

No.4	APPLICATION NO.	2020/0897/FUL
	LOCATION	Former Poundstretcher Church Street Ormskirk Lancashire L39 3AG
	PROPOSAL	Partial demolition and extension of existing building to construct a 4/5 storey mixed use development comprising of ground floor retail unit, Café/Restaurant, student accommodation and private student gym.
	APPLICANT	Regal Ormskirk Ltd
	WARD	Knowsley
	PARISH	Unparished - Ormskirk
	TARGET DATE	27th May 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Mitchell has requested it be referred to Committee to consider the impact on the town centre.

2.0 SUMMARY

- 2.1 Members may recall that planning permission was previously granted in 2019 for the demolition of this application building (number 37) and the adjacent building (numbers 33-35) and the construction of a part four part five storey building comprising of a split level retail unit (Class A1) at ground floor with three floors of student accommodation above (91 bedrooms).
- 2.2 This is a full application for the partial demolition and extension of number 37 Church Street only (former Poundstretcher site) and the erection of a four / five storey building comprising of a mixed use ground floor comprising of retail, café/restaurant, private student gym and student accommodation, a further retail unit on the lower ground floor to the rear and three floors of student accommodation above. I consider the provision of 4 student bedrooms on the ground floor whilst retaining a commercial use and active commercial frontage to be acceptable in this town centre location. Provided adequate noise attenuation measures are installed there would not be an undue impact on the amenities of future occupiers of the proposed development. The proposed development will not harm the vitality and viability of the town centre. Based on the reduced scale I do not consider the replacement building will cause harm to the character or appearance of the Ormskirk Town Centre Conservation Area or the street scene. Subject to suitable planning conditions, I consider the scheme to be acceptable in principle and compliant with policies GN1, GN3, GN4, RS3, EN4, IF1 and IF2 of the Local Plan.

3.0 RECOMMENDATION: APPROVE WITH CONDITIONS

4.0 THE SITE

- 4.1 The application site comprises of a detached building on the south west side of Church Street which is within the pedestrianised area of Ormskirk Town Centre and Ormskirk Town Centre Conservation Area.
- 4.2 The building has a dual aspect with both Church Street and Two Saints Place Retail Park and car park to the rear and was recently occupied on the ground floor by Poundstretcher. The upper floors are partly used for storage but are mainly vacant. This building was

constructed in 1936 and opened as a cinema known as The Regal. It closed in 1963 and became a bingo hall and then a Tesco supermarket in 1965.

5.0 THE PROPOSAL

- 5.1 Planning permission was recently granted in 2019 (ref 2019/0089/FUL) for the demolition of both this application building (number 37 – former Poundstretcher) and the adjacent building (number 33-35) and the construction of a part four part five storey building comprising of a split level retail unit (Class A1) at ground floor with three floors of student accommodation above (91 bedrooms).
- 5.2 This application seeks permission to partially demolish and extend number 37 Church Street only (former Poundstretcher site) and construct a part four / five storey building comprising of a mixed use ground floor including retail unit along Church Street, a café/restaurant to the rear, private student gym and student accommodation, a further retail unit on the lower ground floor to the rear and three floors of student accommodation above.
- 5.3 Two retail units are proposed, one unit retaining a frontage at ground floor along Church Street and the second unit at lower ground floor creating a new frontage to the rear facing the car park. Both retail units will have a combined floor area of 298m². A new café/restaurant (186m²) is proposed to the rear of the ground floor creating a new frontage facing the car park.
- 5.4 The student accommodation comprises of 74 bedrooms over four floors. The following format is proposed: 4x cluster of 5 beds, 8x cluster of 6 beds and 6 studios. Each cluster will be situated off a main circulation corridor and will comprise of en-suite bedrooms and a shared living area comprising of kitchen, lounge and dining area. The studios will comprise a self-contained bedroom, kitchen and bathroom and three will be accessible rooms.
- 5.5 Vehicle access to the site off the A570 Park Road has been retained for servicing and deliveries and includes three car parking spaces and cycle storage.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2019/0089/FUL GRANTED Demolition of two existing buildings (No. 33-35 and 37 Church Street) and erection of four/five storey mixed-used building comprising split-level retail unit (Class A1) at Ground and Lower Ground Level with Student Accommodation above. Landscaping to site areas as detailed. The proposal includes the formation of 2no. 'drop-off' car parking spaces and cycle storage on site.
- 6.2 2005/1436 GRANTED Demolition of existing building and erection of 4/5 storey building comprising 2 commercial units (retail and food/drink - Class A3/A4) at basement and ground floor levels with student accommodation above
- 6.3 2003/0241 GRANTED Conservation Area Consent - Demolition of existing building erection of new retail / office development.
- 6.4 2003/0240 GRANTED Erection of new retail/office development.

