



AGENDA ITEM:

**PLANNING COMMITTEE:
9TH FEBRUARY 2017**

Report of: Director of Development and Regeneration

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SUBJECT: LATE INFORMATION

1.0 INTRODUCTION

The information below has been received since compilation of your Agenda. The following also includes suggested adjustments to the recommendations further to the receipt of late plans and/or information.

2.0 ITEM 7 – PLANNING APPLICATIONS

REPORT NO. 1 – 3 MERE CLOSE, SKELMERSDALE

Further neighbour representations have been received from the adjoining occupier making the following points.

- Query regarding the officer's report which refers to the neighbouring dwellings of 5 and 7 Mere Close already having introduced a pitched roof to replace the flat roof. Representation points out that these properties do not appear to have planning permission for these extensions and queries the validity of officers calling upon these extensions in support of the proposed development at 3 Mere Close.
- Indicating that the officer's report should not quantify the extent of alleged encroachment. The representation indicates that it is inappropriate for the report to indicate that the alleged encroachment is in the region of 25mm. A Structural Engineer's report which the neighbour has submitted makes reference to the alleged encroachment being up to 50mm.
- The representation indicates that alleged damage to the adjoining property should be a material consideration in the assessment of the application.

- Further comment that the officer's report fails to fully address concerns regarding the wrong certificate being completed. The submitted site plan indicates a red edge surrounding a grass verge and highways land.
- The representation queries why documents submitted in respect of this application are not shown on the Council's web site.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

The front canopies at 5 and 7 Mere Close were not the subject of planning applications but have been in situ since at least 2008. Therefore the developments are lawful by virtue of the passage of time (in situ for 4 years) and consequently can be taken as a material consideration for the determination of this application.

The reports submitted by the neighbour allege encroachment of between 25mm-50mm. However by virtue of signing Certificate A the applicant has confirmed that in his view the development is all within land in his ownership.

As stated in the agenda report allegations of damage to an adjoining property are not a material consideration in determination of this planning application but are a civil matter.

An amended site plan has been received which excludes any highway land from the red edge denoting the application site.

The Council has not published all documents received in respect of this application. It is the Council's usual protocol to publish letters and correspondence received in respect of planning applications. However in the neighbour notification letter sent by the Council it advises that that any comments of a personal nature against an individual/group or offensive content will not be published. In this case many of the neighbour letters received contained content that alleged damage and encroachment to the neighbouring property. Therefore in accordance with the Council's normal procedures these letters have not been published and authors of such letters were contacted and asked to resubmit their observations excluding any such allegations. Similarly the structural reports submitted allege damage to the adjoining property and encroachment and for the same reason have not been published by the Council.

REPORT NO. 3 – EDGE HILL UNIVERSITY, ST HELENS ROAD

Following publication of the Planning Committee Agenda the applicant provided a Construction Plan, Construction Environmental Management Plan and an Arboricultural Method Statement. These documents have been reviewed and are considered satisfactory and for this reason condition nos. 8, 10 and 12 attached to the full planning application are no longer considered necessary and can be removed.

Following a site visit by Members of the Planning Committee it is clear that works have commenced on site, these works include installation of hoarding/fencing, tree protection, the site compound and lifting the old track surface and top layer of sand/soil. Condition nos. 5 and 6 attached to the full application, relating to

drainage, currently require information to be submitted prior to works commencing on site. Given that site preparation works have already occurred these conditions can now not be complied with, for this reason it is proposed to amend the wording of these conditions to require submission of information prior to above ground construction. The conditions would read as follows:

Condition 5

No above ground construction shall commence until 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.

Those details shall include, as a minimum:

- 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, 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 strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
- d) Flood water exceedance routes, both on and off site;
- e) A timetable for implementation, including phasing as applicable;

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

Condition 6

No above ground construction 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 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 the student accommodation being brought into use. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

REPORT NO. 6 – LAND TO THE SOUTH OF ASHURST ROAD, ASHURST

I have received the following comments from the Highway Authority (23/1/17):

- Previous correspondence requested that the footpath along Ashurst Road, either side of the proposed access, should be increased to 3m to provide a joint pedestrian and cycle path. The plans still indicate a 2m wide path. The applicant should amend the plans to shown 3m width;
- The cul de sacs serving plots 3 to 15 and plots 27 to 38 are not to an adoptable layout and would therefore remain private;
- The land to the front of plots 20-23 are over an existing surfaced private access which includes the access to the Health Centre car park. I would request that the applicant submits details of the proposed surface of this area and the location of the proposed bollards to prevent vehicular access onto Lulworth from the site.

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

The applicant has submitted a revised site layout to incorporate a 3m wide footpath as requested by the Highway Authority. Condition 2 has therefore been updated to reflect this change:

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

Plan reference 237-0-001 H received by the Local Planning Authority on 7th February 2017.

Plan reference 237-0-002 B received by the Local Planning Authority on 15th December 2016.

Plan reference 201/1F, 202/1F, 301/1G, 302/1G, 304/1E, 307/1B, 309/1E, 401/1G, 404/1F, received by the Local Planning Authority on 15th June 2016.

Plan reference 403/1H received by the Local Planning Authority on 23rd June 2016.

One additional condition is proposed:

Condition

No development on the construction phase shall take place until details of the hard surfaced area to the front of plots 20-23 and the position of bollards to prevent vehicular access from the development to Lulworth, have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in full before first occupation of any of these plots and shall be maintained as such at all times thereafter.

Reason

To ensure the effective use of the road layout and to ensure that the development complies with Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan.

REPORT NO. 7 – AUGHTON INSTITUTE, BOLD LANE

I have received 2 further letters of objection from neighbouring properties. Concerns are summarised as follows:

- Object to the proposed planting of trees adjacent to my property as they would obstruct sunlight the property and garden gets.
- The appearance of the dwelling is not in keeping with other properties in its vicinity. It would be considerably larger than the neighbouring property at 11c Bold Lane.
- Traffic access to the property would pose a risk to users of the Aughton Institute.
- The extension of the boundary edge to include the current bowling green is a concern. This is a valuable piece of green space which is a great asset to the local community. We object strongly to the inclusion of this land in the planning application.
- The proposal would have a detrimental impact on the local environment. The site of the proposed building, along with the bowling green, provides a rich habitat for a variety of local wildlife, which would be lost if this proposal is approved.
- Can I ask for what the purpose the boundary edge has been extended to include the bowling green?

OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Matters relating to the impact of the development on adjoining properties, trees, highway safety and biodiversity are addressed in the agenda report.

The applicant was asked to amend the red edge to include the bowling green in order for a planning condition to be imposed to ensure the extension to the bowling green is provided before construction of the proposed dwelling and therefore to ensure the facility is not detrimentally impacted by the proposed development.