



PLANNING COMMITTEE: 27th JULY 2023

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

Contact for further information:

Case Officer: Emma Bailey (Extn. 5130) (E-mail: emma.bailey@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF. 2022/1314/FUL

PROPOSAL: Variation of Condition nos 2,3,4,6,7,8,12,15,16 and removal of Condition No 9 of Planning Permission 2021/1194/FUL relating to building in accordance with approved plans ;drainage; land stability; programme of building recording; materials; landscaping; wildlife tower; site access; construction management plan; Natural England licence

ADDRESS: Holly Fold Farm, Rainford Road, Bickerstaffe, L39 0HJ

REASON FOR CALL IN: The application has been called in by Councillor Rigby due to the concerns of removing conditions.

Wards affected: Bickerstaffe

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application which seeks a variation to planning conditions 2, 3, 4, 6, 7, 8, 12, 15 and 18 and for the removal of condition 9 of application ref: 2021/1194/FUL.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 APPROVE subject to conditions

3.0 THE SITE

3.1 The site is located within the Green Belt to the east of Rainford Road (A570). The site is set back approx. 200m from the road and is accessed via a shared track which is also a public footpath.

3.2 The site comprises a range of traditional brick barns which are arranged around a courtyard and several more modern structures. The site is surrounded by open

fields to the east, west and north. To the south on the opposite side of the track is a dwelling, formerly the farmhouse associated with these buildings.

4.0 PROPOSAL

- 4.1 Planning permission (2021/1194/FUL) was granted in March 2022 for the demolition of several buildings (02,04,05,06 and 07) and other structures within the site and for the conversion and extension of the remaining buildings to residential use. In total nine dwellings were permitted set around the existing courtyard area. Parking, bin / cycle storage and front garden areas were to be provided within the courtyard with rear gardens also provided for each property. A number of conditions were attached to this permission.
- 4.2 This current application has been submitted primarily to seek minor changes to the proposal. These focus around the removal of some rooflights and some alterations to doors and windows on the elevations; alterations to the courtyard area to relocate the bin / cycle stores to a central bank within the parking area and for the creation of planted areas directly adjacent to the proposed dwellings. Some alterations are proposed to the parking area, however the number of spaces are to remain the same.
- 4.3 The application also seeks to address conditions attached under application 2021/1194/FUL. Information and documentation have been submitted to satisfy pre commencement conditions and conditions which required further works. This information is supplied to minimise the number of planning conditions required on any revised approval. This will enable works to commence on site as soon as possible.

The conditions concerned are set out below:

Condition 2 – Approved plans conditions

The proposal seeks minor design changes to the approved plans. These relate to:

- Adjustments to the courtyard
 - o Incorporation of some planting to the front of the buildings
 - o Relocation of cycle /bin stores from separate stores outside dwellings to banks within the middle of the car parking area
 - o Reconfiguration of parking spaces (still within the same area)
- Reduction in the number of rooflights and repositioning of remaining
- Alterations of some door and windows to all elevations

Condition 3 – Scheme for separate foul and surface water drainage to be submitted to the Council

Submission of:

Plan reference 32479-SUT-ZZ-XX-DR-C-6200 rev P02 – proposed drainage plan
Outline drainage management / maintenance arrangement

Confirmation received that the ongoing maintenance of the drainage system will fall to the management company which will be set up in course, and funded by the service charged paid by residents of the development.

Condition 4 – Coal mining – a scheme for intrusive investigations to be carried out and mitigation measures proposed to address any land instability arising from coal mining legacy

Submission of:
Phase II Interpretive Ground Assessment
Coal Mining Risk Assessment

Condition 6 – submission of a building record analysis

Submission of:
Level 1 Historic Building Record Written Scheme of Investigation
Historic Building Record (with separate Appendices)

Condition 7 – Full specification of materials to be submitted

Submission of:
Material samples booklet

Condition 9 – bat licence from Natural England required

Submission of:
A copy of the Natural England bat licence

Condition 12 – Scheme for the long-term monitoring and maintenance of the wildlife tower to be submitted

Submission of:
04B - Wildlife tower plan
Internal provision plans for bats and bird, barn owl and kestrel and little owl
Details of implementation, maintenance and monitoring of wildlife tower submitted in letter received from Roman Summer on the 8th December 2022.