7.0 OBSERVATIONS OF CONSULTEES

- 7.1 LCC Highways (07.01.21) – No Objections; Conditions suggested.

- 7.2 Lancashire Archaeology Advisory Service (LAAS) (11.01.21 and 19.01.21) No Objections subject to condition.
- 7.3 MEAS (28.01.21) No Objections.
- 7.4 Natural England (25.02.21) – No Objections.
- 7.5 Cadent (04.01.21) – Advice given; there is operational gas apparatus within the site boundary and may include a legal interest in the land which restricts activity in proximity to cadent assets.
- 7.6 Environmental Health (24.03.21) – No objections; conditions suggested.

8.0 OTHER REPRESENTATIONS

- 8.1 I have received 1 letter of objection from a local resident querying where the students will park as parking is a major issue in Ormskirk. I have received 1 letter from an adjacent property confirming no objection to the proposal but seeks assurances on civil matters such as the means of Escape from the rear of Church House will be maintained and remain unobstructed at all times both during the works and on completion, that the refuse storage will remain accessible, resurfacing works shall not interfere with drainage and the area assigned for waste recycling will be managed and monitored on a regular basis in the interest of public health, hygiene and pest control.

9.0 SUPPORTING INFORMATION

Design & Access Statement
Student Accommodation Report
Planning and Heritage Statement
Biodiversity Survey and Report
Noise Impact Assessment
Written Scheme of Investigation for a Historic Building Survey

10.0 RELEVANT PLANNING POLICY

- 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.

The site is located within Ormskirk Town Centre and Ormskirk Town Centre Conservation Area as designated in the West Lancashire Local Plan 2012-2027 DPD

West Lancashire Local Plan 2012-2027 DPD

SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
GN4 – Demonstrating Viability
EC1 - The Economy and Employment Land
RS1 - Residential Development
RS3 – Provision of Student Accommodation
IF1 – Maintaining Vibrant Town and Local Centres
IF2 - Enhancing Sustainable Transport Choice
IF3 - Service Accessibility and Infrastructure for Growth
EN1 - Low Carbon Development and Energy Infrastructure

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 11.1 The site lies within the main settlement area where the principle of residential and retail development is acceptable under the terms of Policies SP1, GN1, IF1 and RS1 of the Local Plan. The site is considered to be in a highly sustainable location within the town centre and easily accessible by public transport. The existing building is of no particular architectural merit, contributing little to the appearance of the area. As such, the principle of partially demolishing and extending the existing building for retail, café and residential use complies with the aims and aspirations of the NPPF.

Principle of Development – Student Accommodation

- 11.2 Planning permission has previously been granted for purpose built student accommodation on the application site. Planning approval 2019/0089/FUL allows for 91 students to live on the premises and this application proposes to decrease that number to 74 students due to the reduced footprint of the site. 4 bedrooms would be provided at ground floor on the side elevation, however commercial uses will be retained to the main elevations. Access to the student accommodation will be taken from Church Street and from the car park to the rear of the building.
- 11.3 A previous approved planning application on the site has allowed for 91 student beds, and as this application proposes to reduce this number I am satisfied that this level of accommodation on site has previously been assessed and is acceptable.

Principle of Development – Retail Units and Café/Restaurant

- 11.4 The application site is located within the Primary Shopping Area. Whilst the scheme would retain a retail use at ground floor as part of a mixed use development comprising of retail, café and student accommodation there is a notable reduction in retail floor space compared to the existing use and to the previously permitted scheme.
- 11.5 The applicant has submitted marketing information which demonstrates that the site has been actively marketed for retail use on a commercial agent's website, property databases and mailshots have been sent to retail and leisure agents since July 2019. The site has been advertised for use as one large commercial unit. To date the premises have not secured a retail use.
- 11.6 Within the Primary Shopping Area Policy IF1 of the Local Plan advocates retention of ground floor uses for retail use. The proposed scheme features 4 student bedrooms at ground floor level which reduces the commercial floorspace. However, the site has been unsuccessfully marketed in line with the requirements of Policy GN4 of the Local Plan and as the ground floor will retain two retail units and introduce a café use at lower ground floor and importantly will retain a pedestrian level shop frontage, I am satisfied that the proposed development would not unduly compromise the vitality and viability of the town centre.
- 11.7 On balance I am satisfied that the introduction of 4 units of student accommodation on the ground floor of the premises along with a café /restaurant use whilst retaining an active

shop frontage to the front and introducing a retail frontage to the rear of the building fronting the car park is acceptable and will help maintain the retail function of the town. Paragraph 85 of the NPPF requires planning decisions to recognise that residential development often plays an important role in ensuring the vitality of centres and to encourage residential development on appropriate sites.

