

No.3	APPLICATION NO.	2021/0390/ARM
	LOCATION	ORM Works & Former Railway Tavern Railway Road Skelmersdale Lancashire WN8 8TR
	PROPOSAL	Reserved Matters - Residential development including details of appearance, landscaping, layout and scale.
	APPLICANT	Ian And Jeff Hill Partnership
	WARD	Skelmersdale South
	PARISH	Unparished - Skelmersdale
	TARGET DATE	12th July 2021

1.0 SUMMARY

1.1 This is a reserved matters application for 62 dwellings. Outline planning permission has previously been granted for residential development on this site, therefore the principle is considered to be acceptable. I consider the layout, scale, proportions and design of the proposed dwellings to be acceptable. I am satisfied that the scheme will not have a significant impact on highway safety and adequate parking will be provided. I consider that sufficient interface distances have been achieved in order to protect neighbouring residential amenity and that the scheme would have an acceptable relationship with surrounding residential properties. The requisite level of affordable housing has been provided. In my view the proposal complies with the relevant policies in the NPPF and the Local Plan.

2.0 RECOMMENDATION: APPROVE subject to conditions.

3.0 THE SITE

3.1 The application site is located at the junction of Railway Road and Ormskirk Road. The main part of the site comprises hard standing and remnant walls and buildings from the former mill and factory, and subsequent training centre that previously occupied the site. The main vehicular access to the site is from Railway Road to the east. The site also includes the former Railway Tavern public house which is located to the north of the site. There is currently a separate access and parking area for this property.

4.0 THE PROPOSAL

4.1 This application is a reserved matters application for a residential development comprising of 62 dwellings. The application includes details of scale, layout, appearance and landscaping. The site will be directly accessed off Railway Road. The proposal includes a mix of 2, 3 and 4 bedroomed terraced, semi-detached, detached houses, bungalows and apartments.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2021/0324/NMA GRANTED Non Material Amendment to planning permission 2018/1304/OUT relating to buffer to the south of the site condition 20

5.2 2018/1304/OUT GRANTED Outline - Residential development including details of access (all other matters reserved).

5.3 2012/0860/COU GRANTED - Retention of use of land and buildings from former training centre to storage and distribution centre and formation of two hardstanding areas

6.0 CONSULTEE RESPONSES

- 6.1 Highways (06.05.21 & 21.06.21) No Objections subject to conditions; Advice given
- 6.2 Environmental Health (19.06.21) – No Objections subject to conditions
- 6.3 United Utilities (04.05.21) – No objections in principle. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

7.0 OTHER REPRESENTATIONS

- 7.1 I have received letters of objection from local residents who raise the following concerns:

Concerned about the scale and height and close proximity of the proposed apartment block

A 3 storey apartment block is prominent and not in keeping with the local area which comprises of two storey dwellings and bungalows

The windows on the first and second floors of the south-east façade will significantly overlook the rear gardens of adjacent properties on Taylor Street and Ormskirk Road.

The structure will also have a significant visual impact on the facing properties to the north of Ormskirk Road.

No attempt has been made to provide adequate screening along the common boundaries with the properties on Taylors Street – a wide planting zone would be more appropriate

No buffer zone between the driveway of Plot No. 35 and the existing back of footpath. Provision should be made for a 1.8m high close boarded fence and a 1m planting zone adjacent to the boundary of the property

The siting of the apartment block sits forward of the building line and would impact the visibility as vehicles approach the roundabout and pedestrians cross the road

Object to Taylor Street which is a private cul-de-sac becoming a throughfare with people walking past

Wish to retain right of way to properties between 53 and 55 Ormskirk Road

Concerned about drainage

8.0 SUPPORTING INFORMATION

- 8.1 Planning Statement
Drainage Document
Noise Impact Assessment
Vacant Building Credit Statement
Landscaping Scheme

9.0 RELEVANT PLANNING POLICIES

- 9.1 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.
- 9.2 The site is located within the Regional Town of Skelmersdale 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
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
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

Supplementary Planning Advice

SPD – Design Guide (January 2008)

SPD – Provision of Public Open Space in New Residential Developments (July 2014)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 10.1 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan re-iterates this approach. The principle of development on the site has already been established through the approval of outline permission under planning reference 2018/1304/OUT. Therefore, the principle of a residential development on the site within the settlement area is acceptable subject to other relevant planning policies.

