

No.4	APPLICATION NO.	2021/0369/FUL
	LOCATION	1 Hacketts Amusements Depot Tollgate Road Burscough Ormskirk Lancashire L40 8LD
	PROPOSAL	Erection of a building including an internal single floor mezzanine for use as a road traffic accident claims centre comprising a mix of offices and car storage with ancillary maintenance and cleaning facilities; or alternatively uses falling within use classes E, B2 and B8 along with an adjoining external covered wash bay structure, together with other associated works.
	APPLICANT	Mr David Crompton
	WARD	Burscough West
	PARISH	Burscough
	TARGET DATE	25th June 2021

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Dereli has requested it be referred to Committee to consider the impact on drainage and highways.

2.0 SUMMARY

- 2.1 In summary, it is considered that, subject to conditions, the proposed development is acceptable in terms of use, layout, scale and design. There are no significant highway, drainage or amenity concerns and I therefore consider that the proposed development is compliant with the NPPF, the Local Plan and the Burscough Parish Neighbourhood Plan.

3.0 RECOMMENDATION: APPROVE with conditions

4.0 THE SITE AND BACKGROUND

- 4.1 The Yew Tree Farm strategic site comprises a significant parcel of land that lies to the west of Burscough between Tollgate Road and 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. Planning permission has been granted for mixed residential and employment development on the site. The first phase of residential development is well underway on the eastern part of the site (Redrow) and the second phase of residential development has commenced (Anwyl) a new spine road (Chancel Way) along with swales and SuDs basins have been completed through the centre of the site and employment development is under construction on the western part of the site.
- 4.2 The site subject of this application relates to a plot within the first phase of employment development at the Yew Tree Farm (YTF) Strategic Site directly off Tollgate Road. This site already benefits from outline planning permission ref.2015/0171/OUT for employment purposes (which was varied pursuant to S73 of the T&C Planning Act through permission 2019/1093/FUL). However, full planning permission is now being sought as opposed to reserved matters approval because the proposal is not one of the defined uses within the outline permission (B1, B2 or B8). Also, the quantum of floorspace proposed under this application (2,927 sqm) would, together with other employment land already approved, cumulatively exceed that granted under the outline permission (13,800 sqm) by 848sqm.

- 4.3 The squarely shaped site is approximately 0.72m and falls within the north-west part of the wider YTF site and Burscough Industrial Estate. It sits on the corner of the newly formed junction of Tollgate Road, Ringtail Road and Chancel Way. To the north lies further YTF employment land and Merlin Park. To the south is a distribution business and to the west are businesses on Ringtail Place. On the opposite side of Tollgate Road to the east lies further YTF employment land.
- 4.4 The site is currently occupied by Travelling Showpeople, who relocated to the site temporarily approximately 2 years ago. A separate planning application has recently been submitted to relocate the occupiers for a further temporary period on land off Higgins Lane (2021/0506/FUL). The site is relatively flat and laid with hardstanding and is surrounded by a 2m high palisade fence.

5.0 THE PROPOSAL

- 5.1 It is proposed to erect an industrial building and external covered wash bay along with an associated service yard and car park. The site has been specifically designed for an occupier named Direct Accident Management Services who deal with processing claims and supplying courtesy vehicles to road traffic accident customers. The proposed building measures approximately 40m x 52m and includes approximately 3,000sqm of internal space with 2,044sqm at ground floor and 883sqm at mezzanine level. The submitted plans indicate vehicle storage and office space at ground floor with further office space provided on the mezzanine floor. The applicant states that 150 jobs will be created at the site.
- 5.2 The maximum height of the proposed building is 9m with an eaves height of 5.8m and constructed with Kingspan grey cladding and anthracite doors and windows, similar to that used on units recently constructed at Dakota Park. The front entrance will be full height glazed on the corner of the building with office windows at ground and first floor facing both Tollgate Road and Ringtail Road. The building is sited within the SE part of the site, approximately 1.7m from the southern boundary and 6m from the eastern boundary. An external wash and waste storage area is proposed to the rear of the building for washing returned vehicles and bin storage.
- 5.3 The site will be accessed from an existing access off Ringtail Road. A staff and customer car park is provided at the front and side of the building. Parking provision includes 100 standard spaces, 8 disabled space and 4 motorcycle spaces. In addition to the 100 parking spaces made available for staff parking, a further 66 spaces are provided for the storage of courtesy car vehicles. Cycle parking and electric vehicle charging points are also proposed. The site will be landscaped along the road frontages and the existing fence replaced by a green paladin fence.
- 5.4 To ensure flexibility and "future-proof" the site, the applicant also wishes to apply for other employment uses consistent with the outline permission granted (B2 and B8) and the new Class E use (commercial, business and service).

