



**AGENDA ITEM:**

**PLANNING COMMITTEE:  
25<sup>TH</sup> MAY 2023**

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**Report of: Corporate Director of Place and Community**

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**SUBJECT: LATE INFORMATION**

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Application No.      **022/0945/WL3**  
Location              **2-84 Tanfields, Skelmersdale**  
Proposal              **Proposed redesign of 82 & 84 Tanfield flats following explosion and subsequent demolition of the existing. Existing design consists of No.82 -1bed ground floor flat and No.84 - 2bed two story flat split over first & second floor. Proposed design involves making both flats 1beds - No.82 (Ground Floor) & No.84 (First Floor)**

**Additional consultee response – The Coal Authority**

After further consultation with the Coal Authority, they have confirmed that the proposal meets their Exemption Criteria. This means that they acknowledge there is minimal groundworks and their initial request for planning conditions would be considered unreasonable and therefore contrary to NPPF guidance.

**Observations of the Corporate Director of Place and Community**

Members are advised that Condition 3 (intrusive works) and Condition 4 (verification statement) of the Report to Planning Committee will be removed and instead an informative note will be attached. This informative note is the Coal Authority's deemed consultation response and is written to make it clear to the applicant that their site falls within an area of coal mining legacy. Whilst the type or nature of development is unlikely to be at significant risk, the note highlights the need to consider ground conditions.

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Application No. **2022/0955/FUL**  
Location **9-11 Moor Street, Ormskirk, L39 2AA**  
Proposal **Alterations to two existing shops, creation of second floor and conversion of first and second floors to student HMO**

In relation to the limited car parking availability for future residents and concerns regarding any adverse impact upon highway amenity, a request to consider the imposition of a condition on any permission to restrict occupants from parking vehicles to the front of the building on or along Moor Street.

### **Observations of the Corporate Director of Place and Community**

Members are advised that the front of the application site faces onto Moor Street which forms part of the pedestrianised area of the Town Centre. There are existing restrictions to access and parking arrangements in this location (from Moorgate to The Clock Tower) which prohibits traffic except for loading/ unloading between the hours of 7am-10am and 4pm-7pm. The enforcement of these access and parking restrictions are undertaken by LCC Highways under separate legislation The Traffic Management Act 2004. The Police also have the right to exercise this law.

The conversion of the upper floors for student residential accommodation includes a main pedestrian access from the rear of the building. There are two retained parking spaces to the rear yard area which would remain as existing serving the commercial ground floor units. Vehicular access at the rear is via Leyland Way which is a circular access road serving the large public car park and rear of the commercial/ retail buildings on Moor Street and Burscough Street. Double yellow line restrictions are in operation on this road which prohibits car parking and are similarly enforced by Highways Authority.

The NPPF at paragraph 55 states that planning conditions should be used only when they satisfy tests of being necessary, relevant and enforceable. Given the existing provision of highways restrictions in operation to both the front and rear of the site, the imposition of an additional condition for residents would not be considered necessary, reasonable or enforceable by the Local Planning Authority and would therefore be contrary to NPPF guidance.



Figure 1 Top of Moor Street (Display of NO Entry Signs)



Figure 2 Bottom end of Burscough Street (Display of barrier and NO Entry signs)



Figure 1 - Top of Church Street - Display of NO Entry and Pedestrian Zone Sign prohibiting anything other than unloading and loading at any time