between Unit 4B and Building 5. PENDING CONSIDERATION.
- 5.2 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. APPROVED.
- 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). APPROVED.
- 5.4 2019/1093/FUL - 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. RESOLVED TO BE APPROVED SUBJECT TO A S106 AGREEMENT.

- 5.5 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.
- 5.6 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.
- 5.7 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.
- 5.8 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.
- 5.9 2015/0171/OUT - Demolition of the existing buildings, and outline planning permission (including details of access) for the erection of up to 58 dwellings (C3); Extra Care or Care Accommodation (C2); a Local Centre (comprising up to 500m<sup>2</sup> of A1, A2, A3, A4 and A5 floorspace; and community uses); the construction of 4.6 hectares of Employment Development (up to 13,800m<sup>2</sup> 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.
- 5.10 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

- 5.11 2016/0406/FUL - Erection of 6 No. (3 pairs of semi-detached) dwellings. APPROVED.

**6.0 CONSULTEE RESPONSES**

- 6.1 United Utilities (25/03/2020 and 09/03/2020) – no objection subject to condition.
- 6.2 Lead Local Flood Authority (11/05/2020, 07/05/2020, 10/02/2020 and 18/06/2020) – no objection.
- 6.3 LCC Highways (16/04/2020 and 06/04/2020) – no objection.
- 6.4 Merseyside Environmental Advisory Service (MEAS) (27/02/2020 and 17/01/2020) – no objection.

6.5 Lancashire Constabulary (16/12/2019) – advisory notes.

## 7.0 **OTHER REPRESENTATIONS**

7.1 Burscough Town Council has objected to the application on the basis of the following:

The Jacobs Report was received at County Council in November 2019 followed shortly by this application in December 2019. This proposal is possibly the largest housing development in Burscough and the information contained in the report is vital for consideration of this application.

Crabtree Lane has been subjected to a further 3 maybe 4 flooding events since the 2015 event, this being well documented. In the July 2019 floods in that area possible evidence has arisen of surface water from YTF being a contributory factor.

Both the NPPF and the recently adopted Burscough Neighbourhood Plan policies say that development should not add to existing problems. There is a big question mark with regard to Crabtree Lane.

The current Strategic Flood Risk Assessment is considered to be flawed at inception, due to lack of and inaccurate detail, and to be out of date, being ten years old now without a review. A new Local Plan Review has been promised which will have to produce a new SFRA. That will not be in time for this application.

During the consultation period for the current Local Plan residents were promised that improvements would follow. That hasn't happened. If anything in certain areas the opposite has happened. e.g.:-

a) Sewer surcharging on Liverpool Road South has increased and no improvements have been made to UU infrastructure. The surcharging results in contaminated sewage flooding.

b) Highway gridlock on the A5209 Square Lane due to utility repairs on Junction Lane bridge. Our road system frequently is seriously affected by such repairs and no improvement is foreseen. Further concerns that the Spine Road will add further pressure to Junction Lane.

7.2 I have also received an objection from Burscough Flood Group. In summary, the objection refers to the following:

Adding proposed homes from Phase 2 will significantly add to the existing foul water flooding problems in Burscough. Foul effluent is regularly seen on the streets in Burscough during heavy rainfall. The phase 2 planning application doesn't provide the necessary additional foul network capacity to prevent foul flooding.

The proposed redirection of surface water from combined systems in Lordsgate Lane to free up capacity for foul water has not happened.

There has been a 25% increase in new homes in Burscough since 2005 with no additional foul network capacity. Note that UU didn't get funding for foul network improvements in 2015 and no improvements have been made to the network since before 2005.

It will increase the volume of flow within Burscough's surface water drainage system, which lacks capacity, and will connect a SuDS basin to Langley's Brook introducing an

increased volume of surface water to it. Langley's Brook is an area known to flood by both the Environment Agency and farmers.

Even a small increase in flow into the system will result in increased flooding, because SuDS only limits the increase in flow rather than completely negates it.

New SuDS systems in Burscough cannot just be considered on a one by one basis, because multiple sites have a combined significant effect on downstream flooding. Nearly all of the new developments, since the last local plan, are putting water into the watercourses and cumulatively causing increased downstream flooding.

The drainage solution in the phase 2 application will increase the total volume of flow leaving the site, primarily due to the diversion of the Lordsgate Lane surface water sewer, the reduction in evaporation and the reduction in plant aspiration, which will further stress the reduced capacity of local watercourses increasing flooding.

No survey of the watercourses leading from the SuDS to Langley's Brook has been undertaken and there are no calculations to indicate its capacity to take the new flows. Therefore, given the widespread well documented and publicised flooding problems due to lack of capacity in Burscough, inevitably some of the watercourses to which the SuDS connects already flood in severe weather and the development will cause them to flood more frequently. WLBC seems to accept the proposal of the connection of the SuDS basin to the Langley's Brook watercourse without the benefit of a survey first.

BFG opposes any diversion of surface water from Burscough's foul sewers into either of the two watercourses which leave YTF under Higgins Lane, one passing through the Truscott Estate to Crabtree and Langley's Brook between Hesketh Road and Langley's Brook Farm which goes to the watercourse within New Lane Waste Water Treatment Works, because it would add to the existing flooding problems with both watercourses increasing their severity and is therefore unsustainable.

A study, commissioned by Burscough Parish Council (BPC) with drainage consultants' SCP Transport, demonstrates that the watercourse along with the UU surface water sewer, which drain the large attenuation pond near A59/Higgins Lane junction, have the potential to flood very significantly throughout much of its length. No one involved in the oversight or development at YTF appears to have used the SCP Hydraulic Modelling Report or taken its findings into account.

The failure of phase 1 of the site to deliver the required reduction in surface water flows into the foul sewer network before any homes were occupied is in contravention of policy SP1 in the development plan. Phase 1 is largely complete and a large number of homes occupied. The proposed delivery of phase 2 will inevitably exacerbate the problem.