Heritage Impacts

- 11.8 Policy EN4 of the Local Plan is relevant as is the guidance contained in the NPPF in terms of the impact of the proposed development on heritage assets. The NPPF, in determining such planning applications, advises Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.
- 11.9 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight needs to be given to the asset's conservation. The more important the asset, the greater the weight to be provided to its significance. Paragraph 200 advises that Local Planning Authorities should look for opportunities for new development within the historic environment and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal their significance should be treated favourably.
- 11.10 Local Planning Authorities should in coming to decisions refer to the principle act which requires in this case to have special regard to the desirability of preserving any listed buildings or their setting (s.66) and preserving the character or appearance of a Conservation Area (s.72). Recent Court judgements have shown that the statutory duty prescribed under the P(LBCA) Act 1990 should always be given considerable weight in decision making.
- 11.11 The principle of demolition and new build on this site has already been established in granting of application 2019/0089/FUL. As per the previous planning application, the proposed building will be four to five storeys high which provides retail units fronting onto both Church Street and Park Road. Student accommodation will be provided on the floors above.
- 11.12 The main difference with the revised scheme is the existing brick structure will be retained and overall scale of the building has been reduced in height and width since the previously approved scheme. The design and materials remain comparable to the previous scheme. The proposal offers a contemporary addition within an historic setting and the palette of materials takes reference from local buildings and retains the red facing brick as a primary material. The top floor remains set back from the frontage to reduce its dominance and will incorporate a grey standing seam roof. The glazing at lower ground and ground floor level, which includes large panes to provide the shopfront frontage to Church Street and Park Road have been retained from the previous scheme. The windows frames and ground floor shop fronts will be clad in aluminium to give a contemporary feel to the development whilst retaining the brick pillars.
- 11.13 The height of the new building is comparable to the existing former cinema building and those adjoining and adjacent, and is lower than the previously approved scheme. The use of a solid canopy over the front entrance to the retail store will reference the original Regal building and adds interest to design.

- 11.14 In terms of the street scene, the building will occupy the same footprint / building line as the existing building as the existing brick structure is being retained. The building will preserve the alignment of the street and important view of the Church to the north which is a key view of the Conservation Area.
- 11.15 The view of the building from Park Road is a more open one, however this more expansive view of the site is set against the immediate context of the existing modern commercial units on Two Saints Place and its car park. The Parish Church with its enclosed graveyard and mature trees lie further to the north. It was previously accepted that the new building will be prominent within this view and from the west across Coronation Park, but I am mindful that so is the existing building, which has its blank and somewhat incongruous rear elevation fronting onto the space. In this respect the existing building offers no interest or frontage onto the Park Road. The new building will in my view be an improvement over the existing and provides a more engaging western (rear) elevation. As the revised scheme shares the same northern boundary as the existing and moves no closer and is now lower in height it will not impinge on the view or historic setting of the Church as you move along Park Road from south to north.

Proposed building – the impact on the setting to heritage assets

- 11.16 The Grade 2* Parish Church is located approximately 100 metres to the north of the site. The Church, with its tower and steeple is an important building in the skyline of Ormskirk town centre. Historically the site lies in the built up area of the town. The views of the Church generated from Park Road is a relatively modern one and has been available since the development of the ring road. From within the town centre one of the principle views of the Church is looking north along Church Street. The principle of a larger new build on this site has already been established in granting of application 2019/0089/FUL. The revised scheme sits lower than the previously approved scheme and will preserve the existing street frontage and building line so visually this important view remains unaltered by the proposal. As explained above, whilst the new building will be viewed from Park Road and the west the immediate context of the site is retail and commercial development including a car park. Visually, I do not feel the revised building will harm the historic setting to the Church. Given the size, scale and location of the existing buildings I do not feel the setting will change and the proposal will leave the setting to the Church essentially unharmed. Similarly, as the revised building is to be sited in the same location at the existing one and the road alignment and frontage on to Church Street remains unaltered I do not feel the historic setting to number 27 Church Street, a Grade 2 listed building, which lies to the south, will be harmed by the proposal.

