

<b>No.1</b>	<b>APPLICATION NO.</b>	2021/0726/FUL
	<b>LOCATION</b>	Land Between 11 And 21 The Gravel Mere Brow Tarleton Lancashire
	<b>PROPOSAL</b>	Erection of four detached dwellings with garages
	<b>APPLICANT</b>	Bella Homes NW Ltd
	<b>WARD</b>	Tarleton
	<b>PARISH</b>	Tarleton
	<b>TARGET DATE</b>	11th August 2021

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## **1.0 REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Mee has requested it be referred to the Planning Committee to consider concerns regarding highway safety in particular proximity of the site to the Primary School and the impact of infill developments on the rural character of Mere Brow.

## **2.0 SUMMARY**

- 2.1 This application is for a residential development of 4no. houses on land off The Gravel. The site already benefits from planning permission for residential development for a terrace of five dwellings. Whilst the site is designated as Green Infrastructure/ Open Recreation Space in the Local Plan, the land is not publicly accessible and I am satisfied its redevelopment for residential purposes is acceptable in principle, given the previous permission. I am of the view that the proposed development will not cause harm to the character of the area, amenity of neighbouring properties, landscaping, ecology or highway safety and that the proposal therefore complies with the relevant policies of the NPPF and Local Plan.

## **3.0 RECOMMENDATION: APPROVE subject to conditions.**

## **4.0 THE SITE**

- 4.1 The site is located on the north side of The Gravel flanked at either side by residential dwellings, with grounds belonging to Mere Brow Primary School to the rear. The site is grassed and contains some trees.

## **5.0 PROPOSED DEVELOPMENT**

- 5.1 The application is for redevelopment of the site for residential purposes. The application has been amended since its original submission with a reduction in proposed houses on the site to 4no. two storey dwellings, with 2 of the dwellings facing onto The Gravel and 2 of the dwellings being within the site. Access to 3no. dwellings would be via a new access road off The Gravel, adjacent to the boundary with no.11, with one of the dwellings having driveway access directly off The Gravel. Each dwelling would have 2no. car parking spaces and a garage.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2019/0213/FUL - Development of a terrace of five houses. Approved 05.07.2019.

## **7.0 CONSULTEE RESPONSES**

- 7.1 United Utilities (26.07.2021) – No objection.
- 7.2 Environmental Protection (06.10.2021) – No objection.
- 7.3 Highway Authority (13.07.2021 and 10.11.2021) – No objection.
- 7.4 Merseyside Environmental Advisory Service (15.09.2021) – No objection.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 Tarleton Parish Council (23.07.2021) – Object to the development as it would result in over-development of a small village, destroying its character. The style of the proposed dwellings is not in keeping with the village and the scheme represents piecemeal development. There would be a loss of amenity, significant additional vehicle issues and added pollution.
- 8.2 Representations have been received from local residents and Mere Brow Church of England Primary School, these representations can be summarised as:

Highway/Pedestrian safety.

Traffic calming measures should be introduced.

Increased air pollution.

The closure of Runner Platt has seen an increase in vehicular movements on The Gravel; safety measures should be those afforded to an 'A' road.

Parking for school drop off will be reduced.

The playing field to the north is school property.

Houses would overlook the school.

Increased surface water and sewage.

Reduction in water pressure.

Development fails to take account of the building line.

Loss of open space.

Impact on the street scene.

Impact on front and side window belonging to no.21 The Gravel.

Plans discrepancy.

Errors in the Design and Access Statement.

The proposed fencing is not in keeping with the area.

Lack of low-cost housing.