Affordable and Specialist Housing

- 10.2 Policy RS2 in the Local Plan requires that 20% of the units on sites in this part of Skelmersdale should be affordable. Furthermore, the outline permission and both Policies RS1 and Policy RS2 require that at least 20% of the total number of residential units on the site should be designed specifically to accommodate the elderly. This equates to 13 units for this site.
- 10.3 However, in relation to this site vacant building credit is a material consideration. Vacant building credit (VBC) was introduced in 2014 via a ministerial statement and incorporated into National Planning Practice Guidance (NPPG). VBC allows for existing vacant floorspace to be taken into account when calculating affordable housing requirements and is seen as a way to incentivise development on brownfield land.
- 10.4 The VBC allows for existing vacant floorspace to be taken into account when calculating affordable housing requirements, provided it is the case that the vacant buildings on the site have not been abandoned. In summary, the existing floorspace of a vacant building should be credited against the floorspace of the new development i.e. a developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.
- 10.5 Under the outline application, the Council was aware that VBC would impact on the level of affordable housing provided on site but as the number of units of accommodation was unknown at the time, a full calculation could not be carried out.
- 10.6 An updated VBC assessment has been submitted with this application. Since the previous outline application, the number of vacant buildings on the site has increased which results in an existing vacant floorspace of 2,402m². Therefore, officers have calculated that this reduces the number of affordable units which can be required on site to 7. The affordable housing units will be provided on plots 28, 29, 30 31, 32, 33 and 46 and comprise of the

required mix of 2 bed bungalows and 2 and 3 bed dwellings as set out by the legal agreement. I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

- 10.7 In terms of specialist housing for the elderly, there is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, several of the units would be suitable for elderly or mobility impaired without adaptation as they comprise bungalows (plots 28 and 29) and ground floor flats. Houses on several plots, 25, 26, 27, 30, 31, 32, 33 34 and 35 will be constructed to meet current Building Regulations Part M4(1) with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Therefore I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Siting, Layout and Appearance

- 10.8 The site layout has been designed to positively address the main spine road that dwellings front onto as well as fronting onto Railway Road and part of the public open space to the south, thereby avoiding a layout which is overtly inward looking. Various types and size of dwellings are proposed, including 8 two bedroom apartments in a two/three storey block with shared parking court and 52 two storey dwellings comprising of a mix of 3 and 4 beds and 2 two bed bungalows.
- 10.9 In terms of the level of amenity afforded to residents of the development, I am satisfied that the private rear gardens accord with the standards in the Council's Design Guide SPD. The majority of dwellings have frontages with gardens or driveways and most properties have parking to the side of the houses, ensuring that there would not be an overdominance of hardstanding to the frontage of houses. Corner properties have dual frontage features and all footpaths through the site are overlooked to aid natural surveillance.
- 10.10 A two and three storey apartment block has been positioned in the north east corner of the site on the corner of Railway Road and Ormskirk Road. Concern has been raised from local residents about the scale and siting of a three-storey apartment block in this location. During the application, the scale, siting and design of the apartment block has been amended.
- 10.11 Currently, the former Railway Tavern public house is a two-storey building which sits on higher land levels than the surrounding dwellings. Generally, the apartment block will sit on the footprint of the existing pub. Whilst the new building would project further forward than the existing, the apartment building has been sited so that it follows the established building line along Ormskirk Road.
- 10.12 I consider the part 2, part 3 story design to be acceptable as the building takes advantage of its corner position which overlooks a wide roundabout. In order to minimise the impact upon adjacent residential properties along Ormskirk Road and to remain in-keeping with the street scene, the height of the apartment has been staggered and reduced to two storey high on the corner where it meets the existing residential properties on Ormskirk Road. As you move around this corner of the site on to Railway Road, the height of the apartment is increased to three stories. The frontage of the apartments has been staggered which creates a series of facades and the eaves and ridge heights vary along the apartment to break up the overall mass and bulk of the development and create interest. Therefore, whilst I appreciate the scale and form of the apartment block is different to its surroundings, which are primarily 2 storey properties, in my view the apartment block creates a positive feature on this open corner whilst protecting the street

scene along Ormskirk Road by ensuring the height of the new build slowly increases as it moves away from existing dwellings.

- 10.13 Details of an appropriate soft and hard landscaping have been submitted with the scheme. Soft landscaping is interspersed between plots and parking spaces to soften the impact of the development. Trees will be planted along each street and along the frontage of development facing Railway Road. The applicant has submitted a boundary treatment plan which shows a 0.9m high hedgerow is proposed along the frontage of the development facing Railway Road. To the south of the site are sports pitches so a mixed boundary treatment is proposed. A 2.1m high acoustic timber fence is proposed to protect any dwellings whose rear gardens back onto the adjacent sports pitches from noise, with the remaining boundary comprising of a 0.9m high timber picket fence to avoid an unduly harsh fence line and inward looking development.
- 10.14 Overall, I am satisfied that the proposed layout is acceptable and provides suitable parking and turning areas as well as suitable boundary treatments and landscaping scheme. The design and scale of the dwellings and apartments are considered to be acceptable in this location and as such the proposal is in accordance with Policy GN3 of the Local Plan.