Conclusions on heritage

- 11.17 On balance, considering the scale and appearance of the existing building and the scale of the previously approved building, I do not consider the new proposal will cause harm to the character or appearance of the Ormskirk Town Centre Conservation Area or the setting of the Parish Church or nearby listed buildings. On this basis I feel the proposal will meet the statutory duty to 'preserve' as required under s.66 and s.72 of the Planning (LBCA) Act, Chapter 16 of the NPPF and Policy EN4 of the Local Plan.

Archaeology

- 11.18 Paragraph 199 of the NPPF states that 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.'

11.19 During the previous application, a former 1796 iron foundry was identified underneath the current building. Most significantly the survival of archaeological structures and deposits from the Iron Foundry complex founded in c.1796 were confirmed during a 2009 excavation. The applicant has submitted a Written Scheme of Investigation (WSI) with this application and Lancashire Archaeological Advisory Service (LAAS) recommend that although the total demolition of the Regal Cinema is no longer proposed, some partial demolition is, along with groundworks. Consequently, a condition is still required for a full suite of archaeological works. The submitted WSI covers the building recording prior to any demolition works however a further WSI is required for the observation of groundworks associated with demolition and the strip, map & sample for the proposed car parking. This investigation work can be secured by planning condition.

Residential Amenity

11.20 There is potential for the proposed café/restaurant use with evening hours to impact upon occupiers of the student accommodation due to noise from patrons and fixed plant and odours from cooking. A noise assessment accompanies the application which considers noise from plant associated with the development, the sound insulating properties of the existing walls and floors between the commercial and residential uses, and the glazing and ventilation specifications required to protect the residential areas from external noise sources such as traffic and noise in the street. As the end users of the commercial units are unknown the required fixed plant has not been determined. The Council's Environmental Health Officer (EHO) has been consulted in relation to the development and has advised that a condition will be required to limit the combined noise of any fixed plant to an acceptable level. The EHO recommends further conditions are imposed to control noise and odour from the café/restaurant unit such as details of a ventilation system, hours of operation and details of how noise will be controlled from the restaurant use. These details will be required to be submitted and agreed prior to the café/restaurant becoming operational.

11.21 In respect of floor and wall insulation, the noise assessment suggests the sound insulation properties from the existing concrete floor may be adequate to protect the bedrooms above from noise in the retail unit providing this floor remains intact. Similarly the separating wall has been given a sound reduction value of 43dB which may be adequate to protect the bedrooms on the same floor as the retail unit considering the bedrooms will also be on the other side of corridor space. For more noisy commercial uses such as a café/restaurant, a higher level of sound reduction insulation between uses is required. Therefore, the EHO is of the view that the sound insulating properties of the existing separating concrete floor is unlikely to be adequate to protect bedrooms above from noise from a busy restaurant, potentially opening until late, and with music, all of which are likely to be noisier than retail use. As a result, a condition will be imposed requiring details of a further sound insulation upgrade between the proposed restaurant and the bedrooms to the floor above.

11.22 A scheme of glazing and acoustic trickle vents has been detailed in the noise assessment which considers noise from road traffic and noise from the town centre street. The scheme detail ensures a reasonable level of protection from the predicted road traffic noise and noise in the street and therefore is considered acceptable. To conclude, subject to the imposition of conditions, I am satisfied the proposed development will provide reasonable levels of amenity for the occupiers of the student accommodation.

11.23 Policy GN3 in the Local Plan also requires consideration of the impact of the development on existing residents who live in close proximity to the application site. This area of the town centre comprises of a mix of commercial and residential uses at first floor. In terms of the potential impact from the introduction of student accommodation, given the town

centre location, the fact that there are a large amount of non-residential uses and the site is in an area located near to a busy road it is unlikely the student accommodation would have any significant impact on the existing residential amenity in the area through increased noise and disturbance. Given that a similar development has previously been approved on this site and its town centre location, I am satisfied that the proposed development will not have a significant impact on the amenities of nearby residents and complies with Policy GN3 in this regard.

