



PLANNING COMMITTEE: 18th January 2024

Report of: Corporate Director of Transformation, Housing and Resources

Contact for further information:

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SUBJECT: PLANNING APPLICATION REF: 2019/0867/FUL

PROPOSAL: Construction of 10 residential units

APPLICANT: Torus

ADDRESS: 31 Beconsall Lane, Hesketh Bank, Preston, Lancashire, PR4 6RR

REASON FOR CALL IN: Application was called in by Cllr Ashcroft in 2019 to consider localised flooding issues. Planning Committee resolved to grant planning permission on 18 June 2020, but the Section 106 Agreement to secure affordable housing was not progressed. Following various subsequent discussions, a series of revised and updated reports are now provided to enable the application to proceed.

Wards affected: North Meols and Hesketh Bank

1.0 PURPOSE OF THE REPORT

1.1 To advise Planning Committee on an application for 10 no. affordable dwellings.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That the application be delegated to the Head of Planning and Regulatory Services to **APPROVE** subject to the following:

- Section 106 Agreement to secure affordable housing in perpetuity.

3.0 THE SITE

3.1 The site is located at Becconsall Lane Farm on land to the rear of 19-27 Becconsall Lane. The bulk of the site is designated as Protected Land, while the southern portion which includes the access track and the majority of Plot 1 is located within the main settlement area. The land has previously been used as an orchard but appears to have been cleared at the time of the submission of the application. There are currently two points of access into the site, one via No. 31 Becconsall Lane to the east and the other via single track located between 17 and 19 Becconsall Lane to the west. The neighbouring land to the north lies within the Green Belt. The land to the south and west is residential in character and lies within the main settlement area.

4.0 PROPOSAL

4.1 This application seeks planning permission for the construction of ten affordable residential dwellings including associated access and landscaping.

4.2 The proposed development will comprise of 6 x 2 bedroom bungalows (Block Type 1) and 4 x 3 bedroom dormer bungalows (Block Type 2).

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2014/0877/OUT – Outline – Affordable housing development including details of scale and means of access from Becconsall Lane. GRANTED 28.09.15.

5.2 2014/0179/OUT - Outline - Housing development including details of means of access. REFUSED 23.06.14.

5.3 2013/0946/OUT - Outline - Housing development including details of means of access. WITHDRAWN 29.11.13.

6.0 OBSERVATION OF CONSULTEES

6.1 Lancashire County Council School Planning Team (10/09/2019) - An education contribution is required of £16,749.96 (linked to 2021/22 rates).

6.2 United Utilities (18/09/2019) - no objections in principle.

6.3 Lancashire County Council (Highways) (27/11/2019) – No objections in principle Conditions recommended.

6.4 Environmental Health Officer Scientific Officer (10/01/2020) – No objections in principle. Condition recommended.

6.5 Environmental Health (17/10/2019) - No objections recommends planning conditions.

6.6 MEAS (21/05/2020) – Recommends planning conditions.

(11/05/23) – Further mitigation required in relation to loss of existing habitat (Holcus-Juncus neutral grassland – required prior to determination. Also comment

that Natural England are to be consulted on the Appropriate Assessment undertaken in accordance with Regulation 63 (Habitats Regulations 2017) prior to determination and any points contained within this response being addressed. No adverse effects arise on the integrity of internationally designated sites in the event of a householder information leaflet being provided within the sales packs of the new dwellings.

Lighting scheme to ensure no adverse excess light spill onto habitats can be secured by condition. No trees on site suitable for roosting bats and were categorised as of 'negligible' suitability.

Great Crested Newt (GCN) Impact Assessment and Conservation Payment Certificate (IACPC) required prior to determination.

(17/08/2023) – IACPC certificate supplied – this allows for completion of Three Test Assessment under the Habitats Regulations and consequently, provided the relevant mitigations are secured by condition and implemented the proposals will not be detrimental to the GCN population.

