

No.2	APPLICATION NO.	2019/0475/OUT
	LOCATION	White Rails Farm 86 Turnpike Road Aughton Ormskirk Lancashire L39 3LF
	PROPOSAL	Outline - Removal of existing storage barns and replacement with up to 9 sui generis live/work units (including details of access, layout and scale).
	APPLICANT	Mrs Rosemary Butchard
	WARD	Aughton Park
	PARISH	Aughton
	TARGET DATE	29th May 2020

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor O'Toole has requested it be referred to the Committee to consider neighbour concerns.

2.0 SUMMARY

- 2.1 This outline application is for a development of up to 9no. live/work units on land at White Rails Farm, Aughton. I am satisfied that the development would be acceptable in principle in this Green Belt location and given the scale of the development would lead to an improvement in openness on the site. The proposed development would not result in the creation of new isolated homes in the countryside and given the 'work' element of the proposals would not lead to a loss of employment on the site. The proposed access is acceptable and the development would not have a significant impact on highway safety. I am satisfied that the residential development can be accommodated without causing harm to the character of the area, amenity of neighbouring properties and landscaping. In terms of ecology, Natural England are currently reviewing the Appropriate Assessment which has been undertaken in respect of the proposed development and subject to them being satisfied with the findings I consider the proposal is acceptable. In my view the proposal complies with the relevant policies of the NPPF and Local Plan.

- 3.0 RECOMMENDATION: APPROVE with conditions subject to no objection being received from Natural England.**

4.0 THE SITE

- 4.1 The application site is located on the northern side of Turnpike Road. The site is accessed via a relatively long track which sits adjacent to no.84 Turnpike Road and White Rails Farm House. The site contains agricultural style buildings and hardstanding. Long open views are afforded to the north. The site is located within the Green Belt.

5.0 THE PROPOSAL

- 5.1 The application is in outline form and includes details of access, layout and scale to be considered at this stage with appearance and landscape to be considered at reserved matters stage. The application is for the demolition of the existing barns on site and replacement with 9no. live/work units. The living accommodation would be two storey and sited within 3 buildings along the west of the site (to the north of the existing farm house), whilst the work units would be housed in a separate single storey building adjacent to the

northern boundary of the site. The houses would have a maximum height of 7.1m and the work units would have a maximum height of 3.49m.

- 5.2 The Applicant has confirmed that the 'work' element of the units would be restricted to B1 (Business) Use. From the 1st September 2020, the Town and Country Planning (Use Classes) Order 1987, was amended and B1 Business use was revoked and replaced with the new Class E(g). However there are transitional arrangements in place which advise that in respect of any planning applications submitted before 1st September 2020 (as is the case with this application), the Use Classes in effect when the application was submitted will be used to determine the application. Therefore the assessment of this application will be based upon the 'work' element of the proposals being restricted to B1 (Business) Use.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2019/1055/FUL - Retrospective change of use application from agricultural to storage (B8). Approved 17.12.2019.

7.0 CONSULTEE RESPONSES

- 7.1 Merseyside Environmental Advisory Service (MEAS) (21.08.19, 29.04.2020 and 12.04.2021) – No objection.
- 7.2 United Utilities (18.07.19) – No objection.
- 7.3 Cadent (10.07.19 and 11.07.19 and 09.04.2020) – No objection.
- 7.4 Highway Authority (02.08.19, 24.04.2020, 21.07.2020 and 03.03.2021) – No objection.
- 7.5 Natural England (23.12.2019 and 27.04.2020) – No objection subject to completion of a Habitats Regulations Assessment.
- 7.6 Environmental Protection (05.05.2020) – Recommend conditions to protect residential amenity.