Condition 15 – Scheme for the construction of the site access and the off site works of highway mitigation to be submitted.

Submission of:
32479-SUT-ZZ-XX-DR-C-6600 rev P01 – Section 278 plans
32479-SUT-ZZ-XX-DR-C-6601 rev P01 – Section 278 visibility splay plan

Condition 16 – submission of a Construction Management Plan (CMP) or Construction Method Statement (CMS)

Submission of:
Construction management Plan

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2022/1270/CON – Approval of details reserved by condition no'2 3,4,6,7,9,12,15 and 16 on planning approval 2021/1194/FUL relating to foul and surface water drainage, Site investigations, Written Scheme of Investigation, Materials, Licence

Natural England, Monitoring and Maintenance Wild Life Tower, Construction Site Access.

CONDITION 7, 9 12 APPROVED

CONDITION 3, 4, 6, 15, 16 NOT APPROVED

- 5.2 2021/1194/FUL – Demolition of blocks 02,04,05,06 and 07 on plan RBA_206_92)_A201 and alteration, extension and reuse of the remaining unused, agricultural buildings to form 9 dwellings with associated garden curtilages and communal courtyard / parking, bin and cycle store. Improvement to access works along Holly Lane (to include the provision of passing places, resurfacing and low level bollard lighting for safety / security purposes), and minor junction alterations at the junction of Holly Lane / Rainford Road. The erection of a 'wildlife tower'.
GRANTED

6.0 **OBSERVATION OF CONSULTEES**

6.1 **Lancashire County Council Highways – 25th May 2023**

The applicant has submitted a scheme to LCC Highways for the s278 agreement however this has not been technically approved therefore condition 15 should not be discharged at this time.

The Construction Management Plan (CMP) submitted is acceptable

Lancashire County Council Highways - 12th January 2023

The applicant has submitted a scheme to LCC Highways for the s278 agreement however this has not been technically approved therefore condition 15 should not be discharged at this time.

The applicant has submitted a CMP. This document states that 'should the road become contaminated any debris will be removed by spade and jet wash'. This is not suitable for Rainford Road which is a dual carriageway. The road requires mechanical sweeping. The CMP need amending.

6.2 **Principal Engineer drainage - 24th May 2023**

No objection to the variation of condition 3

6.3 **Coal Authority – 19th May 2023**

As a result of the submitted Coal Mining Risk Assessment (March 2023) which showed that the undertaking of an intrusive site investigation encountered no evidence of shallow mine workings the CA is satisfied that coal mining legacy issues have been addressed. Conditions 4 and 5 are therefore now not required to be duplicated on any reissued consent.

Coal Authority - 19th January 2023

Condition 4 and 5 are required to be duplicated on any reissued consent

6.4 **Historic Environment Team – 17th May 2023**

I can confirm that the Headland Archaeology's Historic Building Record for Holly Fold Farm, has been completed in accordance with the agrees written scheme of investigation and that condition no 6 can therefore be discharged.

6.5 **MEAS** – 31st May 2023

The only ecological conditions are condition 9 (NE License) and condition 12 (wildlife tower) both of which were recommended for discharge under application 2022/1270/CON

7.0 OTHER REPRESENTATIONS

7.1 1 letter of representation has been received from Cllr Ian Rigby who requested that the application be called into planning committee as the removal of conditions is of some concern.

8.0 SUPPORTING INFORMATION

8.1 To support the application the following documents have been received:

- Supporting letter
- Construction Management Plan (CMP)
- Coal mining risk assessment
- Historic building report
- Level 1 historic building record written
- Natural England Licence
- Phase II interpretive ground assessment

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 Development Plan Document provide the policy framework against which the development proposals will be assessed.

9.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027 DPD.

