



PLANNING COMMITTEE: 27th July 2023

Report of: Corporate Director of Transformation, Housing & Resources.

Contact for further information:

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SUBJECT: Planning Application 2022/1210/FUL

PROPOSAL: Part retrospective change of use to allotment for personal use. Demolition of existing outbuilding and construction of new building for storage. Widening of existing access including boundary wall and fencing

ADDRESS: Land adjacent to The Old School, Higher Lane, Dalton, Wigan, WN8 7RA

Wards affected: Dalton

1.0 PURPOSE OF THE REPORT

1.1 The report advises Planning Committee on an application which seeks part retrospective permission for the change of use of agricultural land to an allotment for personal use. The development includes the demolition of existing outbuilding and construction of a new building for storage alongside widened entrance to the site, hard standing and boundary wall and fencing improvements

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission be GRANTED subject to conditions

3.0 THE SITE

3.1 The application site relates to a sloping parcel of agricultural land (approx. 0.018 of an acre) which is located on the west side of Higher Lane in Dalton. The residential plot of The Old School lies immediately beyond the northern boundary whilst the rear west and southern side are flanked by open land/ fields. A timber post and rail fence denote the perimeter of the site from the adjacent land uses. The eastern boundary opens onto the Highway of Higher Lane opposite the junction with Hillock Lane.

3.2 Prior to the development, the application site was previously laid to grassland aside from a modest brick-built outbuilding located in the southwest corner adjacent to

the rear boundary. It is however noted that work has commenced on site including the construction of a revised access and driveway entrance comprising of stone setts and the excavation of vegetable beds that are laid out in a grid pattern towards the front boundary of the site.

- 3.3 The application site has been subject to a recent initial enforcement investigation following which the owner has engaged in pre-application advice prior the submission of the current formal planning application.

4.0 THE PROPOSAL

- 4.1 A part retrospective planning permission is sought for the change of use of agricultural land to an Allotment for personal use.

At the time of submission/ assessment it is noted that the following elements of the development have already been completed on site:

- Demolition of the existing brick-built outbuilding
- Revised access and creation of a driveway formed of stone setts and stone wall entrance
- Excavation of vegetable beds in grid pattern

The remainder of the development detailed below is yet to be completed:

- Erection of a larger storage building to the rear (southwest) of the site
- Planting of Orchard/ Trees
- Replacement fencing/ boundary wall to the perimeters of the site

- 4.2 The new storage building would be constructed of reclaimed stone and tiles and would have the following dimensions 5.5m x 3m with a dual pitched roof ridge of 2.6m.

- 4.3 It is also noted that the application has been revised since its original submission. An extensive area of driveway and turning circle within the site has been removed from the site layout proposals as this had previously been identified as being unacceptable at pre application stage. Furthermore, following receipt of responses from statutory consultees, additional clarification and documentation has been submitted in respect of the access onto the highway/ visibility spays and several documents relating to the drainage proposals for the site. Formal re-consultations have taken place on the revisions.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 **E/2022/0076/UAU** Enforcement Investigation: Change of use of land without planning permission

6.0 CONSULTEE RESPONSES

6.1 MEAS

(03.01.2023)

- The ecological survey submitted is considered acceptable
- No notable habitats or plant species recorded, and potential presence of protected species discounted

Roosting Bats

- Outbuilding which has been removed may have provided opportunity for roosting bats
 - Implementation of Recommendations 5.3.6 of Ecology Report in relation to Roosting Bats should be secured by condition
- Himalayan Balsam (HB) / Virginia Creeper (VC)**
- Both species recorded at boundary of site. Recommendations 5.2.3 and 5.2.4 of ecological survey in respect of mitigation of further spread should be secured by condition
 - Native landscaping and house sparrow boxes should be provided on site

6.2 LCC Highways

(24.03.2023) v2

- I confirm LCC Highways have no objections. I apologise for the error on my previous comments in respect of the speed limit for Higher Lane
- I note this is a retrospective application. The storage unit and works associated with it should have negligible impact on highway safety and capacity within the site
- From the submitted plans the entrance is wider than the existing dropped kerb and therefore the kerb needs to be extended for the full width of the access
- Requested Condition
Within three months of permission being granted the existing dropped kerb shall be extended for the entirety of the width of the access, at the carriageway edge and a vehicle cross-over constructed across the footway (and/or verge) fronting the site in accordance with 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.
- Informative
This consent requires the construction, improvement or alteration of an access to the public highway. Under the Highways Act 1980 Section 171 (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, within three months of permission being granted, 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/roads-parking-andtravel/roads/vehicle-crossings.aspx>

