



AGENDA ITEM:

**PLANNING COMMITTEE:
13 OCTOBER 2022**

Report of: Corporate Director of Place and Community

SUBJECT: LATE INFORMATION

1.0 INTRODUCTION

The information below has been received since completion of your Agenda.

2.0 ITEM 7 – PLANNING APPLICATIONS

Application No.	2021/1506/FUL
Location	Station House, Red Cat Lane, Burscough
Proposal	Conversion of former Grade II Listed building from dwelling to children's day nursery with associated play area and car parking/ drop off area

The recommendation set out at paragraph 2.1 and 12.1 of the report is amended thus:

"Grant planning permission subject to conditions and the completion of a Section 106 Unilateral Undertaking requiring the use of the building/site as a day nursery to cease in the event that the approved car parking is no longer available for the proposed use."

Observations of the Corporate Director of Place and Community

With regard to paragraph 10.22 of the Report, members are advised that the Unilateral Undertaking is expressly intended to ensure that if Network Rail are, at any stage, unable to continue leasing land within the site to enable parking/drop off facilities on site, the use of the building and land as a day nursery would cease. This is in addition to planning condition 4, that requires the laying out of the car park prior to first occupation.

The applicant has advised that their application to Ofsted is in progress but they have not finalised it at this stage. They have confirmed that there would be a maximum intake, as per the Report, of 50 children in anyone day. As the applicant has confirmed an upper ceiling of 50 children at any one time, and in view of the application to Ofsted currently pending, members may wish to consider adding a further condition on this basis if minded to grant planning permission.

It is recommended following further discussion with the applicant in relation to the site layout that two further conditions are attached as follows:

- Prior to first occupation of the development hereby permitted, a detailed scheme ensuring full and free level access facilities are provided between Red Cat Lane and the eastbound platform to Burscough Bridge Station shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to first occupation of the development and retained at all times thereafter.

Reason: To ensure appropriate access is maintained at all times for all rail users in accordance with Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2017.

- Prior to first occupation of the development hereby permitted, a detailed scheme providing safe pedestrian routes within the site between the car park and the main entrance to the building for all users shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include signage clearly directing pedestrians and vehicle users respectively within the site. The scheme shall be implemented prior to first occupation of the development and retained at all times thereafter.

Reason: To ensure appropriate circulation and safe routes for all users within the site in accordance with Policy GN3 of the West Lancashire Local Plan Development Plan Document 2012-2017.

Condition 7 is also amended to change the wording from "prior to commencement", and to add a compliance component, as follows:

Prior to first occupation of the development hereby permitted, an Operational Management Plan (OMP) shall be submitted to and approved in writing by the Council. Details shall include times and frequency of any deliveries and collections, vehicle movements, silent reversing methods, management of external areas etc. The approved OMP shall be adhered to at all times whilst the use hereby permitted is in operation.

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.

Application No. 2022/0273/FUL
Location Land to the rear of 126 -160 Ormskirk Road Up Holland
Proposal Planning application for the development of 20 residential dwellings with associated highway works, accesses and landscaping.

One additional letter of representation has been received which can be summarised as follows:

- Concern that there is no mention of impact on houses on Ormskirk Road
- Consider our property will have a loss of privacy as a result of the proposal
- Point 4.2 of the report states that the entrance adjacent to the public house would be used as the main access to the new properties. Consider this to be an error. This access would not be wide enough to serve the development.

Observations of the Corporate Director of Place and Community

Due to the position of the proposed dwellings and the location of fenestration on those buildings it is considered that the proposed development would not adversely impact on the residential amenity of the dwellings which face directly onto Ormskirk Road.

No. 124 Ormskirk Road is situated to the rear of no. 126 and to the east of the application site. The ground level of the existing and proposed properties are similar and the dwellings would be approximately level. No. 124 currently has a low fence surrounding the garden which adjoins the application site meaning the property is wholly visible from the site. It is also overlooked by the surrounding properties. Plots 1-3 would be approx. 5m closer than the nearest existing property. Whilst there would be some overlooking from the new properties, given the open nature of the site and the overlooking that could occur from the public open space, it is considered that any harm because of loss of privacy is likely to be somewhat limited in nature.

It is noted that the harm to properties in Dorchester Road has not been properly represented in refusal reason 2. Having regard to the above members may wish to consider an amendment to refusal reason 2 as follows:

The proposal conflicts with Policy GN3 in the West Lancashire Local Plan 2012 - 2027 and supplementary planning document 'Design Guide' in that it would result in an overbearing form of development and would give rise to overlooking and loss of privacy to the neighbouring properties in Carlton Avenue, Dorchester Avenue and no. 124 Ormskirk Road to the significant detriment of the residential amenity of occupiers of those properties.

For clarification the access between the former public house and no. 126 lies outside the red line of the application site. An error is noted within paragraph 4.2 and this paragraph should read "It is not proposed that the entrance adjacent to the public house would be used for access to the new properties. The other access has been retained and would be used to allow access to the rear of the properties on Ormskirk

Road and an existing garage which lies to the rear of nos. 150/152. A communal refuse collection area would be provided at the entrance to the site.