National Planning Policy Framework

Promoting healthy and safe communities

Achieving well-designed places

Building a strong, competitive economy

West Lancashire Local Plan Policies

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Document - Design Guide (January 2008)

Supplementary Planning Document, Development in the Green Belt (October 2015)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 10.1 The site already has permission for the conversion and extension of the remaining building to nine residential units. This application seeks amendments to the design of the approved scheme. It also offers the submission of details reserved by conditions under application 2021/ 1194/FUL.

Principle of development

- 10.2 The principle of development has been established under application 2021/1194/FUL. The reuse of the building and the proposed extensions were considered appropriate development within the Green Belt. In terms of the location of development, this site is considered to be in an environmentally unsustainable location however the buildings are considered to be non-designated heritage assets offering a good example of a traditional farmyard setting. The proposal would establish a new life for the building and ensure their longevity and is considered acceptable in this case.
- 10.3 The proposed amendments do not alter the principle of development and as such the proposal remains acceptable development within the Green Belt in accordance with Policy GN1 of the Local Plan and the NPPF.

Design/Layout

- 10.4 Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Policy EN4 seeks to protect and enhance non-designated heritage assets.
- 10.5 The conversion of the buildings has been sensitively designed to use existing openings where possible and the existing form and materials will be retained. The design, size and materials of the new buildings reflect and would be in keeping with the traditional form and arrangement of the existing buildings. This application seeks amendments to the approved scheme in the form of relocation and reorder of windows and doors as well as removal / relocation of rooflights. I am satisfied that the alterations to these elements remain acceptable and would not impact upon the traditional nature of the buildings.
- 10.6 Alterations are also proposed to the courtyard area in that the bin / cycle stores will be relocated to a central bank within the car parking area. This will allow for planting to the front of the dwellings. Some alterations are also proposed to the layout of the car parking area. I am satisfied that these alterations will not result in a detrimental impact upon the courtyard aesthetic. Indeed, I consider that the proposed planting to the front of the dwellings will enhance the visual appearance.
- 10.7 As part of the submission full materials details have been submitted and are considered to be acceptable. The submission of these details satisfies condition 7 attached to application 2021/1194/FUL and as such condition 7 does not require to be repeated on this application.

10.8 I am therefore satisfied that the alterations would comply with the requirements of local plan policies GN3 and EN4.

Impact on residential amenity

10.9 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/outdoor space for occupiers of the neighbouring properties.

10.10 The impact to residential amenity was found to be acceptable under application 2021/1194/FUL. No alterations are proposed to the location, scale or height of the proposal and as such I am satisfied that the impact to neighbouring properties remain acceptable.

10.11 This application seeks amendments to the windows and doors within the proposed dwellings. I am satisfied that the alterations proposed would not result in any loss of amenity or privacy for future occupants.

10.12 The application remains compliant with Policy GN3 1(iii) of the Local Plan and the SPD, Design Guide.

Highways

10.13 Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD states that development should incorporate suitable and safe access and road layout design in line with latest standards. Parking should be provided in accordance with policy IF2.

10.14 The proposal provides a suitable vehicular access to the site onto Rainford Road. Under application 2021/1194/FUL a condition was attached to ensure the developer enters a s278 agreement. Whilst the applicant has submitted a scheme to LCC highways for consideration, this scheme has not yet been technically approved by the County Council and as such this condition (15) will be required to be repeated on any approval of permission.

10.15 This application seeks alterations to the car parking area within the courtyard. The number of parking spaces remain the same as previously approved and as such are compliant with Policy IF2 of the Local Plan. It has also been demonstrated that the site has adequate space for the turning of refuse vehicles and other HGVs. The provision of cycle storage is also acceptable.

10.16 Condition 16 of application 2021/1194/FUL required a Construction Management Plan (CMP) to be submitted. As part of this application a CMP has been received and the final version is considered acceptable. Consequently condition 16 does not require repeating on this application.

10.17 The Highway Authority have indicated there is no objection in principle and is of the opinion that the proposed development would not have a severe impact on highway capacity and highway safety within the immediate vicinity of the site. Subject to a condition requiring the developer to enter into a s278 agreement, I am satisfied the development would comply with the requirements of local plan policies GN3 and IF2.