(21.12.2023) v1

- Plans fail to show visibility splays for the entrance to the site
- Higher Lane classified as Secondary Distributor Road with 60mph speed limit. Visibility Splays required are 2.4m x 152m
- Submission fails to confirm largest vehicle which will utilise the site this also needs to be confirmed so requirement for swept path analysis can be checked

6.2 WLBC Principal Drainage Engineer

(15.06.2023) v4

- I have no objection in principle to the application. I estimate the impact on flood risk due to the development to be negligible

(26.05.2023) v3

- I am willing to accept that a soakaway will work at this location. However, it is not clear to me how the surface water generated within the site is intercepted and conveyed to the proposed soakaway
- The easiest way to demonstrate the drainage falls (gradients) is by providing longitudinal section along the drainage run from the bottom of the access of the soakaway. The section should extend to the store/ potting shed if the intention is to catch runoff from all impermeable areas within the site

(24.03.2023) v2

- The revised drainage details are not sufficient for me to remove my objection to this development. The surfacing used whether formed in cobbles or grasscrete, will undoubtedly increase surface water runoff. The introduction of channel drainage is not sufficient in my view due to the steepness of the ground it drains.
- Also, the reliance of water soaking into the ground without percolation testing being undertaken first is not acceptable
- The applicant refers to an unrelated planning application as an argument for acceptance of a channel drain in the design. This has no bearing on the application as drainage is a site-specific consideration and should not be generalised

(15.12.2022) v1

- According to the Environment Agency Long Term Flood Risk Map Higher Lane is at high risk of surface water flooding.
- One of the photographs contained within the submitted Design & Access Statement (page 7) clearly shows that the surface water runoff is directed toward Higher Lane. This is borne out by my local knowledge of the area.
- A road gully can be seen in the middle of the access opening onto Higher Lane, the purpose of which is to drain the public highway not private land. The applicant has made no effort to prevent the runoff from his property onto the highway, and therefore this development will exacerbate existing flooding.
- Considering the above I **object to this application.**
- To remove my objection, I will need to see measures put in place to prevent the runoff from flowing onto Higher Lane.

7.0 OTHER REPRESENTATIONS

7.1 Planning Committee Call In (17.12.2022)

- The application has been Called-In to Planning Committee by Councillor David Whittington stating, ' the reasons are the same as those raised by the Parish Council'. For avoidance of doubt these are noted as size of replacement building and scale/ extent of driveway and turning area both of which are considered to result in harm to the Green Belt

7.2 Dalton Parish Council

(20.12.2022)

- No objection to retrospective elements (boundary walls, gate, entrance)
- Objection relates to 2 aspects:
 - i) Size of replacement building- significant increase than original
 - ii) Turning Area and driveway is excessive. Previously advised this would be cellular cast (grasscrete). Entrance has been completed in cobbles and is adequate to accommodate a vehicle clear of the road therefore no

need to install remainder of the driveway and turning area- this will also lessen the impact upon the Green Belt

- If planning permission is granted could condition be imposed to restrict use to allotment as concerns that builder owner may use the site for business purposes

(22.02.2023)

- Previous Objections remain
- No special circumstances demonstrated in the submission
- Building will appear dominant as it sits on higher ground than the road
- Building still 65% larger than original
- If nothing valuable is being stored why is the metal door and iron grille necessary?
- Discrepancies in measurements of ridge height of building
- No mention of compost heap?
- Condition restricting use to allotment for personal use and restriction of storage of equipment solely relating to horticultural use

7.3 6 Neighbour representations have been received in respect of the proposal, a summary of which are outlined below

Layout and extent of driveway and turning area

- Proposed driveway covers $\frac{3}{4}$ of the site with hardstanding with the growing area appearing as a token gesture. Hard to imagine why this extent is required
- Driveway and tuning area out of proportion. Entrance apron already accommodates a transit vehicle to be parked clear of the road
- Concerns about covering the Green Belt with hardstanding