## **9.0 SUPPORTING INFORMATION**

Tree Survey

Planning Statement

Ecology Survey

Drainage Strategy

Design and Access Statement

## **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.
- 10.2 The site is Green Infrastructure/Open Recreation Space 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

RS1 – Residential Development

EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

EN3 – Provision of Green Infrastructure and Open Recreation Space

SPD – Design Guide (Jan 2008)

### **11.0 ASSESSMENT**

#### ***Principle of Development – Green Space***

- 11.1 Although the site is designated as Green Infrastructure/Open Recreation Space within the Local Plan there is a previous recent planning consent (2019/0213/FUL) for a residential development of 5no. dwellings on the site which is a material consideration in the assessment of this application. As with the approved consent this scheme proposes that the frontage of the site would remain open retaining a landscaped frontage to the street which would continue to provide an open aspect to the street scene in line with the previous approval.
- 11.2 Part 2 a) of Policy EN3 ‘Provision of Green Infrastructure and Open Recreation Space’ of the Local Plan states that development that results in the loss of existing open space or sports and recreation facilities (including school playing fields) will only be permitted if one of the following conditions are met:
- The open space has been agreed by the Council as being unsuitable for retention because it is under-used, poor quality or poorly located;  
The proposed development would be ancillary to the use of the site as open space and the benefits to recreation would outweigh any loss of the open area; or  
Successful mitigation takes place and alternative, improved provision is provided in the same locality.
- 11.3 The Council have previously accepted development of the site for residential purposes with the inclusion of an element of open space at the site frontage, in order to meet the requirements of Policy EN3. As with the previous consent this proposal fails to accord with criteria 2a) (i) and (ii) and so mitigation would be required in accordance with criterion (iii) . It is acknowledged that the site is currently in private ownership and is not publicly accessible, and in this particular instance like with the previous approval, the proposed layout allows for the retention of some open space towards the frontage of the site which would be publicly accessible from The Gravel frontage.
- 11.4 Given the extant permission on the site, I am satisfied that as this current proposal for residential development which also provides for the retention of an area of open space to the site frontage addresses the requirements of Policy EN3 part 2a).

#### ***Visual appearance/design***

- 11.5 There is a mix of dwelling types in the locality and as such there is no defined architectural characteristic to the area. The proposed dwellings would be two storey which would be appropriate in this location, and I consider them to be an acceptable design taking into account the varied house types within the locality. Two of the dwellings would face onto The Gravel but be set back from the road to allow for an area of open space, whilst the

other two dwellings would be set into the site and face north west. The frontage dwellings would provide an appropriate stagger in the building line in between the existing adjacent dwellings. I am satisfied that the proposed layout and design of the dwellings would be acceptable in the street scene in accordance with Policy GN3 of the Local Plan.

### ***Impact on Residential Amenity***

- 11.6 The dwelling at no.11 The Gravel has its main elevation facing onto the application site. The layout has been designed to ensure that outlook from no.11 would not be adversely affected by setting the proposed dwellings back into the site, so there would be no direct relationship between the existing dwelling at no.11 and new dwellings on the site.
- 11.7 The house at Plot 1 has been redesigned so that there would be a separation distance of approximately 3.9m between a proposed single storey garage and the gable end of the existing dwelling at no.21 The Gravel; this separation distance would ensure that there is no significant overbearing impact on the existing dwelling including its lounge window which is adjacent to the site boundary facing towards The Gravel. The property at no.21 also has a window on its gable end which faces onto the site, this window is secondary and given the separation distance and the fact that the built development which would be adjacent to the boundary would be single storey, I am satisfied that residential amenity would not be significantly adversely affected.
- 11.8 As regards any potential impact from increased comings and goings from the new access road, whilst it would be adjacent to the boundary with no.11, I do not think that the comings and goings from occupants of 3no. houses would give rise to significant levels of disturbance or noise for the occupiers of this property or other dwellings in the vicinity.
- 11.9 In terms of the level of amenity offered to future occupiers of the dwellings, the proposed garden depths are acceptable and in accordance with standards detailed in the Council's Design SPD.
- 11.10 I am satisfied that the proposed development accords with Policy GN3 of the Local Plan in terms of impact on residential amenity.