Ecology

- 10.18 Policy EN2 (1) of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.
- 10.19 Application 2021/1194/FUL was accompanied by a number of ecological documents and supporting information to allow the Council to consider the proposed development upon priority species and their habitats in accordance with the Habitats Regulations. All documents were considered acceptable.
- 10.20 The Preliminary Ecological Appraisal which included a preliminary roost assessment revealed that several buildings on site were considered to have low to high bat roost potential. The Council carried out the 3 tests set out in the Habitats Regulations. MEAS, the Council's ecologist was satisfied with the mitigation proposed within the ecological survey (Test 3). Adherence to this document is to be secured by a planning condition.
- 10.21 Condition 9 of application 2021/1149/FUL sought the submission of a copy of a licence from Natural England. As part of this application this document has been received and as such this condition does not require repetition.
- 10.22 Subject to appropriate conditions and advice notes recommended regarding breeding birds, amphibian, reptiles, invasive species and the above mitigation in respect of bats and barn owls it is my view that the proposed development would not adversely impact on protected species or their habitats and on that basis the proposal complies with the requirements of local plan policy EN2.

Drainage

- 10.23 To support the application, a drainage plan has been submitted that shows that the foul and surface water will drain on separate systems. Foul water drainage has been suitably addressed by the submission of details under this application. Within the grounds surface water attenuation is to be installed so that surface water can be released at an appropriate rate. Information has also been provided to advise that the responsibility for ongoing maintenance of the drainage system will fall to a management company which will be set up in due course and funded by the service charged paid by residents of the development. An 'outline drainage management / maintenance arrangements' has been submitted which outlines the responsibility of the management company and the specific tasks which will be carried out at regular intervals to ensure that surface water from the site is effectively drained. The Council's drainage engineer has assessed the proposal and is satisfied that it is acceptable and will not increase flood risk in the area.
- 10.24 The submission of information under this application has offered greater detail and some comfort to the Council that matters of drainage can be suitably managed at the site. Whilst I do not consider that condition 3 needs to be

repeated under this application, I consider that an updated condition should be applied to ensure that the Council obtains full details of the sustainable drainage system along with details of the management company and management agreement that will be put in place.

Coal mining legacy

- 10.25 The site is located within a High Risk Coal mining legacy area. To support this application a Phase II Interpretative Ground Assessment and Coal Mining Risk Assessment have been submitted. The submission of these documents is as a direct result of condition 4 and 5 attached under application reference 2021/1194/FUL and comments raised by the Coal Authority on previous applications.
- 10.26 The information submitted outlines that intrusive site investigations have now been carried out and no evidence of shallow mine workings were found. The Coal Authority have been consulted and have confirmed that they are satisfied that coal mining legacy issues have been addressed. Consequently conditions 4 and 5 of application 2021/1194/FUL are not required to be repeated on this application.

Archaeology

- 10.27 Some of the original farm buildings date back to the mid 19th century and provide a good example of a traditional farmstead. As such a record of these buildings before conversion is required to document these buildings. Condition 6 on planning permission 2021/1194/FUL required details to be submitted of a building record and analysis of the site. As part of this application a Level 1 Historic Building Record Written Scheme of Investigation and Historic Building Record (with separate Appendices) has been submitted. The LCC Historic Environment Team has assessed the submitted documents and is satisfied with their contents. Consequently condition 6 does not require repeating on this application.

Summary

- 10.28 The proposed amendments to the development are considered acceptable and do not conflict with the original permission. The proposal is therefore considered to meet the requirements of Policy GN1, GN3, IF2, EN2 and EN4 of the West Lancashire Local Plan 2012-2027 DPD.
- 10.29 Sufficient information has been submitted to the council regarding condition numbers 2, 3, 4, 6, 7, 8, 9, 12, and 16. Consequently these conditions do not require repetition on this application however where necessary conditions will be attached to ensure compliance with documents or information submitted.
- 10.30 Condition 15 which related to obtaining a s278 agreement is required to be repeated as the document has not received technical approval from the County Council.