Highways and Parking

11.24 In respect of parking issues, the scheme provides only 3 onsite parking spaces. However the site is in a highly sustainable location and government guidance encourages development in such locations. A development of 91 student beds has previously been allowed on the site, with a similar level of parking, and this development would not involve an increase. The previous assessment recognised that demand for parking with student accommodation in such a central location would be low, particularly as there is a regular bus service from the town centre to Edge Hill University and no University parking permits would be issued to residents in this location. Furthermore, there is a public car park directly to the rear of the site for any visitors or customers to the commercial unit. The layout of the development will utilise the existing delivery and servicing area and the applicant has provided cycle storage for 8 bicycles. Thus it is considered that there will not be any undue adverse impact on the level of parking provision or highway safety issues.

Impact on Ecology and Trees

11.25 An Ecological Survey and Assessment has been submitted which found no evidence of bat activity, birds, or barn owls. I consider the information submitted is acceptable and consider the development would not have any significant ecological impacts. The existing trees along the frontage of Church Street will be retained as will a tree along the northern boundary. A maple tree is to be planted on the western boundary, overall I consider this to be acceptable.

Impact on Drainage

11.26 Limited details of how the site would drain following the proposed development have been provided with the exception of confirmation that the current mains system could be utilised. The site will of course benefit from an existing drainage system by virtue of the existing building and it seems reasonable that the any future scheme will mirror this to some degree. Policy GN3 requires the submitted drainage scheme achieves a reduction in surface water run off of at least 30% as this application is for a redevelopment of previously developed land I am satisfied that full details of the foul and surface water disposal strategy can be obtained by planning condition.

Summary

11.27 I consider the propose use of the site to be acceptable. Provided adequate noise attenuation measures and odour prevention systems are installed, there would not be an undue impact on the amenities of future occupiers of the proposed development. The proposed development will not harm the vitality and viability of the town centre. Based on the reduced scale, I do not consider the replacement building will cause harm to the character or appearance of the Ormskirk Town Centre Conservation Area or the street scene. The proposal satisfactorily meets the requirements of the NPPF and Policies GN1, GN3, GN4, RS3, EN4, IF1 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and is recommended for approval.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference Site Location Plan 3812-500 received by the Local Planning Authority on 6th October 2020
Plan reference Proposed Elevation A (Church Street) 3812-707 Rev A, Proposed Elevation B (Car Park) 2812-708 Rev A, Proposed Elevation C 2812-709 Rev A, Proposed Elevation D 2812-710 Rev A, Level -1 Proposed Floor Plan 3812-701 Rev A, Level 0 Proposed Floor Plan 3812-702 Rev A, Level 1 Proposed Floor Plan 3812-703 Rev A, Level 2 Proposed Floor Plan 3812-704 Rev A, Level 3 Proposed Floor Plan 3812-705 Rev A, Proposed Roof Plan 3812-706 Rev A, Proposed Street Scene Church Street 3812-712 Rev A, Proposed Street Scene A570 3812-713 Rev A, Proposed Street Scene Car Park 3812-714 Rev A received by the Local Planning Authority on 25th February 2021.
Plan reference Proposed Landscaping and External Works 3812-720 Rev B received by the Local Planning Authority on 15th March 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.
3. The materials to be used on the external surfaces of the development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined on the following plans and documents: Application form received 6th October 2020 and Proposed Elevation A (Church Street) 3812-707 Rev A, Proposed Elevation B (Car Park) 2812-708 Rev A, Proposed Elevation C 2812-709 Rev A, Proposed Elevation D 2812-710 Rev A received 25th February 2021 and Proposed Landscaping and External Works 3812-720 Rev B received 15th March 2021.
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.
4. No development shall take place until a strategy for the separate foul and surface water drainage of the development, including any necessary attenuation measures, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the relevant provisions of this councils Planning Applications - Drainage, Flood Risk and Sustainability guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement standards. The drainage scheme shall be completed in accordance with the approved details.
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.