6.0 RELEVANT APPLICATIONS

Phase 2 Employment (Barracuda and Seafire Business Parks)

- 6.1 2021/0113/ARM – Reserved Matters - The construction of 17 employment buildings (falling within use classes E, B2 & B8) comprising a total of 25,475.73sqm (GEA) and associated works pursuant to the outline element of hybrid planning permission ref. 2018/0525/HYB including approval of details reserved by condition 3 (finished floor levels), 5 (travel Plan), 6 (landscaping scheme), 7 (arboricultural method statement),8

(landscape management plan), 10 (surface water drainage) and 12 (foul water drainage).
PENDING CONSIDERATION

- 6.2 2020/1142/FUL - The erection of a building for use as an agricultural machinery showroom and workshop (sui generis) or for employment uses falling within use classes E, B2 and B8 and the erection of an external covered display, together with the laying of an access, internal estate road and other associated works. APPROVED

Phase 1 Employment (Dakota Business Park)

- 6.3 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. APPROVED
- 6.4 2019/0438/FUL - The erection of a building for use as employment (B1, B2 or B8) or leisure (D2), together with the laying of an access road from the existing roundabout at Tollgate Road, and other associated works. APPROVED
- 6.5 2019/0311/ARM – Reserved Matters - Construction of seven employment buildings (falling within use classes B1, B2 & B8) comprising a total of 11,721 sqm (GEA) and associated works pursuant to outline planning permission Ref. 2015/0171/OUT. Including Approval of Details Reserved by Condition 8 (Highways), 16 (Arboricultural Method Statement), 18 (Landscaping), 27 (Foul/Surface Water Drainage Strategy), 28 (Foul Drainage), 29 (surface water regulation system), 31 (Levels) and 35 (Noise). APPROVED
- 6.6 2015/1268/FUL - Creation of haulage depot and offices with associated access, yard, parking etc. Land off Tollgate Road (adjacent site). APPROVED

Phase 2 Residential (Anwyl Homes)

- 6.7 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
- 6.8 2019/1182/ARM - Approval of Reserved Matters - Erection of 267 dwellings including details of appearance, landscaping, layout and scale. Discharge of Condition Nos. 5, 8, 14, 16, 18, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 35 from outline planning permission 2015/0171/OUT. APPROVED

Phase 1 Residential (Redrow Homes)

- 6.9 2021/0518/ARM - Reserved Matters approval (appearance, landscaping, layout and scale) for the erection of 172 dwellings, with associated vehicular access and parking, private amenity space and landscaping, pursuant to outline planning permission 2019/1093/FUL and the discharge of Conditions 26 and 34. PENDING CONSIDERATION
- 6.10 2020/1134/FUL - Variation of condition no. 1 imposed on planning permission 2017/0431/ARM to retain as-built/revised floor levels and retaining walls. PENDING CONSIDERATION
- 6.11 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

- 6.12 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

Outline and other related permissions

- 6.13 2021/0506/FUL - Temporary planning permission three years for the stationing of caravans static and mobile for residential occupation by travelling showpeople with the provision of associated hardstanding a storage area boundary fencing and a temporary access from Swordfish Close along with full planning permission for the construction of a vehicular access from Higgins Lane. PENDING CONSIDERATION
- 6.14 2021/0507/ARM - Reserved matters approval for the creation of an equipped play area, a multi-use games area, a running/cycle track, the installation of fitness station equipment, along with the provision of associated landscaping. PENDING CONSIDERATION
- 6.15 2020/0962/FUL - The construction of four substations and two temporary accesses to facilitate the future phases of residential and employment development within the Yew Tree Farm Strategic Site. APPROVED
- 6.16 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. APPROVED SUBJECT TO DEED OF VARIATION
- 6.17 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
- 6.18 2015/0171/OUT - Demolition of the existing buildings, and outline planning permission (including details of access) for the erection of up to 580 dwellings (C3); Extra Care or Care Accommodation (C2); a Local Centre (comprising up to 500m² of A1, A2, A3, A4 and A5 floorspace; and community uses); the construction of 4.6 hectares of Employment Development (up to 13,800m² of B1, B2 and B8 floorspace); the provision of open space and associated recreation facilities (including parkland, allotments, play areas, a linear park, cycle and pedestrian facilities); together with the provision of related infrastructure including the construction of drainage works (including sustainable urban drainage systems), roads, services and related utilities; and associated works. APPROVED SUBJECT TO A S106 AGREEMENT
- 6.19 2014/1054/SCO - Scoping Opinion - Residential-led mixed-use development - Development IS EIA development (25.11.2014)