Note that, unfortunately, there is a serious concern with the phase 1 diversion as the SCP report completed for BPC shows that the surface water network is already hydraulically inadequate and causes downstream flooding, so the addition of any further water will cause additional downstream flooding.

WLBC has failed to ensure that there is adequate foul drainage to support the proposed 267 dwellings in YTF phase 2. Additionally, there is no proposal for phase 2 to accord with SP3.

The Burscough Parish Neighbourhood Plan is now part of the development plan for West Lancashire and must be taken into consideration when making decisions on planning applications in Burscough Parish. YTF phase 2 will exacerbate the existing drainage and

sewerage system problems in Burscough, increasing flooding in the area and will make the existing situation worse.

Burscough Flood Records Report contains the only, comprehensive, detailed collection of flooding reports ever produced for Burscough and its use would improve WLBC's decision-making. The report was first published by BPC in 2016, yet WLBC still hasn't updated its SFRA with any of the evidence in the report or the three professionally produced reports provided by BPC and the EA (*Burscough Flood Studies Investigation July 2010 Entec, Drainage Assessment Review for YTF Proposed Development for BPC July 2015 SCP, Hydraulic Modelling Report Crabtree Lane for BPC February 2017 SCP*). WLBC are in direct conflict with NPPF in not using the Burscough Flood Records Report.

Phase 2 of this development is not sustainable because it increases downstream flood risk, exacerbating the problems already caused by phase 1 and the lack of investment in the drainage and sewerage system problems in Burscough.

Had the full planning committee approved the drainage conditions, rather than they be reserved matters, then there would have been a requirement for a report to the committee to be made and it to have stated the reasons for the divergence from the development plan, which the committee should have had opportunity to scrutinise. From that point onwards Borough Councillors would have had ownership of the decisions being made, plus knowledge backed up with enforcement powers they could access if required.

The strategic site development in Burscough has added to the existing drainage problems making them worse.

A report on Burscough's Flooding Problems by Jacobs was completed in November 2019. It was funded by DEFRA and came about through public money and the work of BFG who collected data on flooding from all sources and created Burscough Flooding Report. This report is being withheld from BFG, and all other stakeholders at a time when the largest single detailed planning application for Burscough is about to be heard.

7.3 I have also received three objections from local residents, who raise the following concerns:

#### *Drainage*

Lack of, or the inadequacy of the drainage infrastructure;

The Authorities and other Bodies have a duty to ensure the drainage system is "fit for purpose" and is sufficiently robust to deal with capacity issues now and for the future - Concern that drainage Authorities, have inadequate knowledge about the watercourses and culverts in West Lancashire to understand how the whole of the system works;

Crabtree Lane has suffered 4 serious flooding events since December 2015, and contaminated foul water has been known to overflow the sewage pipe close to Orrell Lane;

How is it possible to say the drainage systems already put in place, are in fact safe, and without fault?

Watercourses in Burscough (Inclusive of Langley's Brook which runs through the Site), are eventually fed into the Boathouse Sluice which runs from United Utilities Waste Water Treatment Site, through Martin Mere and then eventually to the Pumping Station at Crossens where water is then pumped to the sea. This whole system has been put under serious threat in recent years;

The Environment Agency have reduced the maintenance of the Boathouse Sluice as well as contributory main rivers and watercourses, inclusive of Langley's Brook and the Ring Ditch. This has put Burscough's Drainage system at risk;

There is a restriction in the sewage pipe which crosses beneath the Railway Line immediately before it enters the United Utilities New Lane site. There is a restriction in the culvert which crosses the railway nearby. Both of these serve the application site and restrict the flow of both sewage waste, and surface water;

The 4 Flood Risk Management Authorities for this area have failed in their duty to ensure homes, livelihood and environment are preserved from flooding and risk of flood;

The developer and WLBC should look at the means by which water is "attenuated". Whilst this may be becoming the standard now, it will in some circumstances contribute to the most severe of flooding events, particularly when surface water from a previous heavy rainfall event is still not cleared from the system. It would continue to flow during the course of a subsequent heavy rainfall event;

Could consideration be given to controlling the flow by means of "Telemetry" linked to known flooding locations?

I have observed the ground water problems increasingly become worse over the last 15 years, in the last 5 years there has been an acceleration of the frequency and volume garden flooding issues. Rising ground water levels are a concern;

WLBC's SRFA is inadequate and not kept up to date. - Suggests that no decision be made until the overdue Jacob's report into flooding issues in Burscough has been agreed, published, and fully understood.

#### *Other matters:*

The size of the development is going to place an additional burden on the road and highway infrastructure, local amenities, schools and health facilities, etc. Lack of public consultation. Scheme does not meet needs of local community;

Density of the number of dwellings on the space available, the lack of green space and recreational space. Young children's play area required separate from proposed park;

Inadequate affordable housing to meet local need. Is this application taking up some of the social and affordable housing that were not taken up by the Redrow development?

This Anwyl development is being considered under the 2012 Local Plan arrangements. It is now 2020 and the housing needs and local infrastructure of the area have changed considerably over time. Local Plan as not delivered on infrastructure promises for the YTF development, e.g. highways, drainage.

- 7.4 A representation has been received from the agent of a neighbouring land owner who, whilst being generally supportive of the scheme, raises a concern over the connectivity of the development to the wider site and suggests that a condition be imposed on any approval which ensures that services and road connections are made up to the full extent of the land ownership boundary and that these are fully adopted in order to ensure a seamless connection between all phases of development on the wider YTF site.