(15/11/2023) - The Assessment of Biodiversity Net Gain (BNG) report (section 4) sets out an outline of habitat creation and enhancement opportunities as well as management and monitoring over a 30-year period at Fairlie Park. I advise the report and MEAS metric can be accepted. outline details of a scheme for compensating for the loss of the existing habitat and ensuring that there will be no net biodiversity loss. This information is acceptable at this stage and its implementation can be secured by means of the planning condition.

6.7 Lead Local Flood Authority (20/05/2020) – No objection.

(10/08/23) – No objection.

6.8 Natural England (21/04/2020) – Comment that for residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations).

(08/08/23) – No objection subject to the provision of advisory homeowner information packs designed to mitigate increased recreational pressure on nearby designated sites, notably:

- Ribble & Alt Estuaries Special Protection Area (SPA)
- Ribble & Alt Estuaries Ramsar
- Ribble Estuary Site of Special Scientific Interest (SSSI)

7.0 OTHER REPRESENTATIONS

7.1 Neighbour representations have been received objecting on the following grounds:

- Narrow driveway
- Fails to protect amenity of neighbouring residents

- Local facilities such as school, doctor and dentist at capacity and development will result in further pressures
- Land owners working on land
- Clearance of land
- Information being withheld
- Drainage concerns
- Any buildings should be single storey to prevent any overlooking / loss of privacy
- Discrepancy in the date for objections to be received
- No thorough and full sequential search has been undertaken that looks at all available land
- No proven need for new affordable homes in this area
- The area is already overdeveloped
- Detrimental impact upon wildlife, protected species and trees
- Risk to human health
- How will site be serviced?
- Significant increase in traffic movements
- Damage to highway
- Negative impact upon transport infrastructure
- Documentation inconsistency
- No tree report submitted because the applicants removed all of the trees from the land in preparation for this application.
- Becconsall Lane regularly suffers from significant problems with low water pressure
- Flooding concerns
- Transport links are poor
- Garden length short of 10m
- Access road encroachment onto 27 Becconsall Lane
- Land is protected land
- Visibility is poor at access due to trees and hedges
- What will happen on bin collection day?
- Has anybody thought about our farming communities who require water for their crops?

7.2 Merseyside & West Lancashire Bat Group (26/09/2019) – Considers that prior to determination of this application further information should be sought in relation to protected species including a tree roost assessment and potentially a dusk / dawn activity survey

8.0 SUPPORTING INFORMATION

- 8.1 Tree Survey and Constraints Report (Amenity Tree Care)
- 8.2 Sequential Test (Rev 2) (Barton Willmore, July 2019) including updated note (received by the LPA on 27/11/2019) and addendum report dated 2 March 2023
- 8.3 Becconsall Lane Preliminary breeding bird appraisal survey (Amenity Tree Care, 23/07/2019)
- 8.4 Planning Statement (Rev 2) (Barton Willmore, August 2019)
- 8.5 Phase I Geo environmental Site Assessment (e3p, 31/07/2019)

- 8.6 GCN Appraisal/GCN eDNA Survey and Mitigation & Habitat Enhancement Measures Strategy (Amenity Tree Care, July 2019) & Natural England District Level Licensing Impact Assessment and Conservation Payment Certificate (IACPC).
- 8.7 Ecological Survey and Assessment 2022-367 March 2023
- 8.8 Amenity Tree Care, Assessment of Biodiversity Net Gain (BNG), Version 1, 31/10/2023;
- 8.9 Biodiversity Metric 4.0 Calculation Tool, Simon Brain, 09/11/2023.
- 8.10 Drainage Strategy Report (version PO3) (29/11/2019)
- 8.11 Design and Access Statement (John McCall Architects, 28/07/2019)
- 8.12 Phase II Geoenvironmental Site Assessment (e3p, October 2019)
- 8.13 Remediation and Enabling Works Strategy (December 2019)
- 8.14 Ground Gas Addendum Report (December 2019)
- 8.15 Bat Roost Assessment Version 1 04/05/2020 (Amenity Tree Care)