7.0 CONSULTEE RESPONSES

- 7.1 LCC Highways (29.04.21) – no objection. LCC Highways is of the opinion that the proposal would increase the total *approved* floor space by 847m². given the level of the proposed use and scale of the wider employment area, the proposed development should have a negligible impact on highway capacity and highway safety within the immediate vicinity of the site.
- 7.2 United Utilities (23.04.21) – no objection subject to condition
- 7.3 Lead Local Flood Authority (13.04.2021) – no objection subject to conditions
- 7.4 Lancashire Constabulary (31.03.21) – recommend security measures

8.0 OTHER REPRESENTATIONS

- 8.1 Burscough Town Council (08.04.21) – Burscough Town Council object to this application for the following reasons:
- with approximately 150 people using the water and sewage facilities there could be a problem with the sewage tanks particularly not being large enough to hold the surplus, therefore also incurring a high level of sewage.
 - object to the agent's report stating that the site is well served by strong transport links, this is untrue as there is a limited bus service and at least a 40 minute walk from either of the train stations.
 - object to the amount of car parking facilities being built and would suggest 100 / 150 new spaces in a green area would increase massively the carbon footprint in this day and age of climate change, should be much better managed.

9.0 SUPPORTING INFORMATION

- 9.1 The application is supported by the following information:
- Design and Access Statement
 - Drainage Strategy
 - Landscape details
 - Transport Note

10.0 RELEVANT PLANNING POLICIES

- 10.1 The National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG), West Lancashire Local Plan (2012-2027) (WLLP) and Burscough Parish Neighbourhood Plan provide the policy framework against which the development will be assessed. The site is subject of a Supplementary Planning Document: Yew Tree Farm Masterplan (February 2015) which aims to guide developers and their applicants in their proposals and planning applications for development on the site.
- 10.2 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.
- 10.3 The following policies apply:
- National Planning Policy Framework (NPPF)
 - Section 2 Achieving sustainable development
 - 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

West Lancashire Local Plan (2012-2027) DPD

SP1 – A Sustainable Development Framework for West Lancashire
SP3 – Strategic development Site: Yew Tree Farm
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EC1 – The Economy and Employment Land
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
EN1 – Low Carbon Development and Energy Infrastructure
EN3 – Preserving and Enhancing West Lancashire's Natural Environment

Burscough Parish Neighbourhood Plan

BPI1: Development and Infrastructure
BPI2: Surface Water Drainage
BPI3: Foul Water Drainage
BPE1: Burscough Industrial Estate
BPT1: Transport and Development
BPT4: Sustainable Transport Routes
BPD1: Design and Accessibility Principles
BPD2: Detailed Design Elements

As the site lies within a mineral safeguarding area, Policy M2 of the Lancashire County Council Minerals and Waste Site Allocation and Development Management Policies DPD is also relevant

- 10.4 The following supplementary planning documents are also relevant:
SPD – Yew Tree Farm Masterplan (Feb 2015)
SPD – Design Guide (Jan 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 11.1 In my opinion the main considerations in assessing the proposals are:

Principle of Development
Visual Impact
Highway impact and parking
Drainage
Impact on Neighbouring Land Uses
Any Other matters

Principle of Development

- 11.2 The site forms part of the Strategic Development Site of Yew Tree Farm as allocated in the Local Plan. Outline planning permission with all matters reserved except access was granted for the construction of 13,800sqm of B1, B2 and/or B8 employment development on part of the YTF site known as Phase 1 Employment Land on 20th March 2017 (2015/0171/OUT). The application site forms part of the Phase 1 employment land. Therefore the principle of development on the site has already been established.
- 11.3 This application has been submitted in detail rather than as a Reserved Matters subsequent to outline permission for two reasons. Firstly, because the occupier of the

proposed unit, Direct Accident Management Services, is considered to be a mixed use (office/vehicle storage and cleaning) not specifically falling within Class B1, B2 or B8 of the Use Classes Order. However, I am satisfied that this type of employment generating use is compatible with the surrounding employment land and in this location is acceptable. Secondly, the quantum of floorspace proposed under this application (2,927 sqm) would, together with employment development already approved in Phase 1 (Dakota Park – 11,721sqm), cumulatively exceed that granted under the outline permission (13,800 sqm) by 848sqm.