## **8.0 SUPPORTING INFORMATION**

- 8.1 The application is supported by the following information:

Planning Statement  
Design and Access Statement  
Arboricultural Method Statement  
Tree Constraints Plan  
Ecology Reports  
Drainage Statement  
Geo-Physical Survey  
Noise Impact Assessment  
Lighting Assessment  
Construction Environment Management Plan  
Site Construction Management Plan

## **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 the subject of a Supplementary Planning Document: Yew Tree Farm Masterplan (February 2015) which aims to guide applicants in their proposals for development on the site.
- 9.2 The site is allocated as SP3 – Yew Tree Farm, Burscough – A Strategic Development 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 5 Delivering a sufficient supply of homes

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

RS1 – Residential Development

RS2 – Affordable and Specialist Housing

EC1 – The Economy and Employment Land

IF1 – Maintaining Vibrant Town and Local Centres

IF2 – Enhancing Sustainable Transport Choice

IF3 – Service Accessibility and Infrastructure for Growth

IF4 – Developer Contributions

EN1 – Low Carbon Development and Energy Infrastructure

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

EN3 – Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's Built Environment

### Burscough Parish Neighbourhood Plan

BPI1: Development and Infrastructure

BPI2: Surface Water Drainage

BPI3: Foul Water Drainage

BPH1: New Residential Development

BPH2: Housing Mix

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 - Open Space (July 2014).  
SPD – Design Guide (Jan 2008)

## **10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF 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 the spine road and the employment units. A further application was granted earlier this year for the provision of infrastructure to serve Phase 2 along with the wider Yew Tree Farm site, comprising a foul pumping station and two electricity substations (2019/1316/FUL).
- 10.3 This application is for the second phase of residential development (267 dwellings) by Anwyl Homes and includes details of the scale, layout, appearance and landscaping of the site (the "Reserved Matters"). The application also includes the details required to "discharge" a large number of conditions imposed on the outline permission, relating to provision of a construction method statement, internal access roads, travel plan, tree method statement, landscaping and detailed habitat creation/landscaping and management plan, barn owl check, construction environment management plan, lighting, foul and surface water drainage strategy, detailed foul and surface water schemes, sustainable drainage maintenance and management plan, levels and noise assessment.
- 10.4 Members may recall that this application was on the agenda for the May Committee Meeting but was withdrawn from the agenda by officers in order to consider the newly received Level 2 Strategic Flood Risk Assessment commissioned by the Council.

### Principle of Development

- 10.5 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan re-iterates this approach. The principle of development on the site has already been established through the approval of outline permission under planning reference 2015/1071/OUT. Subsequent details for the link road between Liverpool Road South and Tollgate Road have also been approved. Therefore, the principle of a residential development on the site within the settlement area is acceptable subject to other relevant planning policies.

## Affordable and Specialist Housing

- 10.6 The outline planning permission, in compliance with Policy RS2 and the Yew Tree Farm Masterplan SPD required that up to 35% of the units on the overall site must be affordable. Furthermore, the outline permission and both Policies RS1 and Policy RS2 required that at least 20% of the total number of residential units on the site should be designed specifically to accommodate the elderly. As the outline permission was for up to 580 dwellings, this would equate to 203 affordable housing units being provided across the site.
- 10.7 Within Phase 1, Redrow are providing 146 market dwellings (following a viability exercise in which the LPA was satisfied that no affordable units could be provided/supported on this first phase due to the cost of initial infrastructure to serve the wider site). It was made clear in the report accompanying the application for Phase 1, that future phases of development on the Yew Tree Farm site would not bear the same costs associated with the initial servicing of the site (in particular the significant off-site highway works) and it will therefore be expected that subsequent residential phases provide the requisite amount of affordable housing. On some phases, this will need to be increased to overcome the shortfall necessitated by the lack of provision in the first phase. This means that it is still necessary for the overall wider site subject of the outline permission, to deliver 35% affordable housing.
- 10.8 The current application includes 35% affordable housing units (94), which, although this does not pick up any of the shortfall from the first phase, does ensure an otherwise policy compliant scheme. It would be for the remaining phases to deliver the shortfall in affordable housing units (109), subject to viability.
- 10.9 Of the 94 affordable units, 30 dwellings would be shared ownership tenure and 64 would be for affordable rent. Of these, there are 8 x 2-bed bungalows, 6 x 2- bed apartments, 16 x 1 bed apartments, 36 x 2-bed terraced and 16 x 3-bed terraced properties. The affordable units are pepper potted throughout the site which ensures an integrated development. The Council's Housing Strategy Manager is satisfied that this mix and tenure split meets the Council's Housing Needs for the Burscough Area and on this basis I consider the proposal conforms to Policy RS2 and Policy BPH2 of the Burscough Parish Neighbourhood Development Plan.
- 10.10 In terms of specialist housing for the elderly, there is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, 19 of the units would be suitable for elderly or mobility impaired without adaptation as they comprise bungalows or ground floor only accommodation. The remainder of the houses will be constructed to meet current Building Regulations Part M4(1) with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Therefore, reasonable provision is made for most people, including wheelchair users, to approach and enter the dwelling and access habitable rooms and sanitary facilities on the entrance storey and I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

## Siting, Layout and Design

- 10.11 Policy GN3 in the Local Plan states that new development should be of a scale, mass and built form that responds to the characteristics of the site and its surroundings. New development is required to have regard to visual amenity and complement its surroundings through sensitive design, including appropriate siting, orientation and scale. This guidance is reiterated within Policy DP5 of the Council's SPD Design Guide and the YTF Masterplan.