9.0 RELEVANT PLANNING POLICIES

- 9.1 National Planning Policy Framework (NPPF) and the West Lancashire Local Plan DPD (2012-2027) provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is partly designated as Protected Land and partly as a main settlement area in the West Lancashire Local Plan DPD (2012-2027).
- 9.3 **National Planning Policy Framework (NPPF) (December 2023)**
 Promoting sustainable transport
 Delivering a sufficient supply of homes
 Achieving well designed places
 Promoting healthy and safe communities
 Meeting the challenge of climate change, flooding and coastal change
 Conserving and enhancing the natural environment
 Conserving and enhancing the historic environment
- 9.4 **West Lancashire Local Plan DPD (2012-2027)**
 SP1 - A Sustainable development framework for West Lancashire
 GN1 - Settlement boundaries
 GN3 - Criteria for sustainable development
 GN5 - Sequential tests
 RS1 - Residential development
 RS2 - Affordable and specialist housing
 IF2 - Enhancing sustainable transport choice
 IF4 – Developer Contributions
 EN2 - Preserving and enhancing West Lancashire’s natural environment

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

Background

10.1 The main areas of consideration in determining this application are:

- Principle of development
- Scale, Design and Layout
- Impact upon residential amenity
- Highways
- Ecological considerations
- Trees and Landscaping
- Drainage and Flooding
- Heritage assets

Principle of development – residential development

- 10.2 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan reiterates this approach. The southern part of the site lies within the settlement boundary of Hesketh Bank. Under Policies SP1 and RS2 of the Local Plan, residential development would be acceptable in principle within the settlement boundary, provided other relevant local plan policies are complied with. The access route to the development and the majority of the built development of Plot 1 would be in the settlement boundary and as such, subject to accordance with other relevant planning policies the principle of this element of the development is acceptable.
- 10.3 The northern part of the site (which comprises the majority of the application site) is designated under Local Plan Policy GN1 as 'Protected Land'. On such land, small scale 100% affordable housing schemes (up to 10 units) may be permitted provided a sequential test has been carried out in accordance with Local Plan Policy GN5. Policy RS1 in the Local Plan is consistent with Policy GN1 and states that on Protected Land small scale 100% affordable housing schemes (i.e. 10 units or fewer) to meet an identified local need may be permitted, provided that a sequential search has been carried out in accordance with Policy GN5.
- 10.4 The application has been submitted by Torus Housing Association. It is proposed that the bungalows will be for affordable rent tenure. The Council's Housing Strategy Manager indicates that there remains a need for affordable housing within this part of the Borough and the provision of bungalow type housing is particularly welcome. Therefore the proposed development would meet with Policies GN1 and RS1 of the Local Plan provided the submitted Sequential Test (Rev 2) (Barton Willmore, July 2019) and 2023 addendum is in accordance with Policy GN5.
- 10.5 The applicant submitted a sequential site search report in support of the application. It is my view that the area of search is appropriate, the sites considered appear comprehensive and adequate, and the "priority" given to each site is in line with the policy framework. The sequential site search report has now been updated

and an additional 7 sites were added to the 22 originally identified. A number of sequentially preferable sites have been discounted in the search on account of their suitability (primarily, their availability – some are under construction; some are completed, and others require a third party access point, with some sites not for sale). As such, I consider that the test complies with parts (i), (ii) and (iv) of WLLP Policy GN5.

- 10.6 To comply with part (iii) the applicant provided an updated note for the Sequential Test following initial concerns that the information provided discounted a number of sites on account of availability, but seemingly without contacting the owners. For compliance with GN5, evidence should be provided of some contact having been made or attempted. The updated note addresses this point and therefore I consider the sequential test acceptable.
- 10.7 Therefore I consider that the development is in compliance with Policies RS1 and GN5 of the WLLP.

