



**PLANNING COMMITTEE: Thursday,
25 April 2024**

Report of: Corporate Director of Transformation, Housing & Resources

**Relevant Portfolio Holder: Councillor Deputy Leader & Portfolio Holder for
Planning & Community Safety**

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SUBJECT: PLANNING APPLICATION REF: 2023/0118/FUL

**PROPOSAL: Variation of condition no 1 of planning permission 2020/0906/ARM
reserved matters relating to approved plans (Section 73 application)**

APPLICANT: Wain Homes

ADDRESS: Land off Firswood Road, Lathom

**REASON FOR COMMITTEE DECISION: To be considered in association with
2023/0117/FUL (Wain Homes application for 9 dwellings) and issues surrounding
highway safety and open space**

Wards affected: Bickerstaffe;

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks to vary condition 1 of 2020/0906/ARM to allow for a revision of the site layout and house types on site currently being redeveloped for 130 homes.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 That planning permission be GRANTED subject to deed of variation to section 106 agreement attached to original permission and associated conditions incorporated into approval.

3.0 THE SITE

- 3.1 The site forms the large part of the land currently being redeveloped for 130 dwellings in line with the current outline and reserved matters approvals. The site is located on the edge of Skelmersdale and is adjacent to Green Belt and

comprises a total of approximately 22ha of formerly safeguarded land which has been released through the Local Plan for residential development. The surrounding area is bordered by residential development to the east, south and southwest corner; employment to the north, and open agricultural Green Belt to the west.

4.0 PROPOSAL

- 4.1 The application is for the variation of condition 1 associated with 2020/0906/ARM which relates to the approved plans connected to that consent. The sites construction for 130 dwellings is well under way and this application comes forward with two elements. Firstly, to substitute the house types of the original consent to reflect a refresh of the styles of properties and secondly to alter the site layout to allow for a minor access road linking the site to the 2023/0117 (the 'parallel application' for 9 dwellings on the north-western proportion of the site).

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2020/0906/ARM – Reserved Matters – 130 Dwellings - approved 19.10.2021.

2019/0069/OUT - Outline - Residential development including details of access (all other matters reserved) – approved 01.10.2020

2023/0117/FUL – Erection of 9 dwellings – pending and on this Committee Agenda.

6.0 OBSERVATION OF CONSULTEES

- 6.1 Arboricultural Officer – No objection to the proposal as there is alignment with the adjoining application and associated management plan.
- 6.2 Lancashire County Council Lead Local Flood Authority – No objections
- 6.3 Lancashire County Council Highway Services – No objections subject to addressing issues raised on parallel application for 9 dwellings.

7.0 OTHER REPRESENTATIONS

- 7.1 South Lathom Residents Association – Concerns raised relating to the access road and the effect on what is considered to be open space provision. There is also concern relating to the traffic that will run now alongside the trim trail children's play equipment. Construction management of wider site has also been highlighted as an issue with Construction Management Plan not being adhered to.
- 7.2 1 Objection received from neighbouring occupier relating to highway safety.

8.0 SUPPORTING INFORMATION

Planning Statement
Design and Access Statement
Heritage Statement prepared by Emery Planning
Landscape Layout Plan
Highways Technical Note
Phase 1 Ground Investigation report
FRA Addendum
Air Quality Assessment
Ecological Assessment
Transport Statement
Utilities Statement
BNG Metric

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD (Local Plan) provide the policy framework against which the development proposals will be assessed.
- 9.2 The site is located within the Regional Town of Skelmersdale as designated in the Local Plan.

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF2 – Enhancing Sustainable Transport Choice
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space

Supplementary Planning Document

Design Guide SPD (2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

- 10.1 The main considerations for this application are:

Principle of Development and impact upon open space
Design
Impact on Neighbouring Amenity
Highways Impacts
Biodiversity

Principle of Development

- 10.2 Section 73 of the Town and Country Planning Act 1990 gives express power to amend or remove conditions on a planning permission for the development of the land. The Local Planning Authority must determine whether the proposals differ in

such a way from the approved development that they would cause significant harm to the interests of planning importance to justify withholding planning permission. As such the following are to be considered:

- The quantum of development would remain the same and the description of development would remain as approved.
- The changes to house type design would not have significant impact upon the overall design and appearance of the scheme.
- There is no material change in respect of other matters.
- There has been no change to the development plan since the granting of planning permission in October 2021.