Drainage Issues

- Existing issues on Higher Lane with surface water flooding. Excessive hardstanding may exacerbate this

Concerns re future conversion of site for Residential Dwelling

- If site loses its green status- this could help facilitate passing future planning for construction of a dwelling

Scale of replacement storage building

- Building double the size of the original outbuilding which has been demolished
- Concerns this is a precursor for future dwelling
- Inappropriate scale for storing tools and compost etc
- Single window design would make it difficult for potting
- Structure is elevated from road and this magnifies its scale

Other Comments

- Concerns about the land being used in connection with applicants building business/ for storage or building materials and waste
- No objections to allotment or planting of trees
- If permission granted can a restrictive condition preventing residential dwelling be applied

7.4 Following consultation on revised information one further neighbour representation were received a summary of which is outlined below

- The building is still much larger than the one it replaces (65%)
- Owing to the higher ground levels the building will dominate the street and harm the visual amenity of the green belt and for facing residents

- Construction of building is far from usual required for growing plants

8.0 SUPPORTING INFORMATION

- 8.1 Ecological Survey and Assessment: ERAP (10.11.2022)
Design and Access Statement (10.11.2022)
Additional Supporting Statement: Response to consultees and neighbour representations (03.01.2023)
Existing Road Signs and Markings (Highways) (08.02.2023)
Water Drainage Details & Soakaway Design Report (24.04.2023)
Drainage Soakaway Report & Revised Drainage Plan (09.06.2023)
Longitudinal Cross Sections on Grid Lines (09.06.2023)

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 Green Belt
- 9.3 **National Planning Policy Framework**
Protecting green belt land
Conserving and enhancing the natural environment
- 9.4 **West Lancashire Local Plan (WLLP) 2012-2027 DPD**
Policy SP1 – A sustainable development framework for West Lancashire
Policy GN1 – Settlement Boundaries
Policy GN3 – Criteria for Sustainable Development
Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
Policy IF2 - Enhancing Sustainable Transport Choices
- 9.5 **Supplementary Planning Document**
Design Guide (2008)
Development within the Green Belt (2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The main considerations for this proposal are as follows:
- Principle of Development- Impact upon the Green Belt
 - Siting, Design and Layout
 - Impact upon Residential Amenity
 - Impact upon Highways
 - Ecology
 - Drainage

Principle of Development- Impact upon the Green Belt

- 10.2 National policy for the control of development in the Green Belt is substantially set out in paragraphs 145 and 146 of the NPPF. This lists the types of development which are considered to be appropriate within the Green Belt.

10.3 Paragraph 145 states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 7 exceptions to this including:

*b) the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation and for cemeteries and burial grounds and **allotments** as long as the facilities preserves the openness of the Green Belt and do not conflict with the purposes of including land within it.*

10.4 The current designation of the application site is Agricultural Land and as such planning permission is required for its change to an alternative use. The submission is accompanied by a Design and Access statement and supplementary Supporting Statement which outlines the applicants' intentions in relation to the site as outlined below:

The applicant purchased the land in May 2021 for use as an Allotment for personal use including establishing a grid of vegetable beds for growing and the planting of a fruit orchard. It is presented that the original outbuilding was demolished in June 2022 due to its dilapidated condition which was considered unsafe. Similarly, the existing front stone boundary wall was in poor condition most recently due to a collision with a vehicle and has been rebuilt. Additional appropriate facilities are proposed to support the allotment in the form of a single storey storage building for potting of plant and storing of gardening equipment and replacement/ upgrading of the existing access/ entrance and a number of the existing boundary treatments to the north south and western boundaries.

10.5 Based on the nature and scope of the proposal as described in the supporting statements and shown on the revised layout plans, it is considered that the Allotment for personal use would fall under exception b) of paragraph 145 of the NPPF as outlined.