- 10.12 In terms of scale, the density of development equates to approximately 28 dwellings per hectare. The density of 28 dwellings per hectare is relatively low and characteristic of the surrounding area. Although there would be no on-site open space in this phase this is compensated for by the proposed adjacent large area of public open space to the west, along with the green space SuDs corridors between the site and the link road and the site and land to the east.
- 10.13 The layout has been designed to positively address the link road and main estate access in that dwellings front onto both these boundary routes as well as the open eastern boundary, avoiding a layout which is overtly inward looking. Various types and size of dwellings are proposed, including 16 x 1 bedroom apartments each with a private garden; one apartment block containing 6 x 2 bed units with a shared garden and parking court; 8 x 2 bed bungalows with private gardens and parking; 2 and 3 bed terraced houses and 3 and 4 bedroom semi-detached and detached houses all with private gardens and parking. The majority of dwellings have frontages with gardens or driveways and some properties have parking to the side of the houses, ensuring that there would not be an over-dominance of hardstanding to the frontage of houses. Where there are runs of frontage parking bays, these have been broken up wherever possible with landscaping in the form of hedges, trees and shrubs. The layout also allows for two main tree-lined access roads with a number of inter-linking estate roads and cul-de-sacs. Corner properties have dual frontage features and all footpaths through the site are overlooked to aid natural surveillance.
- 10.14 With regards appearance, the dwellings would be constructed from brick and are laid out across the site in "character areas." Homes within each area are subtly differentiated by elevational changes and facing materials. There is a mix of hipped and gabled front projections and feature brickwork bands and head and cill details provide interest and differentiations between the character areas. Overall I am satisfied that the resulting layout is acceptable. On this basis, I consider that the proposed development will be in accordance with Policy GN3 of the Local Plan, Policy BPD1 of the Burscough Parish Neighbourhood Plan and the Council's SPD Design Guide.

#### Residential Amenity.

- 10.15 Policy GN3 in the WLLP requires new development to retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor spaces for occupiers of the proposed and neighbouring properties. Further detailed advice on interface distances is provided within the Council's SPD Design Guide.
- 10.16 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. Where this is not the case, I am satisfied that the resulting impact has been designed out by ensuring that the main outlook is focused away from the neighbouring property.
- 10.17 In terms of future occupier's amenity, Condition 35 of the outline planning permission requires the submission of an updated noise assessment for each phase which would highlight any additional noise mitigation measures that may be necessary on the site. The submitted noise assessment concludes that noise from Liverpool Road South and the Burscough Industrial Estate would be too distant to require any additional noise mitigation to any of the proposed dwellings over and above standard double glazing. As such this condition can be discharged as far as the proposed development on Phase 2 is concerned.

10.18 In terms of the impact on surrounding residents, a significant distance is maintained between the existing dwellings on Liverpool Road South and those proposed on Phase 2 as well as those between Phase 1 and 2. Therefore, I consider that the proposed development, subject to the conditions would not result in a detrimental loss of residential amenity to any neighbouring properties in compliance with Policy GN3 and the Burscough Parish Neighbourhood Plan. Potential impacts on local residents of any significant development in this area would be during the construction phase in terms of noise and vehicle movements. Whilst some noise will be generated during the construction phases, this will be temporary and subject to separate environmental control and the new link road will adequately cater for construction vehicles. The submitted Site Construction Management Plan satisfies the requirements of Condition 5 of the outline permission.

### Sustainability

10.19 Paragraph 150 of the NPPF advises that development should plan for climate change and elements of a scheme such as location, orientation and design should reflect sustainability. Policy EN1 of the Local Plan promotes resilience to climate change for all development. In terms of sustainability and social values, the applicant states that supporting local business is a priority for Anwyl Construction Company Ltd. Where possible, Anwyl aim for a minimum of 70% of the subcontractors appointed to be local to the site, and orders are placed with suppliers who are based within a 25-mile radius of the site. Anwyl indicate that this approach proves extremely successful and allows the company to build long-term working relationships with highly skilled contractors, while having a positive impact on a community's economy.

10.20 In order to develop the next generation of construction experts, Anwyl indicate that they work with many different organisations including CITB, The Prince's Trust and local colleges. Together, training opportunities are created for local people from diverse backgrounds, including those who are unemployed and looking for a way into work, or young construction students or apprentices who need valuable site-based experience to further develop their skills.

10.21 In terms of the proposed dwellings, Anwyl state that they achieve 2-5% reduction in CO<sub>2</sub> emissions over the national requirement with regard energy efficiency through greater insulation standards over and above the Building Regulations requirements.

10.22 Anwyl confirm that solar gains are encouraged through the design of the homes and the site which is maximised through the use of deciduous trees in landscape designs allowing sunlight to reach dwellings in winter months, orientating properties south as much as possible without spoiling the aesthetics, using hipped roofs to maximise the amount of solar gain achieved, limiting large gaps and spaces between dwellings, avoiding long narrow internal rooms reducing light and warmth away from windows, and using good quality materials in building specifications. Furthermore, Anwyl advise that the properties have been designed to limit solar heat gain and reduce water consumption by occupants.

10.23 In my view, the scheme meets the Council's aims to promote sustainable development in compliance with the NPPF, Policy SP1, GN3 and EN1 of the Local Plan and BPH1 and BPD2 of the Burscough Parish Neighbourhood Plan and the Yew Tree Farm Masterplan SPD.

### Highways

10.24 The impact of the overall development on highway capacity and safety has already been assessed under the outline planning permission and there has been no material change in circumstance since this time. LCC do not raise any highway capacity issues. The full

details of the link road between Liverpool Road South and Tollgate Road along with the two access points into Phase 2 (and a temporary construction access) have been approved through the hybrid application 2018/0525/HYB and the first phase of residential development 2017/0431/ARM and the recently approved 2019/1316/FUL. This is well under construction and will serve the proposed Phase 2 development. LCC Highways advise that access arrangements for the site are acceptable.

- 10.25 Parking provision accords with the requirements in policy IF2, all two and three bedroomed properties would have two spaces and the four bedroomed properties would have 3 spaces. Where garages are provided they measure 5.8m x 3m and are of sufficient size to accommodate vehicle parking.
- 10.26 Following the submission of swept path analysis, I am satisfied that vehicles would be able to manoeuvre safely within the site and access and egress would not cause adverse harm to highway safety or the free flow of traffic in the local area. An acceptable Travel Plan has also been submitted which seeks to reduce reliance on the private car. Lancashire County Council as Highway Authority have confirmed that the relevant highway conditions pertaining to the outline permission (8 and 14) can be discharged and I am satisfied that the proposed development is compliant with Policies GN3 and IF2 in the Local Plan, the Yew Tree Farm Masterplan SPD and Policy BPT1 of the Burscough Parish Neighbourhood Plan.