10.3 Having regard to the comments from local stakeholders, the issue surrounding impact upon loss of open space that would result in the changes to the internal road layout is clearly a concern. The area of open space to be severed will serve 5 dwellings and the previously approved landscaping plan incorporating a 'beta trail' and 'gamma trail' although being affected will still provide a reasonable level of usable open space in this area. The level of traffic that will use the new access road will be associated only to those five dwellings. As there is no through road this in combination with the overall open space provision upon the site deems the impact in regard to open space provision across the site as acceptable.

10.4 Having regard to the provision of open space under the approved scheme it was at the time above the policy requirements of Policy OS1 of the Local Plan which requires 13.5 square metres of public open space per bedroom for development of 4-289 dwellings. The difference between open space provision between the approved scheme and the proposal is shown as below.

_A. Approved 130 house scheme	B. Proposed 130 house scheme	C. Adjacent scheme for 9 dwellings	D. Total proposed (B + C)	
Total bedrooms	437	437	32	469
Total POS required	5899.5 sqm	5899.5 sqm	432 sqm	6331.5 sqm
Total POS proposed	7648.6 sqm	7567.6 sqm	300 sqm	7867.6 sqm
Provision against standard	+1749.1 sqm	+1,668.1 sqm	-132 sqm	+1,536.1 sqm

10.5 Effectively, the scheme had significantly more than the required open space as required by Policy OS1 and the provision of the new access road would then it is not considered this would not have a significant impact on the level of open space across the site which would be close to 25% over the level required across both schemes..

Design

- 10.6 Policy GN3 of the Local Plan requires all new development to have regard to the visual amenity of the surrounding area and complement or enhance the attractive attributes through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatments.
- 10.7 In addition, the SPD Design Guide states that new development should be of an overall scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that building(s) height, scale and form, including the roofline, do not disrupt the visual amenities of the streetscene and impact on any significant wider landscape views.
- 10.8 The proposal incorporates a relatively minor amendment to the internal road layout approved under 2020/0906/ARM which would enable a small access road to provide a vehicular link to the parallel application. In design terms this change is considered to have a minimal level of impact and is considered to accord with policy GN3 of the WLLP.
- 10.9 In addition to the access road, there are some minor external changes to the design of various house types and the introduction of a new house type. These changes are considered minimal and will have a negligible impact in design terms representing a 'refresh' to the original design house types as such the proposal is in accordance with Policy GN3 of the WLLP.

Impact on Neighbouring Amenity

- 10.10 Policy GN3 of the Local Plan requires that development retains or creates reasonable levels of privacy, amenity and sufficient garden or outdoor space for occupiers of the neighbouring and proposed properties.
- 10.11 The impact upon neighbouring amenity has been assessed as part of the original approval and the amended road layout to provide access to five of the dwellings associated with the parallel application will not give rise to any further adverse impacts.
- 10.12 I am satisfied that the proposed alterations would ensure an acceptable standard of amenity to occupiers of the new dwellings and would not give rise to unacceptable impact on the amenities of existing residents. As such, the proposed development complies with Policy GN3 in terms of impact on residential amenity.

Highway Impacts

- 10.13 Policy GN3 of the Local Plan states that suitable and safe access, road layout, design and adequate parking provision are required in new developments. Policy IF2 details parking standards required for residential developments.
- 10.14 The Highway Authority (Lancashire County Council) are satisfied that the level of development proposed will give rise to no adverse impacts on highway safety.
- 10.15 It is noted that there have been issues previously surrounding the construction management of the site with complaints being raised in terms of mud being left on the public highway and construction traffic becoming a nuisance. It is understood

that this matter was brought to the attention of the site manager and has improved through adhering to the previously approved construction management plan. As such the approved construction management plan will be transferred as a condition should members be minded to agree with the officer recommendation.

11.0 CONCLUSION

- 11.1 The proposed development has been assessed in line with Section 73 of the Town and Country Planning Act 1990, which permits minor amendments to already approved planning applications. It is considered that the minor revisions to the site layout and house types are acceptable.
- 11.2 Where an application under Section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission which remains intact and unamended. Therefore, should this Section 73 application be approved, it would need to include all the conditions attached to the outline consent and all conditions attached to the Reserved Matters approval as relevant to the application.
- 11.3 Additionally, should this Section 73 application be approved, a variation will be required to the Section 106 Agreement agreed by outline planning permission 2019/0069/OUT, to ensure that the new permission is bound by the same legal requirements as those previously applicable. The Section 106 Agreement previously outlined the terms and conditions of the affordable housing units, accommodation suitable for the elderly; terms and conditions of on-site public open space and financial contribution towards the provision of/delivery of part of the Linear Park.