10.6 Notwithstanding the above, paragraph 145 further requires an assessment of the appropriateness of any associated infrastructure or facilities based upon their preservation of the openness of the Green Belt and not conflicting with the purposes of including land within it, in this case by way of encroachment. The proceeding section assesses each element in respect of its impact:

Proposed New Storage Building:

10.7 The existing site included a dilapidated outbuilding (now removed) which was very modest in scale being 4.4m x 2.5m. It is accepted that the proposed replacement building would be slightly larger being 5.5m x 3m with an overall ridge height of 2.6m, nevertheless the increases are relatively minor, and it would maintain both the single storey scale of the previous outbuilding and the same broad location within the site- set well back in the southwest corner. The overall scale of the building would not be considered unduly excessive and in my view is commensurate with buildings typically utilised on an allotment site for storage of equipment and provision of potting facilities. The nature of the reclaimed stone and slate materials proposed for the building are appropriate in this rural location and consistent with the existing materials used elsewhere on the site for boundary treatments etc.

10.8 Overall, based on the above, I am satisfied the replacement building would not result in any significant additional harm to the perceived openness of the green belt and in this respect is acceptable.

Engineering Operations:

- New Access including Driveway Apron & Stone Wall Entrance with Field Gate
- Replacement boundary treatments to north and south

10.9 In addition to the construction of the buildings and creation of allotment areas (orchard planting and vegetable beds) the site layout includes the creation of a new access/ driveway apron which includes a stone wall, posts and field gate which is set back from the front boundary of the site. This element of the development has now been completed and forms part of the retrospective aspects of the proposal. The works constitute an engineering operation which is listed in paragraph 150 of the NPPF as being a form of development which is not inappropriate in the Green Belt provided it preserves the openness of the green belt and does not conflict with the purposes of including land within it.

10.10 The driveway hardstanding/ apron measures approx. 3.6m in width x 5.8m in length, is laid to an intricate stone sett design and surrounded by a low-level stone wall which is consistent with the existing front boundary to the site. The dimensions would allow the safe access and parking of a vehicle within the curtilage of the site which is considered a reasonable and necessary facility for an individual allotment. The proposed length of the driveway apron (5.8m) is consistent with the requisite set back distance from the pavement/ road requested by the Highways Authority to ensure that the vehicle can pull off clear of the road without causing adverse harm to highway safety or amenity. Both the low-level wall and field gate are furthermore considered appropriate in terms of the rural context.

10.11 It is acknowledged that the driveway as described above has been substantially reduced in scale from that originally proposed which covered an expansive area of the site to the detriment of allotment growing space. By comparison, the amended entrance is relatively contained and in my view is appropriately justified in terms of its scale and siting. Whilst it is recognised that a less intrusive treatment such as a cellular cast type material may have been preferential in this green belt setting, it is nevertheless accepted that loose hardstanding at this access point to the site would not have been considered acceptable by the Highways Authority owing to the potential of stones being deposited onto the road creating a hazard/ obstruction.

10.12 On balance, noting the above I am satisfied the proposed entrance, driveway, and field gate as facilities for the allotment would be considered appropriate and not result in significant harm to the openness of the green belt.

10.13 The development proposals also encompass the direct replacement/ upgrade of the post and rail fencing along the south-western boundary and the construction of a 0.8m stone wall along the northern boundary shared with the adjacent residential plot of The Old School. Owing to the scale, siting and replacement nature of these boundary treatments they would be considered appropriate in the setting and furthermore would not require planning permission as could be exercised under permitted development rights. In any case I do not consider either aspects would result in any significant additional harm to the openness of the green belt.

Siting, Design and Layout

- 10.14 Policy GN3 in the WLLP requires development to be of high-quality design and have regard to visual amenity, complementing its surroundings through sensitive design.
- 10.15 The proposed storage building would have a traditional and simplistic form and appearance and whilst the replacement structure would be slightly larger than the original outbuilding, the scale remains commensurate with the size of a personal allotment plot. The reclaimed stone and slate materials would be considered appropriate and consistent with the local rural vernacular. The building would furthermore be sited towards the rear boundary of the site and would be partially concealed by the growing areas (grid layout vegetable plots) and the proposed Fruit Orchard. It would therefore not appear unduly incongruous or prominent when viewed from the roadside of Higher Lane.
- 10.16 The retrospective elements of the proposals relate to the rebuilding of the stone walls, the excavation of the vegetable beds and the construction of the new access and driveway formed from stone setts. The rebuilding of the existing stone walls to the front boundary of the site are acceptable and at a height below that which would require planning permission. The creation of the new formalised access and repositioning of the gates into the site to allow vehicles to safely pull off from the Highway are also considered acceptable. The materials and design are high quality and whilst the level of detail of the stone setts is somewhat elaborate and unusual for an allotment site, they nevertheless contribute to an overall cohesive appearance which is in keeping with the immediate surroundings of the locality. Similarly, the replacement and upgraded boundary treatments to the south and north of the plot are not incongruous in this setting and therefore considered acceptable.
- 10.17 On the basis of the above, the proposal accords with Policy GN3 of the Local Plan and the West Lancashire Design Guide.