### ***Highways***

- 11.11 A new access road would be taken directly from The Gravel and would serve 3 of the dwellings, each dwelling would have 2no. frontage car parking spaces and a garage. The Highway Authority have reviewed the proposals and advised that the required visibility splays are achievable, and I am satisfied that the proposed level of car parking is sufficient and in accordance with Policy IF2.
- 11.12 I consider that the proposed development of an additional 4 dwellings in this area would have a negligible impact on highway capacity and highway safety within the immediate vicinity of the site, in accordance with Policy IF2.

### ***Ecology***

- 11.13 An Ecological Impact Assessment has been submitted with the application. This concludes that habitats on the site are considered to be of low ecological importance and that no protected species will be adversely affected. The habitats on site are suitable for hedgehog and potentially amphibians and for this reason reasonable avoidance measures will be secured by condition. I am satisfied that the proposed development is acceptable in terms of biodiversity, in accordance with Policy EN2 of the Local Plan. In accordance with the NPPF, it is recommended that the ecological value of the site is enhanced

through the incorporation of bird boxes into the development; this will be secured by condition.

### ***Trees and landscaping***

11.14 An Arboricultural Survey has been submitted with the application which has identified that no trees require removal to make way for the proposed development. A condition will be imposed to ensure that works are carried out in accordance with the tree protection measures identified in the Arboricultural Survey. An additional three trees would be planted on site per dwelling along with some shrubs/low level planting. I am satisfied that suitable landscaping would be provided on the site in accordance with Policy EN2 of the Local Plan.

### ***Drainage***

11.15 Policy GN3 of the Local Plan requires that development does not result in unacceptable flood risk or drainage problems by requiring development to demonstrate that sustainable drainage systems have been explored alongside opportunities to remove surface water from existing sewers.

11.16 A Drainage Strategy has been submitted with the application which discounts infiltration and advises that as there are no open or culverted watercourses within the site, surface water will drain to the existing combined sewer via a system of sub-base attenuation storage with appropriately designed flow controls, in addition to this it is proposed that paved areas will be formed in permeable paving or laid to fall onto landscaped areas within the site. United Utilities and the Council's Drainage Engineer have assessed the proposals and advised that infiltration to ground should be fully investigated or evidenced to determine if this method of surface water disposal is unfeasible, and for this reason conditions to secure a suitable drainage solution on the site will be imposed. United Utilities have also advised that to reduce the risk of flooding, the finished floor levels of the proposed dwellings should be higher than the manhole cover levels on the receiving sewer; this can be secured by planning condition.

11.17 There is a public sewer in The Gravel and it is proposed that foul drainage from the new dwellings would be connected to this.

11.18 I am satisfied that an appropriate drainage strategy can be achieved on the site, in accordance with Policy GN3. Details of which will be secured by planning condition.

### ***Summary***

11.19 I am satisfied that the proposal is acceptable, given the previous permission on the site for residential development, and the retention of some publicly accessible open space on the site. The scheme would not have a significant detrimental impact on residential amenity, visual amenity, highway safety or biodiversity. I am also satisfied that an appropriate method of surface water drainage can be provided on site. I consider the proposed development accords with all relevant policies in the NPPF and Local Plan.

## **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:  
2640-01B - Site Layout  
2640-01A - House Types A and B  
2640-03 House Type C  
received by the Local Planning Authority on 25th October 2021.  
Plan reference:  
002 - Boundary Treatment Details  
received by the Local Planning Authority on 1st June 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 in the planning application form received by the Local Planning Authority 1st June 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. The finished floor levels for each property shall be a minimum of 5.27m AOD. Prior to occupation of the development, a survey shall be submitted to the local planning authority which confirms that the buildings have been constructed in accordance with the minimum finished floor level requirement.  
Reason: To reduce the risk of flooding.
5. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
  - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - (ii) A restricted rate of discharge of surface water to 3 litres/second (if it is agreed that infiltration is discounted by the investigations); and
  - (iii) A timetable for its implementation.The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. No surface water shall discharge to the public sewer either directly or indirectly in accordance with the submitted information.  
The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.  
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.