- 11.4 However, paragraph 80 of the NPPF places significant weight on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Furthermore, the supporting text to Policy EC1 of the Local Plan states that the Burscough Employment Areas are a vital source of employment provision and provide opportunities for the Burscough area and the rural western and northern parts of the Borough. Policy BPE1 of the Burscough Parish Neighbourhood Plan also advises that B1, B2, B8 and Sui Generis uses will be supported within the industrial estate provided a number of criteria are met. I consider the principle of the proposed increase in floorspace within this part of the Burscough Industrial Estate to be acceptable, subject to satisfactory details of design, layout and parking.
- 11.5 In order to secure a flexible use of the building, in the event that the proposed occupier vacates the unit or does not ultimately occupy, the applicant seeks to secure a permission for all Class E, B2 and B8 uses. Whilst I consider B2 and B8 uses are consistent with the approved outline permission for the site, I have concerns that an unrestricted Class E permission could lead to the types of retail and food uses more appropriate within town or local centres.
- 11.6 Since outline planning permission was granted for B1, B2 and B8 development on this land, the Town and Country Planning (Use Classes) Order has been amended. Use Class B1 was replaced by Use Class E on 1st September 2020. Class E includes:
E(a) Display or retail sale of goods, other than hot food
E(b) Sale of food and drink for consumption (mostly) on the premises
E(c) Provision of:
E(c)(i) Financial services,
E(c)(ii) Professional services (other than health or medical services), or
E(c)(iii) Other appropriate services in a commercial, business or service locality
E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
E(f) Creche, day nursery or day centre (not including a residential use)
E(g) Uses which can be carried out in a residential area without detriment to its amenity:
E(g)(i) Offices to carry out any operational or administrative functions,
E(g)(ii) Research and development of products or processes
E(g)(iii) Industrial processes
- 11.7 Once a permission for a Class E use has been granted, it will be possible to change between shops, restaurants, cafés, clinics, crèches, banks, offices, light industrial, indoor sports etc. without requiring planning permission. Whilst the government's reasoning behind the creation of Class E is to provide more flexibility for employment uses and reflect changing business and retail models, it remains important to ensure that this is not at the expense of the re-distribution of uses more appropriately located within town centres. A fundamental purpose of paragraphs 85 to 90 of the NPPF is to protect town centres. Whilst the new Class E provides more flexibility to assist and regenerate failing town centres, having regard to a current and likely future shrinking retail presence, it also has the effect of undermining the very town centres it seeks to revive by allowing retail and

other town centre uses within out of centre and unsustainable locations. As such, I consider it necessary to limit the extent of Class E uses permitted in this location to those consistent with policies in the Local Plan and Burscough Parish Neighbourhood Plan. This can be dealt with through the imposition of a suitably worded condition. Only on this basis, I am satisfied that the principle of development remains compliant with the aims and objectives of the NPPF and Policy SP3 of the Local Plan.

Siting, Layout and Design

- 11.8 Policy GN3 of the Local Plan states that new development should add to the distinctive character and visual amenity of the area. Proposals should consider the scale of new development and ensure that the height and massing is appropriate in relation to the neighbouring properties and the surrounding environment. This guidance is reiterated within Policy DP5 of the Council's SPD Design Guide and the YTF Masterplan along with the Burscough Parish Neighbourhood Plan.
- 11.9 The external appearance, layout, scale and design of the proposed development is considered acceptable and appropriate within the context of the site. The size and appearance of the building is similar to those already erected on the first employment phase of the Yew Tree Farm Strategic site at Dakota Business Park with the wash bay discretely positioned to the rear of the site. A large glazed entrance feature is positioned on the corner of the building facing the new road junction providing visual interest to the building. The design and materials to be used on the building are also proposed on Phase 2 of the YTF Employment Land on the opposite side of Tollgate Road, providing a consistency of design approach lacking in other parts of the industrial estate.
- 11.10 The site is situated on a prominent junction within the Burscough Industrial Estate and although the large building will be located fronting onto Tollgate Road and forward of the building on the adjacent distribution site, it will be set back 6m to allow for a strip of landscaping behind a new green paladin fence which will replace the current unsightly metal palisade fencing. Landscaping will continue around the road frontage into Ringtail Road where the site is slightly set back from the road. The layout also incorporates a large area of parking and vehicle storage set back from Ringtail Road and screened by landscaping. Overall, in terms of appearance and layout, I consider the proposed development complies with Policy GN3 of the Local Plan, Policy BPD1 of the Burscough Parish Neighbourhood Plan and the Council's SPD Design Guide.