11.0 CONCLUSION

11.1 Given the above I consider that the proposal satisfactorily meets the requirements of Policies GN1, GN3, IF2, EN2 and EN4 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 **RECOMMENDATION**

Reason for approval:

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

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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.

Conditions:

1. The development must be begun not later than 18th March 2025.

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

RBA_206_(0-)_A308 rev P01 – Proposed elevations (3 of 3)
received by the Local Planning Authority 3rd May 2023

Plan reference

RBA_206_(90)_A002 rev P02 – Proposed bicycle and refuse store
RBA_206_(0-)_A302 rev P02 – Proposed site plan
RBA_206_(0-)_A301 rev P02 – Proposed site location plan
received by the Local Planning Authority on 21st April 2023

Plan reference

RBA_206_(0-)_A201 rev P01 – Demolition and enabling works site plan
RBA_206_(0-)_A202 rev P01 - Demolition and enabling ground floor plan
RBA_206_(0-)_A203 rev P01 - Demolition and enabling first floor plan

RBA_206_(0-)_A204 rev P01 - Demolition and enabling roof plan
RBA_206_(0-)_A205 rev P01 - Demolition and enabling elevations (1 of 3)
RBA_206_(0-)_A206 rev P01 - Demolition and enabling elevations (2 of 3)
RBA_206_(0-)_A207 rev P01 - Demolition and enabling elevations (3 of 3)
RBA_206_(0-)_A303 rev P01 – Proposed ground floor plan
RBA_206_(0-)_A304 rev P01 – Proposed first floor plan
RBA_206_(0-)_A305 rev P01 – Proposed roof plan
RBA_206_(0-)_A306 rev P01 – Proposed elevation (1 of 3)
RBA_206_(0-)_A307 rev P01 – Proposed elevations (2 of 3)
04B – Proposed wildlife tower
received by the Local Planning Authority on 8th December 2022

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 scheme shall be implemented in full accordance with the drainage details as indicated on plan reference 32479-SUT-ZZ-XX-DR-C-6200 revision P02 – Proposed drainage plan (Sutcliffe) prior to the first occupation of the first new dwelling, or completion of the development, whichever is the sooner.

The approved drainage system shall be retained, managed and maintained in accordance with the approved details at all times for the duration of the development.

Reason: to ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 and IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. No development shall take place (except demolition) until full details of a scheme for a sustainable drainage system to serve the site, and method of implementation including arrangements to secure funding and maintenance for the lifetime of the development through an appropriate legally binding agreement have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details and timetable. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved scheme.

Reason: to ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 and IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. The development shall be implemented in accordance with the recommendations and methodology as set out in the Phase II Interpretive Ground Assessment prepared by Sutcliffe and deposited with the Local Planning Authority on the 30th April 2023.

Reason: To ensure that the site is safe and stable as it is in a coal mining high risk area and in order to comply with the provisions of policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. The approved development shall be carried out having regard to the findings, methodology and recommendations set out in the Written Scheme of Investigation (Headland Archaeology) and associated Historic Building Record (Headland Archaeology) received by the local planning authority on the 30th April 2023.
7. 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 on the following plans and documents:

Materials Samples booklet (Studio received by the Local Planning Authority on 30th April 2023).

Plan reference

RBA_206_(0-)_A306 rev P01 – Proposed elevation (1 of 3)

RBA_206_(0-)_A307 rev P01 – Proposed elevations (2 of 3)

RBA_206_(0-)_A308 rev P01 – Proposed elevations (3 of 3)

RBA_206_(90)_A002 rev P02 – Proposed bicycle and refuse store

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.

8. Prior to the commencement of any above ground building operations in respect of the approved new building, full details of the hard and soft landscaping details within the site shall be submitted for approval, and the approved 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.

9. The development shall be carried out in accordance with all of the recommendations for mitigation and compensation for bats set out in Section 6 of the submitted Ecological Survey report (Protected Species Survey and Method Statement Report (Bats and Barn Owl), Ecology Services Ltd, v3 received on 15th June 2023) unless otherwise approved in writing by the local planning authority or varied by a European Protected Species licence subsequently issued by Natural England.