5. No development shall take place until the applicant or their agent(s) or successor(s) in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The written scheme of investigation shall include the following components:
- i) building recording prior to any demolition
 - ii) a watching brief during any demolition, to be upgraded to a rapid archaeological strip, map and record should earlier remains be encountered
 - iii) an archaeological strip, map record exercise for the area of the proposed car park in the north west corner of the site.
- Where the results of the programme of archaeological work recommend, there shall be carried out within two years of the completion of that programme on site, or within such timescale as otherwise agreed in writing with the Local Planning Authority:
- iv. an archaeological post-excavation assessment and analysis;
 - v. preparation of a site archive ready for deposit at an appropriate store;
 - vi. compilation of an archive report;
- Reason: As the site is of archaeological interest and in order to comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. Before the cafe/restaurant unit is first brought into use, a scheme of upgraded noise insulation between the café/restaurant and residential premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the commercial development hereby permitted is brought into use.
- 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.
7. Before the cafe/restaurant use hereby permitted commences, suitable equipment to remove and/or disperse cooking odours should be fitted to the restaurant extract ventilation system in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the equipment shall be properly maintained and operated during normal working hours. The system shall be designed and modified upon completion if it cannot meet the following target: odour from the cooking process shall not be detectable at any boundary of residential/commercial properties.
- Reason: To safeguard the amenities of neighbouring occupiers, in respect of odour and noise generation and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
8. Before the cafe/restaurant unit is first brought into use, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from any evening use of the premises. These provisions could include physical and/or administrative measures and should consider noise from both amplified music and voices. The approved details shall thereafter be kept in operational order and used at all times when amplified music/voices are played. Any replacement equipment shall be subject to the above.
- To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. The living accommodation window glazing and ventilation scheme proposed by the Environmental Noise Impact Report (Reference 14255 Version 3) shall be installed before any of the habitable rooms are occupied and shall be retained thereafter.
- Reason: To safeguard occupiers from noise and disturbance and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

10. The combined rating level of noise emitted from the site's fixed plant shall not exceed 42dB(A)LAeq, 1hr between 0700 and 2300 hours on any day and 37dB(A)LAeq, 15 min between 2300 and 0700 hours on any day as measured or calculated at 1m from any noise sensitive receptor window, as determined in accordance with BS4142:2014 + A1:2019.
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.
11. The retail units shall not be open for business between the hours of 2200 hours and 0800 hours on any day.
Reason: To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. Customers shall not be served or accommodated in the cafe/restaurant unit except between the hours of 0800 and 2300 Monday to Thursdays and Sundays and between the hours of 0800 and 0000 (Midnight) on Fridays and Saturdays.
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.
13. The outdoor seating area / terrace shall only be available for use between the hours of 1000 and 2100 hours and shall be removed or otherwise secured to prevent use outside of these hours.
14. No service vehicles, maintenance vehicles, or waste collections shall be taken or received at the site except between the hours of 07.30 and 20.00 Monday to Saturday and at no time on Sundays and Bank Holidays.
Reason: To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. The servicing area shall be kept clear at all times to allow loading and unloading of vehicles servicing the retail, cafe, and student use.
Reason: To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. No lighting shall be installed on the site until a scheme detailing the proposed lighting to be installed is 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 safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. The existing trees shall be retained and before site works commence they shall be protected with stout fencing constructed to BS5837:2012, to contain the branch spread of the trees. Such fencing shall remain and be adequately maintained for the duration of the development operations. Within this fencing no development operations may take place including the storage or dumping of materials or plant, the lighting of fires, the siting of temporary huts or the raising or lowering of ground levels. All dead or damaged existing trees specified for retention shall be replaced with trees of such size and species approved in writing by the Local Planning Authority.
Reason: Reason: To protect the existing trees on site and thereby retain the character of the site and the area and to ensure the development complies with the provisions of

Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

18. The student accommodation shall not be occupied by more than 74 residents at any one time.
Reason: To ensure a suitable standard of residential amenity for future occupants, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
19. Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 the retail units to which this permission relates shall be used for display or retail sale of goods only and for no other purpose, including any other use falling within Class E of the Schedule to that Order or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, except with the prior grant of a further planning permission.
Reason: To enable the Local Planning Authority to assess any proposal for a further change of use, whether or not it falls within the same Use Class and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
20. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) or Construction Method Statement (CMS) has been submitted to, and approved in writing by the local planning authority. The approved plan/statement shall provide:
Details of the parking of vehicles of site operatives and visitors;
Details of loading and unloading of plant and materials;
Arrangements for turning of vehicles within the site;
Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measure;
Measures to protect vulnerable road users (pedestrians and cyclists);
The erection and maintenance of security hoarding including decorative displays and facilities for public viewing facilities;
Wheel wash facilities;
Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
Construction vehicle routing;
24 Hour emergency contact number
The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.
Reason: These details are required prior to the commencement of development in the interests of public & highway safety and to comply with the provisions of Policies GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
GN4 - Demonstrating Viability
EC1 - The Economy and Employment Land

RS1 - Residential Development

RS3 - Provision of Student Accommodation

IF1 - Maintaining Vibrant Town and Local Centres

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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.