Scale, Design and Layout

- 10.8 Policy GN3 of the adopted WLLP requires that proposals for development should be of a high quality design and be in keeping with the West Lancashire Design Guide SPD. The Council's SPD Design Guide states that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.
- 10.9 The proposed dwellings are bungalow and dormer bungalows and the design and scale of this type of dwelling is considered to be sympathetic to the general character of area. The application site lies close to Silverdale, a neighbouring road which consists mainly of bungalow and dormer bungalow dwellings. The development also backs from Beconsall Lane along which there is a mix of dwelling types.
- 10.10 In my view, the layout submitted follows the principles and interface distances recommended within the Council's Design Guide SPD. In some cases, there is a shortfall in garden depths but as the dwellings would be bungalows the gardens tend to be quite wide and the reduction in garden depths would not have an associated detrimental impact on the amenities of occupiers of neighbouring dwellings given that any first floor habitable windows (i.e. dormer windows of Plots 7-10) are located to the front elevation.
- 10.11 Therefore I am satisfied that the development is in compliance with Policy GN3 of the WLLP in terms of its scale, design and layout.

Impact upon residential amenity

- 10.12 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 and proposed properties.

- 10.13 I note letters received from neighbouring properties in terms of amenity issues. In my view the submitted plans show a layout that meets with minimum interface distances between the proposed dwellings and those which surround it as per the Councils SPD Design Guide, with any impact further minimised by the limited height of the proposed dwellings. Permitted development rights will be removed from Plots 1-7 to prevent any future development which may result in overlooking implications.
- 10.14 The impact of the movement of vehicles to and from the site via the proposed access is minimised by the inclusion of fencing/landscaping along the western boundary. The impact of the resulting vehicular movements over and above those associated with the existing access track on the amenities of neighbouring residents is not considered to be so significant as to warrant a refusal of planning permission.
- 10.15 Remediation works will be required to the site as on site investigations have identified some contamination. However, the phase 2 report indicates that gas protection measures will not be required. A condition is recommended to ensure that remediation is effectively carried out, prior to the commencement of development to ensure a safe environment for future occupants.

Highways

- 10.16 The site will be accessed via a new access off Beconsall Lane. Beconsall Lane is categorised as a local access road with a 20mph speed limit fronting the site. Plans have been provided with the application which demonstrate that the access is satisfactory and adequate visibility splays can be achieved. Car parking provision is also acceptable and is in compliance with the recommendations of Policy IF2 of the WLLP.
- 10.17 Lancashire County Council as Highway Authority have been consulted on the submission and consider that the development is acceptable on highway grounds subject to planning conditions being attached to any permission.

Ecological considerations

- 10.18 Policy EN2 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 I note local residents' concerns in relation to the impact upon wildlife, protected species and trees. Several ecological surveys accompany the planning application which are listed in section 9 above and Merseyside Environmental Advisory Service and Natural England have been consulted with regard to the proposed development.
- 10.20 The development site is near to European sites Ribble & Alt Estuaries SPA 2.8km north and Ribble & Alt Estuaries Ramsar 2.8km north which are protected under the Conservation of Habitats & Species Regulations 2017.