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.

10. The development shall be carried out in accordance with all of the recommendations for mitigation and compensation for barn owls set out in Section 7 of the submitted Ecological survey report (Protected Species Survey and Method Statement Report (Bats and Barn Owl), Ecology Services Ltd, v3 received on 15th June 2023) unless otherwise approved in writing by the local planning authority.

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.

11. The scheme shall be implemented, maintained and monitored in accordance with the approved 'Wildlife Tower Management and Monitoring Strategy' as set out in the letter of Roman Summer Associated Ltd dated 7th December 2022 and received by the Local Planning Authority on the 8th December 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.

12. Prior to first occupation 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 IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

13. No external lighting shall be installed at the site until a scheme detailing the proposed lighting to be installed on the site has been submitted to and approved in writing by the local planning authority. All external lighting shall be installed and maintained in accordance with the agreed scheme.

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.

14. The approved Construction Management Plan (HFA Developments Limited) received by the Local Planning Authority on the 30th April 2023 shall be adhered to throughout the demolition and construction period of the development, unless it is subsequently altered and agreed in writing by the Local Planning Authority in consultation with Lancashire County Council Highways.

Reason: To protect the safety of users of the Public Right of Way and local highway network and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway mitigation has been submitted to, and approved by, the Local Planning Authority. The highway works will include widening the site access road to minimum width of 5m with 6m radii, widening the central reserve crossing (minimum 10m width) with appropriate highway sign/lining and lighting. The site access and highway works shall be constructed and made available for use before any further development takes place or to a timetable agreed in writing by the local planning authority. The site access shall be maintained as approved for the duration of the development.

Reason: These details are required prior to the commencement of development 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 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

16. Prior to the first occupation of any dwelling the car/vehicle parking area (and any associated turning space) shown on the approved plans shall be completed. The parking (and manoeuvring) area(s) shall thereafter remain available for parking of vehicles associated with the dwelling. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced in bound porous materials, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved within the development 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.

17. No building or use hereby permitted shall be occupied or the use commenced until the cycle parking provision shown on the approved plans has been completed. The area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times thereafter.

Reason: To ensure the provision and availability of adequate cycle parking and the promotion of sustainable forms of transport in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

18. The following provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Part 1 Classes A, B, C, D and E and Part 2 Class A, or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling
- (ii) no garages or carports shall be erected within the curtilage of the dwelling
- (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwelling
- (vi) no windows or dormer windows shall be added to the dwelling

unless on application to the Local Planning Authority, planning permission for such development has been granted.

Reason: The character and location of the property are such that the Local Planning Authority wish to exercise control over future development in order to protect the openness of the Green Belt and the character of the buildings and to comply with the provisions of Policy GN1(b) and GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document and National Planning Policy Framework.

Notes:

Note: Ecology

The applicant, their advisers and contractors should be made aware that if any bat species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

The developer is advised that no tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance or building works should take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

The habitats within the locality are suitable for common amphibian species. Reasonable avoidance measures should be put in place to ensure that there are no adverse effects on them.

Invasive species - Rhododendron is present within the site boundary. Rhododendron is listed on Schedule 9 of the Wildlife and Countryside Act. A competent person should be employed to advise in regard to removal of the species.

Note: Construction Management Plan.

- There must be no reversing into or from the live highway at any time – all vehicles entering the site must do so in a forward gear, and turn around in the site before exiting in a forward gear onto the operational public highway.
- There must be no storage of materials in the public highway at any time.
- There must be no standing or waiting of machinery or vehicles in the public highway at any time.
- Vehicles must only access the site using a designated vehicular access point.
- There must be no machinery operating over the highway at any time, this includes reference to loading/unloading operations – all of which must be managed within the confines of the site.
- A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary this can be obtained via the County Council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing lhsstreetworks@lancashire.gov.uk
- All references to public highway include footway, carriageway and verge.

Note: Highway

The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the developer's expense.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.

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.