12.0 RECOMMENDATION

- 12.1 That planning permission granted by the Director of Transformation, Housing and Resources subject to a deed of variation to the original Section 106 agreement and the following conditions:

Condition(s)

1. The development must be begun not later than 19th October 2024.

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 received 7th February 2023 :

Section 73 Site Layout Plan WH/FR/273SL/01
Section 73 hard landscaping plan WH/FR/HLP/01
Section 73 boundary treatment plan HW/FR/BTP-01
Landscape masterplan 5897 Rev K
Landscape proposals sheets 1-5 5897 0.3-0.7 Rev K
Section 73 storey heights plan WH/FR/SHP/01

Section 73 waste management plan WH/FR/WMP/01

House types

Brahms BRM-13.1

Brunswick BRU-P1

Ellington ELL-13

Holbrooke HOL-13

Haversham HAV-P1

Hatherleigh HAT-B-P1

Jenner JEN-PI Rev A & JEN-P2

Priestley PR-P1

Newton NT-P1

Oakmere Apartments Type A, B, C, D Oak-P1

Shakespeare SHA-P1

Trevithick TRE-P1

Stephenson STE-P1 & STE-P2

Wren WRE-P1

Wrenbury WREB-P1

Nelson NEL-P1

Which shall supercede any corresponding plan previously approved outlined below:

Plan reference:

Location Plan - WH.FR.LP.01 Rev B, received by the Local Planning Authority on 07.10.2020.

Plan reference:

Detailed site layout plan ref: WH/FR/DSL/RM/01 Rev. P

Boundary treatment plan ref: WH/FR/BTP/01 Rev B

Hard landscaping plan ref: WH/FR/HLP/01 Rev B

received by the Local Planning Authority on 29.09.2021.

Plan reference:

House Type: Trevithick - 3.205CB/P/BU/L10/300 Rev A

House Type: Brahms - R24LH/P/R/L10/300

House Type: Ellington - R35LH/P/R/L10/300

House Type: Brunswick - 3.113SACB/P/BU/L10/300 Rev A

House Type: Holbrooke - G/R46LH/P/R/L10/300

House Type: Wren - 4.404CB/P/S/L10 300

House Type: Wrenbury - 4.404DACB/P/BU/L10 300

House Type: Newton - 4.201/P/BU/L10/300 Rev A

House Type: Haversham - 4.342/P/BU/L10/300 Rev B

House Type: Shakespeare - 4.341/P/BU/L10/300 Rev A

House Type: Priestley - 4.341/P/BU/L10/300

House Type: Oakmere (New) Apartments 1 of 2 - 2.346HL/P/BU/L10

House Type: Oakmere (New) Apartments 2 of 2 - 2.346HL/P/BU/L10

House Type: Hatherleigh & Bay 4B6P - 4.342SAB/P/BU/L10/300 Rev B

House Type: Jenner 3B4P - 4.209CB/P/BU/L10/300 Rev A

House Type: Stephenson - 4.203/P/BU/L10/300 Rev B

received by the Local Planning Authority on 28.04.2021.

Plan reference:

Screen Wall Drawing - FD001

Boundary Details - FD002 and FD003

Feather Edged Fence Drawing - FD-004 Rev P1

Received by the Local Planning Authority on 07.10.2020.

Plan reference:

Landscape Masterplan - 5897.08 Rev J

Landscape Proposals Sheet 1 - 5897.03 Rev J

Landscape Proposals Sheet 2 - 5897.04 Rev J

Landscape Proposals Sheet 3 - 5897.05 Rev J

Landscape Proposals Sheet 4 - 5897.06 Rev J

Landscape Proposals Sheet 5 - 5897.07 Rev J

Received by the Local Planning Authority on 29.09.2021.

Plan reference:

Cycle store plan ref: 9000

received by the Local Planning Authority on 20.08.2021.

Plan reference:

Street Scene and Site Section - WH.FR.SS.01 - Rev A

received by the Local Planning Authority on 09.07.2021.

Plan reference:

Large single garage side to side - LSG/SE/1.4/B

Large single garage front to rear - LSG/SE/1.3/B

received by the Local Planning Authority on 05.07.2021.

Plan reference:

Storey Heights Plan - WH-FR-SHP-01 Rev B

Waste Management Plan - WH-FR-WMP-01 Rev C

received by the Local Planning Authority on 29.09.2021.