Highways

- 11.11 The proposed development utilises an existing wide access off Ringtail Road. The Highway Authority has been consulted on the proposals and is of the opinion that the proposed development should have a negligible impact on highway capacity and highway safety within the immediate vicinity of the site. Trip generation resulting from the development of this site for employment purposes was taken into account by LCC when dealing with the outline application and a number of off-site highway improvements have been and will be provided as part of the overall outline and hybrid permissions encompassing the strategic development site (e.g. Chancel Way completed, new roundabout on Tollgate Road completed, new junction at Ringtail Rd/Tollgate Rd/Chancel Way completed and new signalised junction Liverpool Rd South and Chancel Way completed).
- 11.12 With regard to the internal layout, the Highway Authority has confirmed that the proposals are adequate for the type of use. I note that disabled parking, motorbike parking, cycle storage and electric vehicle charging points have been indicated on the submitted layout commensurate with the proposed floorspace.

- 11.13 The site is located within the main settlement area and adjacent to a new pedestrian/cycle path along Chancel Way which links to the centre of Burscough and the train and bus stations. I do, however, accept the concerns of the Parish Council with regards staff parking due to the large numbers required on site at any one time. To encourage sustainable development, I intend to include a condition requiring a detailed Travel Plan to encourage the use of measures such as car sharing and cycle to work schemes. In view of the above highway considerations, I am satisfied the development complies with NPPF, Policy GN3 of the Local Plan, the Yew Tree Farm Masterplan SPD and Policy BPT1 of the Burscough Parish Neighbourhood Plan.

Impact on Neighbouring Land Uses

- 11.14 Policy GN3 of the Local Plan allows development provided it retains or creates reasonable levels of amenity for occupiers of the neighbouring and proposed properties. The site lies immediately north of Harrisons Transport off Tollgate Road and west of units on Ringtail Place within Burscough Industrial Estate. The nearest residential properties are a considerable distance away along Higgins Lane. Outline permission has already been granted for employment purposes on the site and the impact of noise and disturbance was considered at that time. I do not envisage any conflict with the neighbouring uses/businesses. No specific hours of use have been applied for but given the site location this type of use could operate 24 hours a day without any particular noise concern. I therefore consider the proposal accords with Policy GN3 of the Local Plan.

Ecology/Landscaping

- 11.15 The detailed considerations of ecology were assessed at the time of the outline application. There are no protected habitats or trees/hedges directly affected by the proposed development as no landscaping recently pre-existed the current occupation of the site by the travelling showpeople. The proposed development will introduce landscaping around the northern and eastern boundaries of the site which will enhance the biodiversity offer in accordance with Policy EN3 of the Local Plan.

Drainage

- 11.16 The NPPF sets out a hierarchy for surface water(sw) drainage and Policy GN3 of the Local Plan requires that new development does not result in unacceptable flood risk or drainage problems on or off-site and that sw is managed at source. Policy BPI2 of the Burscough Parish Neighbourhood Plan reiterates this approach. An overarching drainage strategy has already been agreed for this site as part of the relevant outline and hybrid applications; however, a detailed site specific drainage strategy has also been submitted. It acknowledges that existing surface water run-off from this site is generally directed to a sw drain that passes below Ringtail Road and discharges into a larger culverted watercourse located north of Ringtail Road. This culvert flows west and is the main surface water drain from existing open ditches and highway drains and other built development.
- 11.17 Evidence has been submitted which demonstrates that the ground conditions on the site are unsuitable for the use of infiltration drainage for sw disposal. As such, the second most preferable form of disposal is to a surface water body (pond, stream, river etc.). The sw from the development is therefore to be discharged to the existing sw drain serving the site and leading to the culverted watercourse north of Ringtail Road. Surface water will be collected in an underground drainage network and attenuated by a flow control vortex valve at the final discharge point to the existing culvert. Cellular crate storage tanks will be installed to hold the water upstream of the flow control. SW discharge from this site will be

limited to 2lt/sec/ha in accordance with the agreed overall YTF strategic site drainage strategy. The proposal includes a large car park, which will be drained by linear drainage channels and include oil interceptors.