### Drainage and Flood Risk

#### *General*

- 10.27 In terms of drainage, it is known that there are surface water flooding issues in the Burscough area. At the time the outline planning application was considered, the statutory bodies assessing the impact of the proposed development on the above matters (United Utilities (UU), Environment Agency (EA) and LCC Lead Local Food Authority (LLFA)) did not raise any objections to the proposal. Stringent conditions were imposed on the outline planning permission requiring details of the surface water management scheme and compliance with the Flood Risk Assessment submitted. Subsequently, a detailed drainage strategy and specific drainage details for Phase 1 and the employment development on the site have been agreed as part of the relevant Reserved Matters applications. In addition, details of a foul pumping station to serve Phase 2 have been approved through application 2019/1316/FUL.
- 10.28 Drainage was an extremely important consideration of the outline permission and indeed is of great concern to the local community. As the overall drainage strategy for the Yew Tree Farm site has already been agreed and has not been fundamentally amended since the details were approved in December 2017, the only matter relating to drainage that can be considered as each phase comes forward is to ensure that the drainage for that phase ties into the overall site wide drainage strategy (Conditions 26 and 27 of the outline permission) and to provide specific technical drainage details as well as management and maintenance for each individual phase (Conditions 28, 29 and 30 of the outline permission). All of the information must accord with the site wide drainage strategy, which has already been approved.
- 10.29 Since the outline planning permission and overall drainage strategy have been approved on the wider Yew Tree Farm site, a Level 2 Surface Water Management Plan for Burscough (BSWMP) has been published by LCC. This work was commissioned by LCC and published in January 2020. It was commissioned as a result of local concern about the number of flooding incidents occurring in the area over the last few years. The aim of the BSWMP is to establish a long-term action plan to manage surface water. Its findings

are intended to be used to influence capital investment, drainage maintenance, public engagement and understanding land-use planning, emergency planning and future developments. A number of objectives have also been identified within the BSWMP and as a result of the study, a number of actions have been identified ranging from high priority to low.

- 10.30 There has been some criticism of the BSWMP from the Burscough Flooding Group. However, the document was not commissioned by West Lancashire Borough Council and therefore the scope of the plan was agreed by LCC as Lead Local Flood Authority (LLFA). Having reviewed the document in so far as it relates to the Yew Tree Farm site, I am satisfied that it raises no additional issues that have not already been addressed by the more specific FRA and Drainage Strategy submitted as part of the outline application and in particular the information submitted with respect of this Reserved Matters application and how it connects into the already approved drainage strategy.
- 10.31 In addition to the above, a Level 2 Strategic Flood Risk Assessment (SFRA) was published in May 2020 to inform a new Local Plan (although it primarily relates to the assessment of specific potential allocations previously proposed as part of the now ceased Local Plan Review 2012-2050, having initially been commissioned before the Council made the decision to cease work on that Local Plan Review 2012-2050). An SFRA looks at flood risk at a strategic level on a local planning authority scale. The NPPF requires local planning authorities to appraise the risk of flooding in their areas by undertaking an SFRA. An SFRA takes into account the impacts of climate change and assesses the impact that land use changes and development in the area will have on flood risk.
- 10.32 Ultimately, an SFRA functions to inform decisions on the preparation of a Local Plan and ensure that allocations proposed in a new Local Plan are those which, so far as can be reasonably assessed from a desktop study, are not anticipated to make existing flood risk and drainage issues worse should they be developed. That high-level assessment can then be utilised as a basis for a site-specific Flood Risk Assessment by developers when they bring forward proposals for the development of the allocations, which involves actual site investigations.
- 10.33 The different levels of SFRA's reflect the likely risk of flooding from all sources and development pressures. A Level 2 SFRA is prepared when land outside flood risk areas can't appropriately accommodate all the necessary development and the NPPF's Exception Test needs to be applied. Both Level 1 and Level 2 SFRA's present a high level overview of flood risk across West Lancashire. The information collated for an SFRA is obtained through desk studies rather than on site investigation, and is therefore indicative. Site specific detail is usually provided by developers to support planning applications, e.g. Flood Risk Assessments, Factual and Interpretive Ground investigation Reports, and Drainage Strategies. In regard to the Level 2 SFRA and its implications for the Yew Tree Farm site, I am satisfied that the most recent SFRA raises no new cause for concern that has not previously considered and the current application, in so far as it relates to the already approved drainage strategy for the site, is considered acceptable. The LLFA concur with this view.

#### *Surface Water*

- 10.34 In terms of surface water drainage, in essence, run off from Phase 2 will connect to attenuation basins C and E which lie outside the Phase 2 site but within the wider YTF site. Basin C lies between the site and the link road to the north and has already been approved under the application for the link road (2018/0252/HYB) and Basin E lies to the west of Phase 2 and has already been approved under Reserved Matters approval

2019/0311/ARM relating to the Phase 1 employment phase. Basin C discharges at an attenuated rate of 5 litres/sec to an existing watercourse to the west. Basin E discharges at an attenuated rate of 17.6 litres/sec to an existing watercourse to the west and both these watercourses lead to Langleys Brook. The higher rate of 17.6 litres/sec relates to that part of the site draining to Basin E (approx.15ha) which equates to approx. 2l/s/ha, the nationally expected rate. As the post-development SW discharge rate is the nationally recognised minimum of 2 l/s/ha then the peak rate of runoff should reduce. Therefore existing flooding should not be exacerbated.