8.0 OTHER REPRESENTATIONS

- 8.1 Aughton Parish Council (07.08.19 and 17.04.2020) – Outline permission should only be considered where the space has been provided with a commercially defined business. Could a condition be imposed that the dual use could not be converted to fully residential? The development should not have a greater impact on the openness of the Green Belt. The access affects a Public Right of Way.
- 8.2 Representations in respect of the development have been received. Objections can be summarised as follows:

Impact on public right of way
Visibility issues.
Impact on highway safety
Increase traffic generation leading to noise pollution
Impact on biodiversity
Asbestos
Storage of hazardous goods
Increased noise and disturbance
Increased traffic on Turnpike Road
Trading hours may impact amenity

Loss of privacy
Light pollution
Local schools are at capacity
Development will downgrade the area and is not in the interests of the community
Unsustainable location
Inappropriate development in the Green Belt
The site is not previously developed land
Precedent for development.
Impact on openness
Increased building footprint
Housing is not needed in the area
Work units are not required in an agricultural area
Agricultural land should be retained
Without strict controls the work units could be converted into home use which may lead to enforcement issues
There are no controls to prevent the merger of all work units into one large unit; potential for an industrial estate.
The scale of the development is too large for this rural community
No controls to ensure true live/work units

9.0 SUPPORTING INFORMATION

- 9.1 Planning Statement
Design and Access Statement
Preliminary Ecological Appraisal

10.0 RELEVANT PLANNING POLICIES

- 10.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.
- 10.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework

Building a strong, competitive economy
Delivering a sufficient supply of homes
Promoting sustainable transport
Making effective use of land
Achieving well-designed places
Protecting the Green Belt
Conserving and enhancing the natural environment
Meeting the challenge of climate change, flooding and coastal change

West Lancashire Local Plan 2012-2027 DPD

GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
RS1 – Residential Development
EC1 – The Economy and Employment Land
EN2 – The Rural Economy
EN4 – Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Advice

SPD – Design Guide (January 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development – Green Belt

- 11.1 The NPPF 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. The Framework re-iterates the fact that planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF is a presumption in favour of sustainable development and where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or, unless specific policies in the NPPF indicate development should be restricted.
- 11.2 The site is located within the Green Belt. Policy GN1 of the Local Plan states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.
- 11.3 Paragraph 145 of the NPPF relating to Green Belt development, states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are several exceptions to this, including at bullet point (g):
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would:*
- *not have a greater impact on the openness of the Green Belt than the existing development*
 - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*
- 11.4 Annex 2 of the NPPF defines 'previously developed land' (PDL) as being land which is or was occupied by a permanent structure, including the curtilage of the development land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.
- 11.5 Policy GB3 of the Development in the Green Belt SPD allows for redevelopment of PDL provided that the proposed development would not have a greater impact than the existing development on the openness of the Green Belt.
- 11.6 In 2019 planning permission was granted for 'retrospective change of use from agricultural to storage (B8)' (reference 2019/1055/FUL). Evidence was submitted with the application to demonstrate the buildings had been used for non-agricultural related storage purposes for some time, and as paragraph 146 of the NPPF allows for the reuse of buildings in the Green Belt, the application was approved. This permission and the current use of the site, demonstrates that the site is considered to be in commercial usage and is therefore brownfield land (PDL) and not classed as agricultural.
- 11.7 The existing commercial buildings cover a large area of the site, with the majority of the remainder of the site being the access road and hardstanding. Presently the site is occupied by buildings with an approximate total volume of 5085m³ with the buildings and

associated hardstanding covering a floor area of 827m² and 1546m² respectively; with the maximum height of the existing buildings on site being approximately 7.12m. The proposed development would cover a floor area of 682m² and the hardstanding would cover an approximate area of 522m², with the maximum height of the buildings being 7m. The proposed houses would be two storey, and the work units would be single storey. The ridge height of the dwellings would be comparable to the existing buildings on site and the work units would be considerably lower at 3.49m. The spread of built development would extend marginally further to the north of the site, however I consider that as the footprint of buildings on the site would cover a reduced floor area and would be sited predominantly on the footprint of the existing buildings but with a reduced volume and bulk, allowing views through the site which are not currently possible due to the extent and bulk of the existing buildings, that there would be an increase in openness on the site. Given the Green Belt location I consider it necessary to remove permitted development rights to the dwellings to allow the local planning authority to consider any future development on the site.