Impact on Residential Amenity

- 10.15 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. In terms of the impact on surrounding residents appropriate interface distances are maintained between the existing dwellings on Bromilow Road and Ormskirk Road and the proposed development. In respect of the 9.2m interface distance between numbers 9, 11 and 13 Taylor Street and Plot 35, whilst this does fall short of the interface distance guideline of 12m, I am mindful that presently there is an existing building which is to be demolished which is only 6m away from numbers 9, 11 and 13 so their outlook at ground floor will be improved. I have also taken into account the existing interface distance along Taylor Street between the two storey terrace properties is only 6m. There will be one non habitable window in the side elevation of Plot 35 which serves a landing, in this instance to further protect the amenity of the occupants of numbers 9, 11 and 13 Taylor Street, a condition will be imposed to ensure this landing window is obscure glazed and non-opening.
- 10.16 Concern has been raised from local residents about the scale and siting of the proposed three storey apartments in respect of over domination and overlooking. As discussed earlier in the report, scale, siting and design of the apartment block has been amended. The apartment block has been re-sited away from the properties on Taylor Street in order to allow an increased interface distance of between 25m and 40m from the proposed apartment block to the rear elevations of the properties on Taylor Street. The majority of the windows on the upper floors of the south elevation are non-habitable landing or bathroom windows. The exception to this is apartments 6 and 8 on the southern end of the block which each have two lounge windows, however there is at least 30m between these windows on the rear elevation of the properties along Taylor Street which exceeds the interface guidelines in the Council's Design Guide SPD. Similarly, there is a kitchen window in apartments 5 and 7 but again the distance to the nearest property on Ormskirk Road exceeds the interface guidelines.
- 10.17 In terms of future occupier's amenity, condition 8 of the outline planning permission requires the submission of a noise assessment which would highlight any additional noise mitigation measures that may be necessary on the site. The assessment recommends the use of an acoustic fence to protect certain garden areas from noise and recommends

standards for glazing and ventilation which Environmental Health consider to be appropriate. A condition will be imposed requiring a final specification for glazing for dwellings on the site in accordance with the Nosie Assessment recommendation.

- 10.18 Therefore, I consider that the proposed development, subject to the conditions would not result in a detrimental loss of residential amenity to any neighbouring properties and would provide a suitable residential environment for future occupants, in accordance with Policy GN3 in the Local Plan.

Highways

- 10.19 Access to the site from Railway Road was approved under the previous outline application. The impact of the overall development on highway capacity and safety has already been assessed under the outline planning permission and there has been no material change in circumstance since this time. LCC do not raise any highway capacity issues and advise that access arrangements for the site remain acceptable.
- 10.20 An amended site layout has been submitted and parking provision now accords with the requirements in policy IF2, all two and three bedroomed properties would have two spaces and the four bedroomed properties would have 3 spaces. Where garages are provided they are of sufficient size to accommodate vehicle parking. A communal cycle store is proposed adjacent to the apartments but the submitted design details – a galvanised steel mesh cage is not suitable along the frontage of the site and a planning condition will be imposed requiring details of a revised cycle store.
- 10.21 Following the submission of swept path analysis, LCC Highways are satisfied that vehicles would be able to manoeuvre safely within the site and access and egress would not cause adverse harm to highway safety or the free flow of traffic in the local area. Low level bollards are proposed to prevent vehicular access to/from the site onto Taylor Street and a 1.8m high fence will prevent vehicular access from the un-named road between 53 & 55 Ormskirk Road and the site which is considered to be acceptable. The site will connect to the existing network of footpaths to the north (with Taylor Street) and to the south west with Bromilow Road and the sports pitches. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Drainage

- 10.22 A Flood Risk Assessment was submitted under the Outline application. The site currently drains to the existing public sewer. It is proposed that foul drainage will discharge to the adopted sewer serving the site. In respect of surface water drainage, infiltration is not considered suitable due to the ground conditions which comprise of sand over firm / stiff clay at a depth of 1 to 2m with rock head varying in depth from 8 to 12m. The site has a high water table generally at 1m below existing ground level. Based on the above soak-ways are not feasible and have been discounted. Therefore, the surface water run-off will be drained to the watercourse that runs along the south eastern boundary of the site. It is proposed that the system will incorporate attenuation via oversized pipes and a Hydrobrake or equivalent flow control, designed to limit the peak surface water runoff into the ditch.
- 10.23 The Lead Local Flood Authority has previously assessed the Flood Risk Assessment under the outline application and advised that they have no objection subject to a planning condition requiring submission of a full surface water drainage scheme. The requirement to submit full drainage details has been secured by planning condition under the outline application. I am satisfied that an appropriate drainage strategy can be implemented under

a separate approval of details application to discharge the drainage condition under the outline application, in accordance with Policy GN3 of the Local Plan.