- 10.35 Furthermore, since the SW will drain to the watercourse to the west, and this is away from the main residential areas and centre of Burscough, there will not be any increased flood risk impact in these areas. The drainage basins will, in effect "hold back" rain-water falling on this site before slowly releasing it to the watercourse as opposed to the current unrestricted flows in periods of heavy rainfall. This approach has been previously modelled and approved as part of the outline permission for the site.

#### *Foul Water*

- 10.36 In terms of foul water, all flows from Phase 2 will discharge into a new foul sewer located within the new link road which ultimately connects to a new foul only sewer in Higgins Lane and then to an existing combined sewer to the west of the site. The foul water will discharge from the site via a pumping station in the NW corner, which already benefits from planning permission (2019/1316/FUL). This pumping station will utilise telemetry to regulate foul flows from this phase of the development.

#### *Conclusions on drainage*

- 10.37 I am aware of the flooding issues experienced in the Burscough area and the information submitted to the Council by Burscough Flood Group and Burscough Town Council. This application seeks to ensure that all proposed foul and surface water drainage reflects that already approved by the outline permission and that this Phase ties into the wider site's infrastructure in an acceptable way. In order to achieve this, as already agreed as part of the wider site strategy, some foul water capacity within the combined sewer will be created once surface water diversion works have been completed. The works will divert flow from properties along Lordsgate Lane into the Yew Tree Farm SuDS network (the trigger for these works does not occur until occupation of the 150th dwelling, which is not yet reached). However, work is well under way to implement the diversion works, with Basin E already being excavated in order to receive flows. It has also been confirmed by the applicant that the SW runoff from the six new houses at the end of Lordsgate Lane is now discharging in to the YTF SuDS as agreed.
- 10.38 The relevant drainage bodies, United Utilities, as the foul water infrastructure regulators and the Lead Local Flood Authority, as surface water regulator, have carefully examined the submitted drainage details and are satisfied that they accord with the approved strategy, that no further issues are raised following publication of the L2 SFRA and they will not exacerbate flooding on or off site, nor will the development of Phase 2 put any additional burden on the existing foul sewer network. On this basis, whilst I understand the concerns of BFG and the Town Council, I am satisfied that the principles of the overarching drainage strategy have been adhered to. The matter of the suitability or otherwise of the wider drainage network outside that concerned with the approved outline permission falls beyond the realms of consideration of this Reserved Matters application. I therefore consider the proposed development acceptable in terms of drainage (including the relevant drainage conditions) and in compliance with the NPPF, Policy GN3 of the Local Plan, the Yew Tree Farm Masterplan SPD and Policies BPI1, BPI2 and BPI3 of the Burscough Parish Neighbourhood Plan (BPNP).

## Landscaping, Ecology and Public Open Space

- 10.39 Policy SP3 of the Local Plan along with the Masterplan requires the wider site to deliver a new public park and a Linear Park. The public park is proposed to the west of Phase 2. In addition, the linear park will run alongside the northern boundary of the site adjacent to the link road, which will ultimately link with the existing footpath 74, which then runs north/south through the YTF site. A further part of the linear park pedestrian/cycle route will also run adjacent to the eastern boundary of the site, between Phase 2 and 3 and link to Liverpool Road North. In view of the close proximity of the proposed public park and linear parks, I am satisfied that no provision for open space is required within the site itself. In my view, the proposed landscaping, retention and enhancement of the existing hedge along the southern boundary, will provide "green" relief within the layout and areas of open space are readily accessible from the site. In this regard, I consider the proposal complies with Policy SP3 and EN3 of the Local Plan and BPD1 of the BPNP.
- 10.40 In terms of ecology and biodiversity, a Habitat Regulations Assessment was undertaken in relation to the outline application which concluded that there would be no likely significant effects upon European sites. The Council's ecological advisors MEAS have considered the current proposals and advise that this conclusion still applies. This is due to the high levels of human activity and disturbance created by the adjacent construction works which would be likely to deter non-breeding birds and also because the site is no longer subject to agricultural management and is therefore highly unlikely to provide foraging opportunities for non-breeding birds which are qualifying features of European sites, such as pink-footed geese.
- 10.41 The outline application was submitted with an Environmental Statement (ES) that included baseline ecological assessments. In the ES it was identified that there was a small pond within the site now subject of the current application. The ES confirmed that this pond would be lost during the construction phase and set out the mitigation that was required (translocation of any amphibian found to a nearby receptor site). This position was accepted by MEAS and the outline permission conditioned accordingly. The applicant has submitted an updated ecology survey and lighting assessment as well as detailed landscape proposals and a construction environmental management plan to address the relevant ecological conditions imposed on the outline permission (Conditions 18, 23 24 and 25).
- 10.42 The information submitted confirms that none of the habitat within this Phase is suitable for nesting bats or barn owls. It also provides detailed native landscape proposals for retention and enhancement of the existing hedgerow along the southern boundary of the site along with a significant amount of frontage hedgerow and tree planting to plots. The approved SuDs drainage basins and surrounding landscaped areas adjacent to the northern boundary provide a species rich habitat to mitigate for the loss of this former amenity grassland/farmland. Furthermore, the updated ecology report makes recommendations for the installation of ten bird nesting boxes and five bat access panels. MEAS have been consulted and confirmed that the above mitigation is considered acceptable and also confirm that the lighting assessment will not result in significant levels of light spillage upon potential bat foraging and commuting habitats along the boundaries. Furthermore, MEAS are satisfied that the submitted construction environment management plan is suitable and therefore that the relevant conditions can be approved.
- 10.43 As referred to above, detailed landscaping plans have been provided which include the retention and enhancement of the mature hedge along the southern boundary and native tree and hedge planting within the site. As such, I am satisfied that increased compensatory planting and habitat creation has been provided to mitigate any loss of



existing habitat and as such, there would be no undue impact on biodiversity as a result of the development in accordance with the NPPF, Policies EN2 and SP3 of the Local Plan, Policy BPD1 of the BPNP and the Yew Tree Farm Masterplan SPD.