- 11.8 In terms of impact on the Green Belt, I am satisfied that the proposed development would accord with the requirements of the NPPF.

Principle of Development – Loss of Employment Land

- 11.9 Policy EC1 'The Economy and Employment Land' of the Local Plan outlines the approach to managing development on employment land. The site has been used for non-agricultural commercial use and has planning permission to be used for B8 Storage purposes. Under Policy EC1 of the Local Plan the site would be categorised as an 'Other Existing Employment Site', where the Council will permit industrial, business, storage and distribution uses (use classes B1, B2 and B8). The application is for live/work units, which would be restricted to B1 Use by condition, and as the redevelopment of the site would retain B1 employment uses, I consider the proposal complies with Policy EC1 of the Local Plan.

Principle of Development – Sustainability of Location

- 11.10 Given the proximity of the application site to the settlements of Aughton and Ormskirk and the amenities and transport links available close by on the A59, I am satisfied that the proposed development would not result in the creation of isolated homes in the countryside, in accordance with paragraph 78 of the NPPF.

Design/Layout and Scale

- 11.11 Policy GN3 of the Local Plan together with the Council's SPD Design Guide states that new development should be of a scale, mass and built form which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.
- 11.12 The residential units would be 2 storey, with a height comparable to the existing buildings on site and other houses in the local area. Details of appearance have not been submitted at this stage and will be considered as a reserved matter. I consider that two storey buildings are appropriate in this location, and given that the site currently contains built development and a significant amount of hardstanding I am satisfied that the introduction of dwellings and a single storey employment unit on the site would not detract from the rural nature of the area.

11.13 In terms of the layout, demolition of the existing buildings and their replacement with the proposed dwellings and workspace units would lead to a more spacious layout on the site, and a reduction in hardstanding with the opportunity to introduce more landscaping.

Residential Amenity

11.14 Policy GN3 of the Local Plan states that development should 'retain or create reasonable levels of privacy, amenity and sufficient garden / outdoor spaces for occupiers of the proposed and neighbouring properties'.

11.15 In terms of impact through overlooking or creation of poor outlook, the dwellings and work unit would be sited a considerable distance from existing dwellings, including White Rails Farmhouse and dwellings on Turnpike Road, and therefore whilst the external appearance of the buildings is not known, given the distance I am satisfied there would be no significant impact through overlooking or creation of poor outlook for existing residents in accordance with Policy GN3.

11.16 The work units would be used for B1 purposes which is defined as a use which can be carried out in a residential area without detriment to its amenity. The class is formed of three parts:

B1(a) Offices

B1(b) Research and development of products or processes

B1(c) Industrial processes

11.17 The definition of a B1 use is clear in that activities should not have a detrimental impact on residents living nearby, for example through noise or fumes, however, to ensure this is the case I consider it necessary to impose planning conditions to restrict open storage and the installation of machinery outdoors, and agree details of noise attenuation measures. No.84 Turnpike Road and White Rails Farmhouse are adjacent to the access road and there are residential properties opposite the access point; to ensure that there is not an unacceptable degree of disturbance through increased comings and goings to these existing properties and also the new dwellings, commercial deliveries will be restricted to between the hours of 9am – 5pm Monday to Friday, 9am – 1pm on Saturdays and not at all on Sundays or Bank or Public Holidays.

11.18 I am satisfied that both new and existing properties will benefit from adequate levels of privacy and amenity, in accordance with Policy GN3 of the Local Plan.

Ecology

11.19 A Preliminary Ecological Survey has been submitted with the application and has been reviewed by the Council's ecology advisors MEAS and Natural England, who have confirmed that the redevelopment of the site would not have significant adverse impacts on designated sites given the scale and location within the existing farm footprint. Following advice from Natural England a Habitats Regulations Assessment and Appropriate Assessment have been carried out and conclude that with avoidance/preventative measures there will be no adverse effect upon the integrity of European sites. MEAS have advised that these measures can be secured by a Construction Environmental Management Plan which will be subject to a condition. MEAS have requested Natural England be consulted on the outcome of the Appropriate Assessment prior to determination and as this is now the only outstanding matter remaining it is suggested that the application is recommended for approval subject to Natural England being satisfied with the Appropriate Assessment.