- 10.21 MEAS have considered the proposals and the possibility of likely significant effects on European sites using the source-pathway-receptor model. It is advised that there is no construction pathway that could result in likely significant effects on the European sites and the proposals do not warrant a detailed Habitats Regulations Assessment.
- 10.22 The proposed development is within the close proximity to the Sefton Coast Sites of Special Scientific Interest where the operational phase of the development may result in recreational pressure effects on European sites. On consultation with Natural England, they have requested that for residential development in this area, proportionate assessment of recreational disturbance impacts on the coastal designated sites resulting from the development is required via the Screening stage of the Habitats Regulations Assessment, as required under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations).
- 10.23 Under Regulation 63 of the Habitat Regulations the determination of likely significant effects is for the competent authority, in this case the Local Planning Authority. If the authority can be satisfied that the proposal can conclude no likely significant effects there is no further need to consult Natural England.
- 10.24 Further consultation with MEAS advises that they have considered the impact of the proposal on recreational pressure on European designated sites and have concluded that there will be no likely significant effects. This is on the proviso that a planning condition be attached to ensure the distribution of a householder information leaflet within the sales packs of new dwellings to guide residents towards alternative greenspaces away from designated sites.
- 10.25 In term of roosting bats, it has been noted that no trees on site are suitable and have been categorised as being of 'negligible' suitability. This is supported by previous 2019 survey findings and as such there is no requirement to consider this further. However, retained boundary trees may provide suitable foraging and commuting habitat for bats and a condition is attached to secure a lighting scheme that would reduce excessive light spill onto these habitats.
- 10.26 It is considered that trees on the boundary of the site may provide nesting opportunities for breeding birds, which are also protected. Suitable planning conditions will form part of any permission in relation to tree felling works and the erection of bird boxes. Hedgehog have been recorded in close proximity to the site and are a Priority Species. MEAS consider that reasonable avoidance measures should be put in place during construction to ensure that there are no adverse effects on them. This can be also secured by secured by planning condition. Section 4 of the Phase 1 Ecology report recommends a method statement for native bluebell to be dug up and translocated to a suitable location on site which can also be secured by condition.
- 10.27 MEAS have also identified a loss of grassland (Holcus-Juncus neutral grassland) which is identified in the applicant's own revised survey and require this to be replaced in order to achieve no net loss of biodiversity in line with NPPF paragraph 180. Based on Biodiversity Net Gain Metric 4.0, the total loss of biodiversity units onsite is 3.77 units. This has emerged at an advanced stage and was not an issue of significance when Planning Committee first resolved to grant planning

permission in 2021, as the grassland has established in the intervening period.

- 10.28 Despite the additional cost burden this has brought to the development, and notwithstanding concerns over the viability of education contributions, the applicant has worked proactively with officers and MEAS to address this point, and has identified land at Fairlie Park in Skelmersdale – the implementation of these habitat works and later management will be within the control of the borough's Environmental Services team, and can be achieved at no additional cost to the taxpayer (and on Council land). The replacement provision can be secured by planning condition, and has been accepted by MEAS as a suitable interim approach for offsite mitigation across the city region, pending forthcoming requirements relating to mandatory Biodiversity Net Gain.
- 10.28 Overall and subject to suitable planning conditions, it is considered that the development complies with Policy EN2 of the WLLP, and the proposed development will not have a detrimental impact on ecology and biodiversity.

Trees and Landscaping

- 10.29 The site was a former orchard which was cleared prior to the submission of this application. However mature trees remain along the site boundaries. The Council's Arboricultural Officer raises no objection to the development subject to a condition to agree tree protection measures for the trees on the eastern boundary.
- 10.30 The submitted landscaping plans show replacement tree planting throughout the site along with native hedgerow planting along the new access road which will be secured by condition. I am therefore satisfied that the scheme complies with Policy EN2 in the Local Plan.

Drainage and Flooding

- 10.31 A Drainage Strategy Report (version PO3 05.05.20) (29/11/2019) accompanies the planning application. The previous Committee report noted the site to be located within Flood Zone 1, and with a total site area under 1.0ha, a Flood Risk Assessment was not required.
- 10.32 In regard to the disposal of foul water the drainage plan indicates that this will discharge to the combined public sewer within Beconsall Lane and this is considered satisfactory in principle.
- 10.33 With regard to the disposal of surface water the Drainage Strategy Report indicates that as infiltration has been ruled out by on site investigations, the intention for the development would be to discharge to a watercourse. There is an existing culvert located within Beconsall Lane, to the south of the site which discharges into the River Douglas. It is proposed to discharge surface water, at an attenuated rate via the existing surface water culvert, located in Beconsall Lane, to the south of the site.
- 10.34 The Lead Local Flood Authority (LLFA) have been consulted on this application and have raised no objections to the development subject to planning conditions requesting full details of the design and maintenance of the proposed scheme.