Plan reference 'WH/FR/LP/01 - Location Plan' received by the Local Planning Authority on 25.01.19.

Plan reference 'Proposed access arrangement & section 278 works and visibility splays - SCP/17348/F01 Rev D' received by the Local Planning Authority on 23/07/19.

Plan reference 'Proposed Neverstitch Road Pedestrian Crossing -SCP/17384/SK02 Rev A' received by the Local Planning Authority on 02/07/19.

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 development permitted by this planning permission shall be carried out in accordance with the principles set out within the Flood Risk Assessment and Drainage Strategy (October 2020, Ref: 30357/SRG, Ironside Farrar Limited). The measures shall be fully implemented prior to first occupation of any dwelling and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

4. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.

The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

Those details shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary;
 - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels;
 - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
 - iv. Flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
 - v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each plot to confirm minimum 150mm+ difference for FFL.
- c) Measures taken to manage the quality of the surface water runoff to prevent pollution, protects groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- d) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with industry guidance.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

5. No part of the development shall be occupied until the new site access junction to Firswood Road (and off site highway works including 30mph gateway feature on Firswood Road, new footways and pedestrian refuge island on Neverstich Road, and street lighting on Old Engine Lane between Neverstich Road and the pedestrian site access to Old Engine Lane) shown on plan SCP/17348/F01 have been constructed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Highway Safety and to accord with policy GN3 of the WLLP.

6. All measures detailed in Wainhomes Surface Water Run Off Document' submitted 26.04.2022 shall be adhered to ensuring surface water and pollution prevention will be managed during each construction phase.

The development shall be constructed in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.

7. No part of the development shall be occupied until the new internal lit footway connecting the pedestrian access to Old Engine Lane with the surfaced section of Old Engine Lane, has been constructed in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with policy GN3 of the WLLP.

8. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the

installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed. Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by a appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of Paragraph 165 of the National Planning Policy Framework.

9. The new estate roads/access shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

Reason: In the interests of highway safety.

10. The development shall be carried out in accordance with the approved details - Water vole survey report (Updated Water Vole Presence/Absence Survey 2022, ERAP Ltd, March 2022, 2022-017) which provides the results of water vole survey undertaken of Slate Brook and ditches undertaken on 9th March 2022. All measures and requirements of report shall be adhered to at all times during construction.

Reason: To safeguard a 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 proposed arrangements of Wainhomes 'Highway Future Management and Maintenance Document' submitted 13 April 2022 providing details upon management and maintenance of streets shall be implement and maintained as detailed. 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: To ensure highway safety and to accord with policy GN3 of the WLLP.

12. Development of plots 43-48 (inclusive) and plots 54 and 56 shall not be commenced until an assessment of noise on the location of dwellings has been submitted to and agreed in writing with the Local Planning Authority. A scheme for enhanced sound insulation of the facades of the proposed dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. The mitigation shall ensure that the following internal noise rating levels are not

exceeded within these properties , at any time, with windows closed and ventilation provided:

35cBLAr, 1 hour inside habitable rooms between 07:00 and 23:00 hours;
30dBLAr, 15 mins in bedrooms between 23:00 and 07:00 hours.

The ventilation provided must be sufficient to minimise the need to open windows to control overheating.

Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

13. During the construction period a facility shall be provided and maintained at all times by which the wheels of all vehicles leaving the site can be cleaned. The wheels of all vehicles leaving the site during all stages of implementation shall be cleaned so that they do not carry any mud, soil, grit or other such materials onto the public highway.

Reasons: In the interests of highway safety and amenity of neighbouring occupiers in accordance with policy GN3 of WLLP.

14. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.

Reason: - In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

15. The travel planning Action Plan included in the submitted Travel Plan must be implemented in full in accordance with the timetable within it.

Reason: To ensure compliance with policy IF2 of the WLLP.

16. Within 3 months of the date of decision a Habitat Management and Maintenance Plan is to be submitted and agreed in writing to set out how the proposed land will be managed for at least 30 years to create and/ enhance habitats to mitigate any impacts upon biodiversity and to manage and monitor these habitats.

Reason: In the interests of ensuring appropriate biodiversity upon the site and to accord with policy EN2 of the WLLP.