### Planning Obligations

- 10.44 The obligations set out in the S106 Agreement pertaining to the outline permission 2015/0171/OUT for this site remain in force. Those obligations relate to the provision of the open space on land to the west of Phase 2, provision and delivery of affordable and specialist housing across the site, sustainable travel measures, and provision of a school site.

### Summary

- 10.45 It is considered that the proposed development is acceptable in terms of layout, housing mix, appearance and scale and that the proposed landscaping scheme will assimilate the development into its surroundings. I am satisfied that the proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties. I find that the proposed development is compliant with the NPPF, the West Lancashire Local Plan 2012-2027 DPD, the Burscough Parish Neighbourhood Plan and the Yew Tree Farm Masterplan SDP in respect of drainage, highways and ecology.

## **11.0 RECOMMENDATION**

- 11.1 That Reserved Matters Approval be GRANTED subject to the following conditions and reasons:

### **Condition(s)**

1. The development in this phase of the development authorised under outline planning permission 2015/0171/OUT must commence within two years of the date of this reserved matters approval in accordance with section 92 Town & Country Planning Act 1990.  
Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with section 92 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:  
Planning Layout Drawing No. PL-01 Rev J received by the Local Planning Authority on 20th March 2020;  
Materials and Surface Treatment Layout Drawing No. MT-01 Rev D received by the Local Planning Authority on 20th March 2020;  
Affordable Housing Layout Drawing No. AH-01 Rev D received by the Local Planning Authority on 20th March 2020;  
Electric Vehicle Charging Point Layout Drawing No. EV-01 Rev C received by the Local Planning Authority on 20th March 2020;  
Housetype Planning Booklet Ref: March 2020/Version 3 received by the Local Planning Authority on 20th March 2020;  
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. Boundary treatment shall be carried out in accordance with Planning Layout Drawing Ref: Planning Layout PL-01 Rev J and Boundary Treatments Booklet dated October 2019 (Version 1) received by the Local Planning Authority on 20th March 2020.

Reason: To assimilate the proposed development into its surroundings and in the interests of visual amenity 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.

4. Landscaping and landscape management and maintenance shall be carried out in accordance with the details indicated on the following plans:

TBA Landscape Proposal Sheet 4 of 6 Drawing No. 6141.04 Rev E;

TBA Landscape Proposal Sheet 5 of 6 Drawing No. 6141.05 Rev E;

TBA Landscape Proposal Sheet 2 of 6 Drawing No. 6141.02 Rev E;

TBA Landscape Proposal Sheet 3 of 6 Drawing No. 6141.03 Rev E;

TBA Landscape Proposal Sheet 1 of 6 Drawing No. 6141.01 Rev E;

TBA Landscape Proposal Sheet 6 of 6 Drawing No. 6141.06 Rev E;

TBA Landscape Proposal Sheet 7 FULL SITE Drawing No. 6141.07 Rev E;

All received by the Local Planning Authority on 19th March 2020.

Within a period of 9 months of each dwelling being occupied the respective landscaping details relating to that plot shall be carried out. All elements of the landscaping details shall be completed within 9 months of the last dwelling being occupied. 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 landscaping shall be maintained in accordance with the details indicated on the above plans in perpetuity.

Reason: 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.

5. Notwithstanding the approved landscape plans, the hedgerow along the southern boundary shall be retained and a scheme for its enhancement with increased native species composition shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to occupation of the first dwelling on the site and maintained in accordance with the agreed scheme thereafter.

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.

6. Prior to occupation of any dwelling on the site, the design and location of bird nesting boxes and bat access panels referred to in paragraphs 4.3.6, 4.3.7 and 4.4.3 of the Erap Updated Ecological Survey and Assessment Ref: 2019-320 dated October 2019 and received by the Local Planning Authority on 18th November 2019 shall be submitted to and approved in writing by the Local Planning Authority. The bird nesting boxes and bat access panels shall be implemented and maintained in accordance with the approved scheme thereafter.

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.

7. The recommendations contained within Section 4 of the Erap Updated Ecological Survey and Assessment Ref: 2019-320 dated October 2019 and received by the Local Planning Authority on 18th November 2019 shall be adhered to before, during and after construction.

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.

8. The recommendations contained within Section 6 (Construction Environment Management Plan) of the ERAP Discharge of Planning Conditions Ref: 2019-320b dated

October 2019 and received by the Local Planning Authority on 18th November shall be implemented in full during construction.

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.

9. The tree protection measures specified within the mlandscape Arboricultural Method Statement Drwg No.s 47/90/T/002-004, 47/90/T/002, 47/90/T/003 and 47/90/T/004 received by the Local Planning Authority on 18th November 2020 shall be adhered to at all times during construction.

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

10. Lighting of the site shall be implemented in accordance with Drwg No. 20975-D-01 Rev A (Proposed Lighting and Installation Design Layout) received by the Local Planning Authority on 18th November 2019.

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.

11. Development shall be carried out in accordance with the following drainage details:

-Rutter Johnson Drainage Summary Report Ref: Report No: 16079 - DRAINAGE SUMMARY STATEMENT - OVERALL SITE - Rev H dated April 2020 and received by the Local Planning Authority on 30th April 2020;

-Rutter Johnson Basin E Design Summary and Calculations for Employment Phase 1 and Residential Phase 2a and 2b Ref: 16079 - FINAL - SW - COMBINED EMP1+ PHASE 2a&2b dated April 2020 and received by the Local Planning Authority on 8th April 2020;

-Rutter Johnson Basin C Surface Water Design Summary and Calculations for Part Spine Road and Residential Phase 2a Ref: Ref: 16079 - FINAL - SW - COMBINED PART SPINE ROAD + PHASE 2a dated April 2020 and received by the Local Planning Authority on 8th April 2020;

-REFA Drainage Statement for Land at Yew Tree Farm Phase 2 dated 23rd April 2020 and received by the Local Planning Authority on 7th May 2020.