United Utilities also raise no objection subject to the imposition of planning conditions.

Heritage Assets

- 10.35 The proposed development would be located approximately 210m west of the nearest listed building (Becconsall Hall), 310m west of Becconsall Church and 270m west of No. 92 Becconsall Lane. I am satisfied that these distances are sufficient to ensure that the proposal does not cause any significant or direct harm to these buildings. The application site is not located within a conservation area.

Education Contribution

- 10.35 Policy IF4 of the West Lancashire Local Plan 2013 confirms that new development will be expected to contribute to mitigating its impact on infrastructure, services and the environment and to contribute to the requirements of the community. Contributions may be secured through a planning obligation (subject to an obligation) meeting the requirements of the relevant legislation and national policy) and through the Community Infrastructure Levy (CIL), at such a time when the Council has prepared a Charging Schedule. Criterion (iv) confirms that Community Infrastructure (such as health, education, libraries, public realm) may draw such contributions.
- 10.36 As per matters of ecology/biodiversity, the issue of education contributions was not prevalent when the application was first presented to Planning Committee in 2021. However following a further review in August 2023, Lancashire County Council (LCC) requested £44,152.00 (at 2023/24 rates) as an education contribution which would support the provision of an additional primary and secondary school place respectively.
- 10.37 Given the advanced timing of this revised request, the applicant has re-appraise the financial viability of the development with this additional cost. A revised viability report has therefore been prepared by the applicant's appointed consultant, and reviewed independently by the Council's appointed viability consultants, CP Viability.
- 10.38 On initial review, CP Viability raised a number of concerns with the assessment, notably relating to matters of how Benchmark Land Value (BLV) was calculated,. BLV is the minimum price a hypothetical landowner would accept in prevalent market conditions to release land for development. This should also reflect abnormal costs, infrastructure costs, professional fees and current market evidence – but must disregard the price paid for the land.
- 10.39 On this occasion, CP Viability are agreed with the applicant's analysis relating to site infrastructure and abnormal costs, and this gives rise to an identified BLV of £250,000, which is broadly 13 times the existing use value at present.
- 10.40 Following consideration of build costs, abnormal costs and various professional fees, the residual land value is noted to come below the £250,000 and therefore below the viability threshold before any planning policy contributions are made. On that basis, it is accepted that the development proposed cannot meet the education contribution requirements of LCC and consequently, as Policy IF4

identifies, where development is made unviable, the loss of the contribution must then be balanced against the remaining merits of the case. It is considered that the loss of the contribution is not outweighed by the benefits brought by the delivery of much needed affordable housing and the boost brought about by the additional housing supply.

Planning Obligations

- 10.37 As this scheme is for 100% affordable housing, a planning obligation will be required to agree the terms and conditions of the affordable dwellings.

11.0 CONCLUSION

- 11.1 The proposed development is considered acceptable in principle. There is a demand for affordable housing, particularly bungalow style accommodation in this part of the Borough. The scheme is considered compliant with Local Plan policy and the proposal would not be detrimental to highway conditions, flood risk, residential amenity, ecology, trees or heritage assets. I therefore recommend that planning permission be granted.
- 11.2 Given the above I consider that the proposal satisfactorily meets the requirements of Policies SP1, RS1, RS2, GN1, GN3, GN5, IF2 and EN2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