Impact upon Residential Amenity

- 10.18 Policy GN3 of the West Lancashire Local Plan (2012-2027) DPD allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden and outdoor space for occupiers of the neighbouring and proposed properties.
- 10.19 The proposed change of use of the land for a single allotment would not in itself be considered to result in any significant adverse harm to the residential amenity of surrounding land uses or occupants. The supporting statement indicates its purpose is for the sole use of the applicant and therefore it is not anticipated there would be any significant intensification of use of the land that would result through increased noise, disturbance, or visitors to the site.
- 10.20 The application site is flanked to the south and west by open land and to the front by the Highway of Higher Lane. The nearest residential dwelling and most likely to be impacted by the proposal is the adjacent property of The Old School House which sits directly adjacent to the north of the site which has a driveway and attached garage abutting the site. The proposed storage building would be sited well away from the neighbouring plot along the rear southwest boundaries and would be further screened by the proposed orchard planting. There would be a pedestrian door on the southern elevation facing the open land and a single window on the western elevation which it is assumed is the rear elevation of the building (albeit both the east and west elevational drawings are annotated on the

plan as front) which would therefore overlook the field and not address the neighbouring dwelling.

- 10.21 The new access would be located to the front of the site adjacent to the neighbour's own driveway. The Old School House has a number of side facing ground and first floor windows which directly overlook the site itself and whilst it is acknowledged their outlook will most certainly change because of the proposed development of the land, there does not appear to be any significant harm to their amenity by way of overshadowing or overbearing. The creation of more substantial screening treatments along the common/ shared northern boundary by way of the proposed stone wall shared boundary may assist in providing a more secure separation between the plots.
- 10.22 On the basis of the above, the proposals are not considered to result in any significant harm to residential amenity and are therefore accordant with Policy GN3 of the Local Plan
- 10.23 Notwithstanding the above, it is acknowledged that several of the local representations received in response to the consultations on the application reference concerns about the site being used as part of the owner's business for storage and disposal of building materials. The applicant has submitted a supporting statement which indicates that the site is to be used solely as an allotment for personal use. Any building materials (stone/ slate) currently present on the land are to be used for the construction of the new storage building only.

Impact on Highways

- 10.24 The proposed development includes the creation of a new amended access and entrance to the site from Higher Lane which encompasses a new driveway apron, stone wall field gate. The proposals have been considered by LCC Highways who have no objection in principle to the proposals.
- 10.25 The speed limit immediately to the front of the site is 30mph and therefore owing to positioning and scale of the wall and driveway, the visibility requirements to exit the site onto Higher Lane are considered acceptable. The length of the driveway and the position of the field gate is sufficiently set back from the road to allow for a vehicle to pull off safely off the highway without resulting in any adverse safety or capacity issues on Higher Lane. Based upon the submitted plans the amended site entrance appears wider than the existing dropped kerb which serves the site and as such the kerb will need to be extended for the full width of the access and this can be secured by way of condition of the application.
- 10.26 Subject to the condition described the proposal is accordant with Policy IF2 and GN3 of the Local Plan.

Ecology

- 10.27 Given the rural nature and setting of the site and the scope of the development which has included the demolition of an existing dilapidated outbuilding, the submission is accompanied by an ecological survey and assessment. The Council's ecologist MEAS have confirmed the report is considered acceptable
- 10.28 No notable habitats or plant species were recorded during the assessment and the potential presence of protected species on the site has been discounted. Notwithstanding this, whilst it is acknowledged that the original outbuilding has

been removed from the site it may have provided an opportunity for roosting bats. On this basis the Ecological Report recommends the implementation of a number of mitigation measures which can be secured by condition of the application

- 10.29 In addition to the above, the presence of both Himalayan Balsam and Virginia Creeper were recorded at the boundary of the site. The submitted Ecological report includes a series of recommendations in respect of mitigation against the further spread of the species which are accepted by the Councils ecologists and can be secured by condition
- 10.30 Subject to the conditions described, the proposals accords with Policy EN2 of the Local Plan.