17. Notwithstanding the submitted details and prior to above ground works a scheme for hard and soft landscaping of the site (incorporating existing flora) and including the means of enclosure and the materials to be used for hard surfacing, shall be submitted to and approved by the Local Planning Authority. The scheme shall include, but not be limited to:

- i. A plan showing existing vegetation to be retained and safeguarded during construction which shall be consistent with any Construction Management Plan.
- ii. A plan showing areas to be managed as public open space including a final state topography plan, where appropriate.
- iii. A landscaping implementation phasing plan, where appropriate.
- iv. Detailed planting / sowing specifications including species, size, density spacing, cultivation protection (fencing, staking, guards) and methods of weed control
- v. Details of surfacing, boundary treatments and landscaping structures including design, location, hedgehog accessibility, size, colour, materials and openings.

Development shall be carried out in accordance with the approved scheme and in accordance with the landscape implementation phasing plan OR shall be completed by the end of the next available planting season immediately following the completion of the development or the site being brought into use, whichever is the earliest.

Reason: To ensure the development has an acceptable level of impact in terms of biodiversity and to accord with policy EN2 of the WLLP.

18. Prior to the commencement of construction, the following details shall be submitted to, and approved in writing by, the local planning authority a Surface water drainage scheme which as a minimum shall include:
 - a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
 - b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
 - c) Flood water exceedance routes, both on and off site;
 - d) A timetable for implementation, including phasing where applicable;
 - e) Details of water quality controls, where applicable.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

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

19. Foul and surface water shall be drained on separate systems.

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.

20. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority which, as a minimum, shall include:

a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company

b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:

i. on-going inspections relating to performance and asset condition assessments
ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;

c) Means of access for maintenance and easements where applicable.

The plan 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 sustainable drainage system shall be managed and maintained in accordance with the approved details.

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.

21. The development shall be constructed in line with the submitted Drawing 150/ML/01 received 14 October 2022 and WH/FRHLP/01 Rev b submitted 1 August 2022 which shows full specification of materials to be used externally on all hard surfaces within the development site.

Reason: To ensure satisfactory appearance and accordance with policy GN3 of the WLLP.

22. In respect of the siting of the proposed dwellings, sections across the site indicating existing and proposed ground levels shall be provided together with finished floor levels of any dwellings 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: To ensure satisfactory external appearance of the site and to accord with policy GN3 of the WLLP.

23. No above ground construction works shall take place until a plan indicating the positions, height, design, materials and type of all means of enclosure/boundary treatment(s) (including walls, fences and gates) to be erected has been submitted to and approved in writing by the Local Planning Authority.

The boundary treatment(s) means of enclosure shall be completed as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority

Reason: To ensure the development accords with policy EN3 of the WLLP.

24. An updated bat survey of the Powder Hut building shall be undertaken if works to the structure have not commenced by 31st July 2021.

Reason: To ensure the preservation of protected species and to accord with policy EN2 of the WLLP.

25. The development shall be implemented in accordance with the mitigation strategy described in Section 5 of the Ecological Appraisal Report, prepared by ERAP Consultant Ecologists. and deposited with the Local Planning Authority on 28th January 2019 unless otherwise formally agreed.

Reason: To ensure the preservation of protected species and to accord with policy EN2 of the WLLP.

26. Bat Access Panel and Bird Box Provisions ERAP (Consultant Ecologists) Ltd ref: 2017-313c received by the local planning authority on 14 January 2022 include details and measures that are considered acceptable. The bird boxes shall be installed in accordance with the approved details prior to the first occupation of the dwellings and shall be retained at all times thereafter.

Reason: To ensure the preservation of wildlife and to accord with policy EN2 of the WLLP.

27. All hard and soft landscape works shall be carried out in accordance with the approved details Landscaping Master Plan, Drawing No 587.08, Rev J, Date Aug 20 submitted 04 May 2022. The 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 the development is in accordance with policy GN3 of the WLLP.

28. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in line with the submitted document ARS Ltd report submitted 11.4.2022. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure compliance with policy EN4 of the WLLP.

29. Prior to occupation of any dwelling the details submitted in 'Detailed Site Layout' ref WH/FR/DSL/RM/01 Rev Q received 21/10/22 detailing the provision of electric vehicle charging points throughout the development shall be implemented. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.

Reason: To ensure the development is in accordance with policy IF2 of the WLLP.

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:

SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 - Residential Development
RS2 - Affordable and Specialist Housing
IF2 - Enhancing Sustainable Transport Choice
IF3 - Service Accessibility and Infrastructure for Growth
IF4 - Developer Contributions
EN1 - Low Carbon Development and Energy Infrastructure
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 - Provision of Green Infrastructure and Open Recreation Space
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.

13.0 SUSTAINABILITY IMPLICATIONS

13.01 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.