Reason: To ensure that the proposed development can be adequately drained. To ensure that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal in accordance with the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

12. Management and maintenance of the SuDs on the site shall be carried out in accordance with the NRE Yew Tree Farm Strategic Development Site Construction of Phase Two Residential Development SuDS Maintenance Plan dated 24th April 2020 and received by the Local Planning Authority on 27th April 2020.

Reason: 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 and to identify the responsible organisation/ body /company /undertaker for the sustainable drainage system and so to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

13. The development shall be carried out in accordance with the Anwyl Site Construction Management Plan Ref: 1312/CMP01v1 dated October 2019 and received by the Local Planning Authority on 18th November 2019.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard for road users, to avoid conflict between HGV's and residential occupiers, to safeguard the general amenity of the area to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

14. The development shall be carried out in accordance with the Anwyl Interim Residential Travel Plan Ref: 2872 dated October 2019 and received by the Local Planning Authority on 18th November 2019.  
Reason: In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. No development shall take place on the site until an access point from the link road has been implemented in accordance with planning permission 2019/1316/FUL.  
Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development serving that dwelling have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.  
Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
17. The parking provision shown within the curtilage of each dwelling on the approved layout plan Ref: Planning Layout Drawing No. PL-01 Rev J received by the Local Planning Authority on 20th March 2020 shall be provided prior to first occupation of the dwelling to which it relates. The parking area shall be hardsurfaced and shall be made available for its intended use at all times thereafter.  
Reason: In the interests of highway and pedestrian safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
18. Levels across the site shall be implemented in accordance with the details submitted in Plan Refs: LCDS (Levels Corss Section Drawing) and PDLP (Proposed Development Levels Plan) received by the Local Planning Authority on 8th June 2020.  
Reason: To ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

#### **Note(s)**

1. The development approved by this permission may be liable to a Community Infrastructure Levy, which is payable after development begins. If your scheme is liable, and you have not already done so, you must submit an Assumption of Liability Notice to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a Commencement Notice to the Council before the development commences. Any application for relief or exemption should also be submitted before commencement.  
The Council will impose penalties where the correct forms are not submitted, or are late, or where the information provided is inaccurate.

All forms are available at <http://www.westlancs.gov.uk/planning/planningpolicy/community-infrastructure-levy/the-cil-process.aspx> and once completed, should be emailed to [CIL@westlancs.gov.uk](mailto:CIL@westlancs.gov.uk).

Further information on CIL can be found at [www.westlancs.gov.uk/CIL](http://www.westlancs.gov.uk/CIL) or by contacting the Council's CIL and S106 Officer on [CIL@westlancs.gov.uk](mailto:CIL@westlancs.gov.uk) or tel: 01695 585171.

2. Your attention is drawn to the fact that the Conditions that were imposed on the Outline planning permission for this development still apply and must be complied with in the implementation of this approval.
3. This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 in relation to the outline permission 2015/0171/OUT.
4. This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980, Section 184, Lancashire County Council must specify the works to be carried out. Only Lancashire County Council or a contractor approved by the County Council can carry out these works. Therefore, before any access works can start you must contact the Environment Directorate for further information by telephoning the Area Surveyor South 01772 658560 or writing to the Area Surveyor South, Lancashire county Council, Cuerden Way, Bamber Bridge, Preston, PR5 6BS quoting the planning application number.
5. Applicants and developers are advised to promote good neighbourliness by reference to the Considerate Constructors Scheme (CCS). This is an independent organisation set up by the construction industry, which promotes a voluntary code, to promote good neighbourliness when large housing sites are under construction. If a developer has signed up to the code, they are required to display this on the site and members of the public can report any alleged breaches of the code to the CCS. Details of the scheme can be found on the following website [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
6. **United Utilities Note:**  
If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.
7. **United Utilities Note:**  
**Water supply**  
If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for. To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

8. United Utilities Note:

United Utilities' property, assets and infrastructure

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction. For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets - [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)

Wastewater assets - [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>.

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring 0370 751 0101 to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

For any further information regarding Developer Services, including application forms, guides to our services and contact details, please visit our website at <http://www.unitedutilities.com/builders-developers.aspx>

9. Lead Local Flood Authority Note:

Ordinary Watercourse Land Drainage Consent:

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), the applicant will need consent from the LLFA for any works which may alter or impede the flow of an existing ordinary watercourse, regardless of whether that watercourse is culverted or not. As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the LLFA will generally refuse consent applications which seek to culvert existing ordinary watercourses. This is in line with Environment Agency guidance on protecting watercourses.

The applicant should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Further information on the application process and relevant forms can be found via the following link: <http://new.lancashire.gov.uk/roads-parking-and-travel/roads/flooding/alterations-to-awatercourse.aspx>

For the avoidance of doubt, once planning permission has been obtained it does not mean that land drainage consent will be given. Retrospective consent cannot be issued.

10. Lead Local Flood Authority Note:

For the avoidance of doubt, the LLFA does not comment on the suitability for future highway adoption under Section 38 of the Highways Act 1980. This is for the Local Highway Authority to comment on.

### **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  
RS1 - Residential Development  
RS2 - Affordable and Specialist Housing  
EC1 - The Economy and Employment Land  
IF1 - Maintaining Vibrant Town and Local Centres  
IF2 - Enhancing Sustainable Transport Choice  
IF3 - Service Accessibility and Infrastructure for Growth  
IF4 - Developer Contributions  
EN1 - Low Carbon Development and Energy Infrastructure  
EN2 - Preserving and Enhancing West Lancashire's Natural Environment  
EN3 - Provision of Green Infrastructure and Open Recreation Space  
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.