12.0 RECOMMENDATION

- 12.1 That the decision to grant planning permission be delegated to the Corporate Director of Transformation, Housing and Resources in consultation with the Chairman or Vice Chairman of the Planning Committee subject to the following:
- (a) the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure the terms and conditions of the affordable housing, and
 - (b) to allow for the completion of a Financial Viability Report to address whether an education contribution requested by Lancashire County Council would if provided either in whole or in part render the development unviable.
- 12.2 That any planning permission granted by the Corporate Director of Transformation, Housing and Resources pursuant to recommendation 12.1 above be 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 'Proposed Site Plan (PL.03B)' received by the Local Planning Authority on 29.11.2019; Plan reference Landscape Plan (PL.07); Boundary Details (PL.05); Site Elevations (PL.06); Boundary Locations (PL.04); Block Type 1 (PL.11); Block Type 2 (PL.12) received by the Local Planning Authority on 23.08.2019

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. No part of the proposed development hereby permitted shall be commenced until details of the proposed ground and floor levels of all parts of the site, including the finished floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a number of sections across the site, which shall indicate existing and proposed ground levels, together with the finished floor levels of any proposed dwellings/buildings through which the sections run and shall extend beyond the site boundaries to include any surrounding adjacent properties. The development shall thereafter be implemented in accordance with the approved details and method of construction.

Reason: These details are required prior to the commencement of development to ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

4. The parking provision shown within the curtilage of each dwelling on the approved site layout plan shall be provided prior to first occupation of the dwelling to which it relates and shall be kept clear thereafter for the parking of vehicles.

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.

5. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA. Those details shall include:

a) Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, discharge rates, finished floor levels in AOD with adjacent ground levels. Longitudinal section plans. Detailed and cross section plans of flow control manhole, watercourse manhole and attenuation tank if specified.

b) The drainage scheme should be in accordance with the principles of the Alan Johnson Partnership LLP Beconsall Lane, Hesketh Bank Drainage Strategy Report ref.BCL-AJP_ZZ-XX-RP-C-3010 version P03 dated 5th May 2020 and demonstrate that the surface water run-off shall not exceed 3 litres per second. This surface water discharge can increase to a maximum of 5 litres per second if this is specified in a Section 104 agreement to adopt the sewers between the

developer and United Utilities. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

c) Sustainable drainage flow calculations (1 in 1, 1 in 2, 1 in 30 and 1 in 100 + climate change) with allowance for urban creep.

d) Plan identifying areas contributing to the drainage network.

e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses.

f) A plan to show overland flow routes and flood water exceedance routes and flood extents.

g) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the final drainage designs are appropriate following detailed design investigation and to ensure that the development complies with the provision of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

6. In relation to Plots 1 – 7, the 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, Parts 1 A - F and 2 A - B, or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling(s)
- (ii) no garages or carports shall be erected within the curtilage of the dwellings
- (iii) no vehicle standing space shall be provided within the curtilage of the dwellings
- (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings
- (v) no means of access shall be constructed to the curtilage of the dwellings
- (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 residential and visual amenity to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. Prior to occupation of the dwellings visibility splays measuring 2.4 metres by 25 metres in both directions are to be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Beconsall Lane, to the satisfaction of the Local Planning Authority (as shown in the submitted drawing PL.03B). The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

Reason: To ensure adequate visibility at the street junction or site access in the interest of highway safety and to ensure that the development complies with the provision 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 Traffic Management Plan which includes details of parking for construction vehicles and staff accessing the site during the construction works, a scheme showing the areas for a site compound including the siting of office, storage of plant and materials, areas for the parking of construction workers' vehicles 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: 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.

9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

10. No site clearance, preparatory work or development shall take place until a Method Statement detailing measures to be taken during construction to protect the health of the existing trees on the eastern boundary has been submitted to and approved in writing by the Local Planning Authority. The measures contained in the approved Method Statement shall be fully implemented during construction.

Reason: To protect the existing trees on site and thereby retain the character and ecology of the site and the area and to ensure the development complies with the provisions of Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

11. No tree felling is to 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 trees are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

12. A scheme for the provision of bird boxes to include number, type and location on an appropriately scaled plan as well as timing of installation, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling hereby approved shall be occupied until bird boxes have been provided in accordance with the approved scheme.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

13. No development shall take place on site until a Method Statement as recommended within the Ecological Survey and Assessment 2022-367 March 2023 in relation to Giant Hogweed has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include the following information:

- A plan showing the extent of the plant(s);
- The method(s) that will be used to prevent the plant/s spreading further, including demarcation;
- The method(s) of control that will be used, including details of post-control monitoring; and
- How the plants will be disposed of after treatment/removal.