- 11.20 In terms of potential impact on bats, the preliminary survey found the buildings and trees on site to have negligible suitability for roosting bats and no evidence of roosting bats was found. The Council's ecology advisors Merseyside Environmental Advisory Service (MEAS) have reviewed the survey and agree with the findings. Habitats on site and adjacent to the site are likely to provide foraging and commuting habitat for bats, and it is therefore appropriate to ensure that at the redevelopment of the site addresses this by incorporating integrated bat boxes and controlled lighting; this will be secured by planning condition.
- 11.21 There is a pond approximately 35m south of the development site which has been identified as having limited habitat for Great Crested Newts. As a precaution it will be necessary for the developer to undertake Reasonable Avoidance Measures (RAMs) during construction; these will be secured by condition.
- 11.22 The development would result in the loss of bird breeding habitat and loss of an existing barn owl box, and to mitigate for this reason a condition will be imposed requiring the developer to incorporate bird nesting boxes into the development and a replacement barn owl box.
- 11.23 Subject to the imposition of conditions to mitigate and compensate for potential biodiversity impacts, I am satisfied that the proposed development complies with Policy EN2 of the Local Plan.

Highways

- 11.24 Policy GN3 of the Local Plan states that developments should integrate well with the surrounding area and provide safe, convenient and attractive pedestrian and cycle access, ensure that parking provision is in line with Policy IF2, and incorporate suitable and safe access and road layout.
- 11.25 The site would be accessed by the existing access road which serves White Rails Farm House and the existing storage buildings on site. The Highway Authority has confirmed that the access is acceptable and that adequate visibility splays could be provided at the junction of the access road onto Turnpike Road, which will be secured by planning condition. Passing places would be provided along the access road to allow vehicles to pass safely and a suitable turning head would be provided within the site. Adequate off street parking would be accommodated within the site. The access is also a Public Right of Way (Footpath no.27) which should not be blocked at any time during the development; a note will be put on any approval granted reminding the Applicant of their legal responsibilities.
- 11.26 I am satisfied that the proposed development would not have a detrimental impact on highway capacity or safety within the immediate vicinity of the site in accordance with Policies GN3 and IF2 of the Local Plan.

Drainage

- 11.27 The site is located within Flood Zone1, which has a low probability of flooding. The application advises that foul and surface water will be dealt with via the existing main sewer.
- 11.28 In accordance with the requirements of the NPPF and Policy GN3 of the Local Plan the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. A formal strategy for the separate foul and surface water drainage of the development, including any necessary attenuation

measures, maintenance and management proposals and phasing of delivery will be secured by planning condition. I am satisfied that it will be possible to secure suitable foul and surface water drainage for the site in accordance with Policy GN3 of the Local Plan.

Conclusion

11.29 I am satisfied that the principle of the proposed development is acceptable in this Green Belt location, and that the scale and layout of the development would be satisfactory. I consider that the proposed development would be acceptable in terms of residential amenity, highway safety and drainage. Subject to receipt of a response from Natural England to confirm that they are satisfied with the Habitats Regulations Assessment and confirmation they have no objections on ecological grounds, I consider that the proposed development complies with all relevant policies in the Local Plan.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to receipt of confirmation of No Objections from Natural England and subject to the following conditions and reasons:

Conditions

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. Before any part of the development hereby granted permission is commenced, approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely the appearance and landscaping including details of landscape management and maintenance (hereinafter called "the reserved matters").
Reason: The application is in outline form only and the matters referred to in the condition are reserved for subsequent approval by the Local Planning Authority.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference:
0877-02-02-003 Rev A - Site Location Plan
0877-02-02-002 Rev D - Proposed Site Plan
0877-02-05-003 - Proposed Outline Elevations Sheet 01 of 02
0877-02-05-004 - Proposed Outline Elevations Sheet 02 of 02
received by the Local Planning Authority on 01.04.2020
0877-02-02-004 Rev A - Proposed Access Plan received by the Local Planning Authority on 08.06.2020.
P20061-001A Turning Head and Passing Place Proposals received by the Local Planning Authority on 13.01.2021.
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.