- 11.18 The area between the site and the newly formed road junction at Tollgate Road/Ringtail Road is currently laid to grass and slopes down from the road towards the site. In order to avoid additional water from outside the site boundary from entering the site drainage system, a new land drain is to be installed at the boundary and direct water via a silt trap to the existing sw drain located in this area.
- 11.19 Foul water(fw) will be discharged by an existing gravity sewer serving the adjacent Harrisons Transport unit close to the western boundary. This drain discharges to the fw sewer in Ringtail Road and flows west to join the wider fw network. Whilst concerns have been raised about the amount of people that may be accommodated on the site and the resultant requirement for foul water facilities, the development of this site was thoroughly considered at the outline stage, and with mitigation, the capacity for foul flows in the area has been found acceptable. Furthermore, the statutory consultee has raised no objection. I therefore consider that the proposed development meets the requirements of Policies GN3, IF2 and EN2 of the Local Plan.

Mineral Safeguarding

- 11.20 In accordance with Policy M2 of the Lancashire County Council Minerals and Waste Site Allocation and Development Management Policies DPD a Mineral Assessment was submitted by the applicant at the outline application stage. The assessment concluded that any mineral resource on the site was not a commercially viable deposit and the development of the site for uses not compatible with mineral extraction would be in conformity with Policy M2. No further assessment in this regard is necessary.

Summary

- 11.21 In summary, it is considered that, subject to conditions, the proposed development is acceptable in terms of use, layout, scale and design. There are no significant highway, drainage or amenity concerns and I therefore consider that the proposed development is compliant with the NPPF, the Local Plan and the Burscough Parish Neighbourhood Plan.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the following conditions and reasons:

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 LO1 Rev - (Site Plan) - received by the Local Planning Authority on 23rd March 2021;
Plan reference GO1 Rev - (Floor Plans and Elevations) received by the Local Planning Authority on 23rd March 2021;
Plan reference GO3 Rev - (Ground floor office layout) received by the Local Planning Authority on 23rd March 2021;

Plan reference GO4 Rev - (First floor office layout) received by the Local Planning Authority on 23rd 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 building shall be constructed from materials identified in the Materials Schedule Drawing No SO1 received by the Local Planning Authority on 23rd March 2021.
Reason: To ensure that the external appearance of the buildings 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. The external surface materials, cycle stand and fencing materials shall be constructed in accordance with the External Materials Schedule Drawing No SO2 received by the Local Planning Authority on 23rd March 2021.
Reason: To ensure that the external appearance of the site 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. All hard and soft landscape works shall be carried out in accordance with the approved details shown on the following plans:
Plan Ref: Milieu Landscape Design 009 Rev P1 received by the LPA on 23rd March 2021.
The works shall be carried out before any part of the development is brought into use 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.
The approved landscaping shall be managed in accordance with the details shown in Milieu Landscape Design "Yew Tree Farm S106 Agreement" Maintenance and Management Performance Standards dated October 2019 and received by the Local Planning Authority on 16th April 2020.
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.
6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development.
The landscape management plan shall be implemented as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority.
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
7. The parking provision shown on plan ref LO1 Rev - (Site Plan) including marked out motorcycle, disabled and electric vehicle charging bays shall be provided prior to first occupation of the building. 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

8. Notwithstanding the submitted layout plan and prior to occupation of any of the site hereby approved, a scheme detailing the number, type and location of electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the number should be no less than 10% of the total parking number of spaces provided for staff and visitors. The electric vehicle charging points shall thereafter be 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 the first occupation of any part of the development, details of a Travel Plan to promote and encourage sustainable transport choice shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives, targets, measures and funding mechanism to achieve targets, monitoring, implementation timescales for delivery (which exceeds the build out period) and the provision of a travel plan co-ordinator. The approved plan shall be audited and updated at intervals as approved.

The approved plan shall be implemented in accordance with the details as approved.