The development shall proceed in accordance with the approved details.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

14. Prior to the first occupation of each dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.

Reason: To ensure that the development complies with the provisions of Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

15. A remediation strategy report outlining all procedures implemented to fully remediate the site from contamination shall be submitted to and approved in writing by the Local Planning Authority, No dwelling shall be occupied until a site verification report/certificate authenticating that the remediation has been carried out in accordance with the approved strategy has been submitted to and approved in writing by the Local Planning Authority.

Reason: These details are required prior to the commencement of development to prevent contamination and to comply with the provision of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

16. No development shall take place until details of the design and implementation of an appropriate foul drainage scheme have been submitted and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to occupation of any of the dwellings hereby approved.

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.

17. No external lighting associated with the development shall be installed until full details have been submitted to and approved in writing by the Local Planning Authority. External lighting shall be minimal, designed to avoid excessive light pollution / spill onto areas of wildlife habitat.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

18. Throughout construction works the agreed reasonable avoidance measures (RAMS) for hedgehog shall be implemented on site as agreed in writing in email from Carl Grannell received by the Local Authority on 02/06/2020.

Reason: To ensure that the proposed development has no detrimental impact upon protected species or their habitats and is in accordance with Policy EN2 of the West Lancashire Local Plan.

19. No dwelling shall be occupied until details of the Residents Pack have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Residents Pack shall be provided to each new occupier of the hereby permitted dwellings. At a minimum the pack shall include:

- Description of the European designated sites and their features, this should include a map explaining the boundaries of European designated sites.
- An explanation of the sensitivities of features to recreational disturbance and key sensitive times for the features of the European designated sites.
- List of any access restrictions in the local area
- Suggestions of alternative recreational sites including a map of the area showing local parks and gardens, plus directions and details of how to access these spaces.
- Codes of conduct e.g. Provision of a 'responsible user code' and 'responsible coast user code' to inform residents of the sensitive sites and how to help protect them.
- Suggested areas for responsible bird watching and opportunities for people to get involved in the local natural environment
- Guidance produced for local residents on the protected sites within the locality and the requirement to keep dogs on leads in specific areas.

- Details of Habitat Management days on the protected sites to be advertised to the local residents, to encourage the local residents to care for the protected sites and understand their importance.
- Provision of cycle routes in and around Ainsdale and Southport.

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.

20. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall relate to all land surfaces not built upon and shall include:

- land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- hard surfaced areas and materials,
- planting plans, specifications and schedules,
- planting size, species and numbers/densities (including tree planting set out by Paragraph 5.5 of the Ecological Survey and Assessment 2022-367 March 2023,
- a scheme for the timing / phasing of work, and
- details of existing plants / trees to be retained.

A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval. The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

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 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

21. Prior to occupation of the development, a scheme of off-site ecological mitigation shall be submitted to and approved by the local planning authority. The ecological mitigation scheme shall deliver an enhancement in biodiversity units to the receptor site equal to or greater than the loss of biodiversity units on the development site, such that there is no net loss of biodiversity units as a result of the development. The receptor site is to be agreed with the local planning authority. The approved ecological mitigation scheme shall be implemented no later than the first appropriate season following the occupation of the development. The season to be agreed with the local planning authority as part of the approval of the ecological mitigation scheme.

Reason: To ensure appropriate mitigation for the loss of onsite amenity grassland.

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
GN5 - Sequential tests
RS1 - Residential development
RS2 - Affordable and specialist housing
IF2 - Enhancing sustainable transport choice
EN2 - Preserving and enhancing West Lancashire's natural environment

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.