4. No above ground construction works shall take place until a full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the agreed schedule of materials and method of construction.

Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 A - F and 2 A - B, or any amendments made to that Order, shall not apply:

 - (i) no extensions shall be carried out to the dwelling(s)
 - (ii) no garages or carports shall be erected within the curtilage of the dwellings
 - (iii) no vehicle standing space shall be provided within the curtilage of the dwellings
 - (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings
 - (v) no means of access shall be constructed to the curtilage of the dwellings
 - (vi) no windows or dormer windows shall be added to the dwelling

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: The character and location of the property are such that the Local Planning Authority wish to exercise control over future development in order to protect the openness of the Green Belt and to comply with the provisions of Policy GN1(b) in the West Lancashire Local Plan 2012-2027 Development Plan Document and National Planning Policy Framework - Protecting Green Belt Land.
6. No part of the development hereby approved shall commence until a scheme for the highway works within the adopted highway has been submitted to and approved by the Local Planning Authority.

Reason: These details are required prior to the commencement of development to safeguard the safety and interests of the users of the highway and ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
7. No part of the development hereby approved shall be occupied or opened for trading until off-site works of highway improvement required under condition 4 has been constructed and completed in accordance with the scheme details.

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 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
8. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.

Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
9. Prior to any part of the development hereby permitted taking place a scheme showing the areas for loading and unloading of plant and materials to be used in the construction of the

development, areas for storage of plant and materials, parking for site operatives and visitors, and measures to prevent the transfer of mud out of the site, shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented while any demolition/construction works are in operation.

Reason: These details are required prior to the commencement of development in order to protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

10. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution 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.

11. No development on the construction phase shall commence until details of the design of the surface water drainage system, based on sustainable drainage principles, have been submitted to and approved in writing by the Local Planning Authority. Those details shall be submitted as part of any reserved matters approval and should include:

- a) A drainage strategy confirming the proposed means of surface water disposal together with a SuDS management and maintenance plan, if applicable;
- b) Evidence of the existing site topography to include any existing surface water flow routes, drains, sewers and watercourses in a readable 3D Autocad .drawing format;
- c) Evidence of site investigation, test results to confirm soil infiltrations rates and calculations to indicate existing SW runoff rates and volumes;
- d) Demonstration that SW run-off will not exceed pre-development run-off rates and volumes and, for formerly developed land, that the requisite reduction in runoff will be achieved;
- e) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
- f) Design calculations using relevant storm periods and intensities (e.g. 1 in 30 and 1 in 100 year + agreed allowance for climate change), runoff discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control SW discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in metres AOD;
- g) Evidence that flood flows will be effectively managed within the site during the lifetime of the development including the construction period, will have no material impact by leaving the site in terms of nuisance or damage, or increase watercourse flows during periods of river flooding;
- h) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mdx file format). Any flow control details should be modelled using the Depth/ Flow Relationship for the Control Type for MicroDrainage version 2015 or earlier;
- i) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .drawing; and
- j) Existing and proposed catchment areas in a suitable format i.e. Autocad drawing.

The scheme shall be implemented in full in accordance with the approved details prior to first occupation of the first new dwelling, or completion of the development, whichever is the sooner.

Before any dwelling is occupied / the building is first brought into use, a validation report (that demonstrates that the drainage scheme has been carried out in accordance with the approved plan) must be submitted to the Local Planning Authority.

The approved drainage system shall be retained, managed and maintained in accordance with the approved details at all times for the duration of the development.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

12. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall propose measures to mitigate environmental biodiversity effects during the construction phases of the proposed development.