Planning Obligations

- 10.24 The obligations set out in the S106 Agreement pertaining to the outline permission 2018/1304/OUT for this site remain in force. Those obligations relate to the provision and delivery of affordable and specialist housing across the site and a Linear Park Contribution.

Summary

- 10.25 It is considered that the proposed development is acceptable in terms of layout, housing mix, appearance and scale and that the proposed landscaping scheme will assimilate the development into its surroundings. I am satisfied that the proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties. The proposed development is acceptable in respect of drainage and highway impact and is compliant with the NPPF and the relevant policies in the West Lancashire Local Plan 2012-2027 DPD.

11.0 RECOMMENDATION

- 11.1 That reserved matters be APPROVED subject to the following conditions and reasons:

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:
The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference 17/064/AF01 Site Layout Affordable and M4(2) plots received by the Local Planning Authority on 20th August 2021
Plan reference Proposed Site Layout 17/064/P01/D, Enclosures Layout 17/064/EN01/D and Bungalow Type 2B701 17/064/P14 received by the Local Planning Authority on 12th August 2021
Plan reference House Type 3H848 17/064/P03, Proposed Apartments 17/064/P11/B, Proposed Street Scenes and Sections 17/064/P12/B, 17/064/P13 received by the Local Planning Authority on 12th July 2021.
Plan reference Bin Store Plan reference 17/064/BS01 received by the Local Planning Authority on 4th June 2021
Plan reference Site Location 17/064/L01, Single Garage 17/064/G01, Double Garage 17/064/G02, Double Twin Garage 17/064/G03, House Type 2H760 17/064/P08, House Type 3H926 17/064/P09, House Type 3H1063 17/064/P05, House Type 3H778 17/064/P02, House Type 3H848R 17/064/P04, House Type 4H1207 17/064/P07, House Type 4H1311 17/064/P06 received by the Local Planning Authority on 25th 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.
2. No part of the development hereby permitted shall be commenced until a finalised scheme for the protection of the proposed dwellings from noise from road traffic and from the JMO Sports Park has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the specifications for glazing and ventilation for all properties. Works which form part of the approved scheme shall be completed for each

affected dwelling before that dwelling is first occupied and permanently retained thereafter.

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

3. Notwithstanding the submitted cycle store plans, full details (including elevations and materials) of the covered cycle store shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle store shall be erected prior to occupation of any of the hereby approved flats.

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.

4. The proposed dwelling on plot 35 shall not be occupied until the side facing first floor window as indicated on drawing 17/064/P01 Rev D and 17/064/P09 has been glazed with obscure glass to a degree sufficient to conceal or hide the features of all physical objects from view (level 4). The window shall be fixed shut and shall be retained as such with level 4 obscure glazing at all times thereafter.

Reason: To protect the privacy and amenity of adjacent residential properties and so comply 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 Landscaping Proposals sheet 1 6475.02 Rev A, Landscaping Proposals sheet2 6475.02 rev A, Landscaping Proposals sheet 3 6475.04 Rev A received by the Local Planning Authority on 26th August 2021 and Enclosures Layout 17/064/EN01/D received by the Local Planning Authority on 12th August 2021. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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

6. The bin stores/sheds shall be constructed in accordance with the approved details and the timber fence surround shall be painted green prior to the first occupation of the apartment building.

Reason :To safeguard and enhance the character of the area and to protect residential amenity in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. The new estate road / access between the site and Railway Road shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

8. No development shall take place until a scheme showing the areas for a site compound including the siting of office, storage of plant and materials has been submitted to and approved in writing by the local planning authority. All works which form part of the

approved scheme shall be implemented while any demolition/construction works are in operation.

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

Notes

1. Asbestos - Advisory Notes

The application details that the existing public house is to be demolished as part of the proposals and due to the building age asbestos containing materials may be present.

The Local Authority does not regulate health and safety or asbestos related issues on demolition or construction sites. The Health and Safety Executive (HSE) is the advisory and enforcing authority for such matters. Before starting any work that is likely to disturb asbestos, a suitable and sufficient risk assessment must be prepared.

Depending on the type of asbestos, you may need to notify the HSE prior to commencing work and you may need to appoint licensed contractors to undertake this work. Please contact the HSE for advice.

Please also note that all asbestos containing material must be disposed of at licensed waste sites by waste carriers who are licensed to carry asbestos. Appropriate waste transfer documentation should be retained. Asbestos must not be buried on site.

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

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

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

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.