Drainage

- 10.31 Policy GN3 of the West Lancashire Local Plan requires that acceptable sustainable drainage provision is made for any new development. The submission was initially accompanied by a Design and Access Statement which outlined the proposed drainage scheme for the site, and which has been considered by the Councils Principal Drainage Engineer.
- 10.32 The application site is located on Higher Lane which is identified as at high risk of surface water flooding by the Environment Agencies Long Term Flood Risk Map. Initial details in the submission indicated that the surface water runoff from the site would be directed to the public highway which was considered to exacerbate existing flooding issues known to the area. Channel drainage was not considered sufficient to alleviate these issues owing to the topography of the site.
- 10.33 On the basis of the above, additional supporting information has been submitted in relation to a suitable drainage scheme for the site including percolation test data, a soakaway scheme and supplementary longitudinal sectional drawings of the site. The Engineer considers that cumulatively the sustainable drainage scheme for the site is acceptable and concludes that the impact on flood risk as a result of the development to be negligible
- 10.34 Given the above, the proposal is accords with Policy GN3 of the Local Plan

11.0 Conclusion

- 11.1 The proposed development is considered compliant with the NPPF and Policies GN1, GN3 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and the application is recommended for approval.

12.0 Recommendation

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

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Site Location Plan Received by the Local Planning Authority on 10th November 2022

Proposed Site Plan and Elevations Dwg: DPB/22/02/A Rev A Received by the Local Planning Authority on 8th February 2023

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. The materials to be used on the external surfaces of the extension hereby permitted shall match those outlined in the materials Section of the Planning Application Form Received by the Local Planning Authority on 10th November 2022

If the applicant or developer has any doubts as to whether the proposed materials do match, they should check with the Local Planning Authority before commencement of the building works.

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.

3. The surface water drainage scheme for the site should be implemented in accordance with the following details

- Proposed Surface Water Drainage Details Dwg: 2023_2636_001 Rev A Received by the Local Planning Authority on 9th June 2023
- Soakaway Design ADM Structural Received by the Local Planning Authority on 9th June 2023
- Longitudinal Cross Section (1) DPB/DM/22/04 Received by the Local Planning Authority on 9th June 2023
- Longitudinal Cross Section (2) DPB/DM/22/05 Received by the Local Planning Authority on 9th June 2023
- Grid of Levels DPB/DM/22/03 Received by the Local Planning Authority on 9th June 2023

The approved works shall be retained as such thereafter.

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.

4. Within three months of permission being granted, a timetable outlining the works to extend the existing dropped kerb shall be submitted to and approved in writing by the local planning authority.

The dropped kerb shall be extended for the entirety of the width of the access, at the carriageway edge and a vehicle cross-over constructed across the footway (and/or verge) fronting the site in accordance with the Lancashire County Council Specification for Construction of Estate Roads and be retained in that form thereafter for the lifetime of the development.

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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document

5. The development shall be implemented in accordance with the Recommendations outlined in the Ecological Survey and Assessment ERAP (Paragraph 5.3.6 Roosting Bats and Paragraphs 5.2.3 and 3.2.4 Invasive Species Controls) Received by the Local Planning Authority on 10th November 2022

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.

6. The Allotment hereby permitted shall be used only for the personal and private use of the applicant and no trade or business use shall be carried out at any time.

Reason: To safeguard the amenities of occupants of existing dwellings located in the vicinity of the application site and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Informative:

1. This consent requires the construction, improvement, or alteration of an access to the public highway. Under the Highways Act 1980 Section 171 (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, within three months of permission being granted, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossing at <http://www.lancashire.gov.uk/roads-parking-andtravel/roads/vehicle-crossings.aspx>

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:

Policy RS1- Residential Development

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

Policy IF2 - Enhancing Sustainable Transport Choices

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.

13.0 SUSTAINABILITY IMPLICATIONS

13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

16.1 There are no health and wellbeing implications arising from this report.

Background Documents

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

Appendices

None.