With regard to ecology the EMP should include detailed plans and information showing:

Reasonable Avoidance Measures for amphibians;

Detailed plans including; the total area, areas of site compounds, transport routes and the precise location(s) of proposed work;

Detailed construction method statement(s) setting out; what work will be done, when (an indication of the time of year and how long work will take), how the work will be undertaken, if there will be any emissions (such as to water, air, disposal to land) and any transport requirements to the site;

Details of the materials, machinery and equipment to be used; and

Visual and acoustic screening measures for SPA qualifying non-breeding birds.

The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development to as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

13. No building shall be occupied/brought into use until details of bird nesting boxes (number, type and location on an appropriately scaled plan) and a replacement barn owl box to be erected on the site have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: The proposed development will result in the loss of bird breeding habitat and as such mitigation is required in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

14. No building shall be occupied until a scheme detailing any proposed external lighting to be installed on the site has been submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme.

Reason: To minimise the visual impact of light on nearby residential properties and to safeguard protected species in accordance with Policy GN3 and Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

15. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

16. Any application for approval of "reserved matters" in respect of siting and/or landscaping shall include a Tree Survey, Impact Study and Method Statement, including a plan(s) to a scale of not less than 1:200

The plans and particulars shall include:

- (a) the precise location of each existing tree on or near the site which has a stem diameter at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each tree, and allocating a reference number to each tree;
- (b) details of the species, approximate height in metres, stem diameter in millimetres at 1.5 metres above ground level, branch spread in metres taken at the four cardinal points, height in metres of crown clearance above adjacent ground level, age class, condition, estimated remaining contribution in years and category grading of each existing tree;
- (c) details of any proposed pruning of any tree to be retained either within or adjacent to the site;
- (d) details of any proposed alterations in existing ground levels and of the position and depth of any proposed excavation.
- (e) the location of all proposed building works, roads, driveways or other development in relation to the trees.

The Arboricultural Impact Study shall include:

- a) details of any likely impact to the retained trees and/or hedges due to alterations in existing ground levels, position and depth of any proposed excavations, location of any proposed buildings, roads, driveways, walls, services or any other development works on or adjacent the site;

The Method Statement shall include:

- a) details of all protective measures required to retain the health and stability of all retained trees and/or hedges on or adjacent the site including; fencing, designated washing and mixing areas, designated site cabin areas, access in and out the site, special surfaces and site supervision.

All works identified in the tree survey shall be in accordance with British Standard documents No's 3998:2010 and 5837:2012.

No part of the development, or works to trees, shall be carried out except in accordance with a relevant approval of reserved matters covering the above items.

Reason: To enable the Local Planning Authority to consider the details of the proposed development in relation to the existing trees and to ensure compliance with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

17. Before the first use/occupation of the development hereby permitted a scheme of noise attenuation measures shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented before the first use of the development and shall be retained thereafter.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

18. The business floorspace shall be used for a B1 business use only, including B1(a) offices, B1(b) research and development of products and processes and B1(c) industrial processes which can be carried out at any residential area without causing detriment to the amenity of the area, and for no other purpose (including any other purpose in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to assess any proposal for a further change of use to comply with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

19. No open storage of materials nor the installation or storage of machinery or plant shall take place outside the live-work units hereby permitted.

Reason: To safeguard the amenities of neighbouring occupiers and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

20. The residential units shall not be occupied other than by a person solely or mainly employed, or last employed in the business occupying the business floorspace of the associated unit, a widow or widower of such a person, or any resident dependants.

Reason: To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

21. No loading/unloading of vehicles in connection with business use and no commercial deliveries shall be taken or dispatched from the site, outside the hours of 9am - 5pm Monday to Friday, 9am - 1pm on Saturdays and not at all on Sundays or Bank or Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. Highway Notes

1. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Environment Directorate for further information and advice by telephoning the Development Support Section on 0300 123 6780, or email lhscustomerservice@lancashire.gov.uk

2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk quoting the location, district and planning application number, to discuss their proposals before any development works begin.

3. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

EC1 - The Economy and Employment Land

EN2 - The Rural Economy

EN4 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations.

The Local Planning Authority considers that the proposal complies with the relevant Policy

criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.