Reason: To reduce car travel to and from the site in and to promote a sustainable transport having regard to Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

10. The drainage for the development hereby approved, shall be carried out in accordance with the details and plans set out in the submitted Rutter Johnson Drainage Strategy (Ref 16079, dated May 2021). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, no surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2027.

11. The development hereby permitted shall not be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of a final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.

Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements,

where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework and Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2027.

12. No development shall commence until details of how surface water and pollution prevention will be managed during the construction phase have been submitted to and approved in writing by the local planning authority.

Those details shall include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged, they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

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

Reasons

1. To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere;

2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2027.

13. The building shall not be occupied until a scheme detailing the proposed lighting(including all floodlighting, external building lights and car park 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 in the surrounding area in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

14. Prior to the occupation of the development hereby permitted, full details (including elevations and materials) of the waste collection and covered wash bays shall be submitted to and approved in writing by the Local Planning Authority.

The waste collection and covered wash bays shall be constructed in accordance with the approved details prior to the first occupation of the building.

Reason : In the interests of residential amenity and to ensure compliance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

15. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from car parks and hardstandings shall be passed through an oil interceptor. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment, and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

16. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the premises to which this permission relates shall be used for the following use and Use Classes only and for no other purpose (including any other use falling within the specific Class) 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:
- Direct Accident Management Services (sui generis)
 - any use within Class B2
 - any use within Class B8
 - the following uses within Class E
- E(c) Provision of:
- E(c)(i) Financial services,
 - E(c)(ii) Professional services (other than health or medical services), or
 - E(c)(iii) Other appropriate services in a commercial, business or service locality
- E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms)
- E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- E(f) Creche, day nursery or day centre (not including a residential use)
- E(g) Uses which can be carried out in a residential area without detriment to its amenity:
- E(g)(i) Offices to carry out any operational or administrative functions,
 - E(g)(ii) Research and development of products or processes
 - E(g)(iii) Industrial processes
- 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 in order to protect Ormskirk and Burscough town centres and to comply with the NPPF and Policy SP3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. 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.
2. Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.
The applicant should be instructed to lay their own private pipe, to United Utilities standards, back to the existing main. If this should involve passing through third party land United Utilities must receive a solicitor's letter confirming an easement, prior to connection.
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.

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

3. 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

Wastewater assets - 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.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

4. The submitted drainage strategy proposes to discharge to the unnamed watercourse that runs east to west along Ringtail Road. Any work within the banks of the watercourse which may alter or impede the natural flow of water will require Land Drainage Consent from the LLFA under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).

When applying for Land Drainage Consent, as a minimum, the applicant will be expected to:

- a. Carry out studies of the existing culvert/watercourse condition and capacity;
- b. Undertake an examination of the downstream condition and implications of the development proposal, and;
- c. Restrict discharge rates so that the peak runoff rate from the development to the ordinary watercourse for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event should never exceed the agreed discharge rate.

As per Lancashire County Council Consenting and Enforcement Policy, it should be noted that the Lead Local Flood Authority will generally refuse consent applications which seek to culvert an existing ordinary watercourse.

You should contact the Flood Risk Management Team at Lancashire County Council to obtain Land Drainage Consent. Information on the application process and relevant forms can be found here:

Guidance: <https://www.lancashire.gov.uk/media/903914/land-drainage-consent-advice-note.pdf>

Application form: <https://www.lancashire.gov.uk/media/903913/land-drainage-consent-application-form.pdf>

For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse and, once planning permission has been obtained, it

does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site.

NB

This response does not cover highway drainage, matters pertaining to highway adoption (s38 Highways Act 1980) and/or off-site highway works (s278 Highways Act 1980). Should the applicant intend to install any sustainable drainage systems under or within close proximity to a public road network (existing or proposed), then they would need to separately discuss the use and suitability of those systems with the local highway authority.

The applicant is also encouraged to discuss the suitability of any overland flow routes and/or flood water exceedance with the local highway authority should they have the potential to impact the public highway network and/or public highway drainage infrastructure (either existing or proposed).

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

EC1 - The Economy and Employment Land

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

Burscough Parish Neighbourhood Plan

BPI1: Development and Infrastructure

BPI2: Surface Water Drainage

BPI3: Foul Water Drainage

BPH1: New Residential Development

BPT1: Transport and Development

BPT2: Environmental Improvement Corridors

BPD1: Design and Accessibility Principles

BPC1: Community Infrastructure

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.