6. Foul and surface water shall be drained on separate systems.  
Reason: To secure proper drainage and to manage the risk of flooding and pollution and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. No construction shall take place until a drainage and SuDS maintenance strategy for the separate foul and surface water drainage for the lifetime of the development, including any necessary attenuation and oil separation measures, has been fully agreed with the relevant statutory body/bodies, and until written evidence of that agreement has been provided to and acknowledged in writing as acceptable by this Planning Authority. The surface water drainage strategy must be in accordance with 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 national standards. A ground investigation must be undertaken to fully explore the option of ground infiltration (including permeable paving systems) by employing a percolation test in accordance with BRE Digest 365, or similar approved, to determine the soil 'infiltration rate'. If it is not feasible to drain the whole site to an infiltration system it must be demonstrated that draining a portion, or discrete portions of the site had been considered. In the event that the use of infiltration techniques is not feasible, the pass forward flow rate to the receiving surface water drainage system must be restricted to an agreed rate of discharge. Any method chosen for the disposal of surface water will need to be designed such that there will be no volume of water, increased rate of flow off-site during or on completion of the proposed construction for all storms up to 1 in 100 years plus an agreed allowance for climate change and urban creep. If it is intended that the proposed foul and/or surface water drainage system is to be adopted then it must be demonstrated that s104 Technical Approval has been provided by United Utilities. The drainage scheme shall be completed in accordance with the approved details prior to occupation of the development.  
Reason: 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.
8. Prior to any part of the development hereby permitted taking place a scheme showing the areas for a site compound including the siting of office, parking areas for contractors, storage of plant and materials and measures to prevent the transfer of mud out of the site shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented while any demolition/construction works are in operation.  
Reason: These details are required prior to the commencement of development in order to protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. The parking provision shown within the curtilage of each dwelling on the approved plans ref 2640-01B shall be provided prior to first occupation of the dwelling to which it relates. The parking area shall be hardsurfaced and shall be made available for its intended use at all times thereafter.  
Reason: In the interests of highway and pedestrian safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
10. Prior to the access being used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paviments, or other hard material to be approved by the Local Planning Authority.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to road users.

11. No part of the development hereby approved shall commence until dropped kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway (and/or verge) fronting the site in accordance with the approved plans and the Lancashire County Council Specification for Construction of Estate Roads, to be retained in that form thereafter for the lifetime of the development.  
Reason: In the interests of pedestrian safety and accessibility and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
12. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement received 1st June 2021 unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
13. All hard and soft landscape works shall be carried out in accordance with the approved details shown on 2640-01B. 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.
14. No building shall be occupied/brought into uses until details of the number and location of bird nesting boxes to be incorporated into the scheme (minimum 1 per dwelling) have been submitted to and approved in writing by the Local Planning Authority. The bird boxes shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.  
Reason: In the interests of biodiversity conservation and to comply with Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. The development shall be implemented in accordance with the reasonable avoidance measures detailed in the Preliminary Ecological Appraisal received by the Local Planning Authority 01.06.2021.  
Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
16. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.  
Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

17. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all public 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.

## **Notes**

### 1. Highway Note

This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 184 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roadsparking-and-travel/roads/vehicle-crossings.aspx>  
(For multiple vehicular crossings please ring 0300 123 6780 and ask for a bespoke quotation.)  
This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

2. Reasonable avoidance measures to protect terrestrial mammals and amphibians to be put in place during the course of the development should include:  
A pre-commencement check for badger;  
All trenches and excavations should have a means of escape (e.g. a ramp);  
Any exposed open pipe systems should be capped to prevent badger gaining access; and  
Appropriate storage of materials to ensure that badger do not use them.  
The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and  
Any open excavations (e.g. foundations / footings / service trenches etc.) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

## **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  
RS1 - Residential Development

EN2 - Preserving and Enhancing West Lancashire's Natural Environment  
EN3 - Provision of Green Infrastructure and Open Recreation Space

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.