



**PLANNING COMMITTEE: Thursday,
3 October 2024**

Report of: Assistant Director Planning & Regulatory Services

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SUBJECT: PLANNING APPLICATION REF: 2023/0117/FUL - LAND OFF FIRSWOOD ROAD

PROPOSAL: Erection of 9 dwellings with associated works

APPLICANT: Wain Homes

ADDRESS: Land off Firswood Road, Lathom

REASON FOR COMMITTEE DECISION: Called in by Cllr Rigby due to impact upon 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 the erection of 9 dwellings on a parcel of land adjoining the site currently being redeveloped for 130 homes.
- 1.2 The application was deferred following the Committee Meeting of 25 May 2024 to allow for a site visit to take place and to enable further consideration of the provision of open space on the site.
- 1.3 The application was deferred again following the Committee Meeting of 5 September 2024 for further consideration of the site layout and the affordable housing provision. An update to the original report is provide at Section 12.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 That planning permission be GRANTED subject to conditions.

3.0 THE SITE

- 3.1 The site is an existing greenfield site which is 0.32 hectares in size situated at the corner of Firwood Road and Slate Lane. The adjoining land is part of the wider Wain Homes site which has consent for 130 residential units. The site is located on the western edge of Skelmersdale and is adjacent to Green Belt. The Firwood Road wider site 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 proposes a total of nine dwellings with four properties located off Firwood Road and the remaining five properties directly linked to the wider Wain Homes redevelopment. Access is achieved from Firwood Road to the west and from the adjoining land to the east which is currently under development for 130 dwellings.
- 4.2 The mix of the properties are 4 no. 3 bed semi-detached properties which are 2.5 storeys tall and 5 no. 4 bed detached properties all of which are two storeys tall. The site plan indicates off-street car parking provision and associated garages for three of the dwellings.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2019/0069/OUT - Outline - Residential development including details of access (all other matters reserved) – Approved 01.10.2020.
- 5.2 2020/0906/ARM – Reserved Matters – 130 Dwellings and associated works including details of appearance, landscaping, layout and scale – Approved 19.10.2021
- 5.3 2023/0118/FUL – Variation of Condition 1 of planning permission 2020/0906/ARM reserved matters relating to approved plans – Resolved to grant planning permission 05.09.2024

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 Environmental Protection Team – No objection subject to conditions.
- 6.3 Lancashire County Council Highway Services – No objections subject to conditions and is of the opinion that the proposal would not severely impact highway safety or highway capacity.
- 6.4 Lancashire County Council Historic Environment Team – No objection to raise as no implications from an Archaeological standpoint.
- 6.5 Merseyside Environmental Advisory Service (MEAS) – The updated BNG Assessment is not acceptable because the area of the off-site compensation was

last surveyed in 2017. Due to the age of the survey and change in habitat type (in accordance with aerial photography), updated reports and assessments are required and can be secured by a suitably worded condition, including a landscape plan that includes the off-site mitigation/compensation habitats and a habitat management and maintenance plan. The conditions recommended in the response dated 17 May 2023 remain valid in relation to bats and lighting, breeding birds, bird nesting boxes, reasonable avoidance measures for terrestrial mammals and hedgehog highways. Also, it was determined that a Habitats Regulations Assessment is not required.

- 6.6 Principal Engineer – No objection as the impact on flood risk due to the proposed development will be negligible.
- 6.7 The Coal Authority – No objection subject to standing advice.
- 6.8 United Utilities – Requested information relating to levels which was provided and recommended conditions.

7.0 OTHER REPRESENTATIONS

- 7.1 South Lathom Residents Association – Object due to the following:
 - Narrow access road which could cause congestion due to parked cars
 - Effect on what is considered to be open space provision upon the wider site (associated application)
 - Ecology impacts
 - Utilities provision
 - Construction Management Plan of the wider site not being adhered to
 - No affordable housing
 - Poor layout and cut off from all other houses
 - Short consultation exercise
- 7.2 Parish Council – Object due to the following:
 - Road negates the value of the public open space
 - Underground supply for the sub-station needs to be resolved
 - Electricity diversion will impact existing properties
- 7.3 9 Objections from neighbouring occupiers summarised by the following issues:
 - Impact upon open space
 - Hedgerow removal
 - Utilities provision
 - Highway implications particularly increase of traffic on Firwood Road
 - Impact upon privacy and loss of light
 - Impact on wildlife
 - Design of the scheme
 - Piecemeal development

8.0 SUPPORTING INFORMATION

Addendum to Flood Risk Assessment and Drainage Strategy
Air Quality Assessment
Biodiversity Metric
Biodiversity Net Gain Assessment

Construction Management Statement
Design and Access Statement
Ecological Survey and Assessment
Geo-environmental Investigation Report
Highways Technical Note
Historic Environment Desk Based Assessment
Letter on Amendments Made
Letter on Biodiversity Net Gain
Letter on Open Space
Planning Statement
Utilities Statement

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 (January 2008)
Supplementary Planning Document – Provision of Public Open Space in New Residential Developments SPD (July 2014)
Development Brief – Firswood Road (August 2014)

10.0 OBSERVATIONS OF ASSISTANT DIRECTOR OF PLANNING AND REGULATORY SERVICES

- 10.1 The main considerations for this application are:

Principle of Development
Design
Impact on Neighbouring Amenity
Highways Impacts
Drainage Impacts
Landscape and Biodiversity

Principle of 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 and it is considered that the

proposed residential development of this site complies with Policy RS1 in the Local Plan as it is an allocated housing site. This policy supports a development which provides up to 400 units on the wider Firswood Road site.

- 10.3 The Development Brief for the wider site sets out a vision and key principles for its development; these include to develop the land in such a way as to complement the existing residential areas and to diversify the choice and range of housing to meet local needs, whilst helping to create a linear park to provide multifunctional recreation spaces.
- 10.4 The principle of residential development in this location has already been established through the neighbouring associated wider planning permissions. There have been no significant policy changes since the grant of these permission which may have affected this decision, therefore it is considered that the principle of development remains compliant with the aims and objectives of the NPPF and Policies SP1 and RS1 of the Local Plan.

Design

- 10.5 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.
- 10.6 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.
- 10.7 The nine dwellings proposed are situated in two separate elements with plots 1-4 affronting Firswood Road and 5-9 linking into the wider Wain Homes site by means of a new minor link road (subject to separate application 2023/0118/FUL). As the proposed dwellings are in keeping with the scale, design and proportions of the wider site, it is considered the proposal is suited to this location and is of a scale and siting that is in accordance with Policy GN3 of the Local Plan. Similarly, the densities, outdoor amenity space and hard landscaping are in keeping with the wider redevelopment site and therefore the design is considered to accord with the aforementioned policies.
- 10.8 The dwellings would vary between 2 and 2.5 storeys in height and would be constructed from brick which is reflective of the wider Wain Homes redevelopment. There are a variety of styles of house types in the locality and as such it is considered that the proposed house types are acceptable. I am satisfied that the resulting layout is acceptable and would not appear incongruous within its surroundings or detrimentally affect the Firswood Road, Slate Lane or Old Engine Lane street scenes. Therefore, the proposal is in accordance with Policy GN3 of the Local Plan.

Impact on Neighbouring Amenity

- 10.9 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.
- 10.10 In terms of potential impact on existing residents, there are existing established dwellings which border the site on Firswood Road, Slate Lane and Old Engine Lane, as well as the wider site which is under redevelopment and it is considered that the separation distances provided, meet the standards in the Council's SPD Design Guide. This ensures that there would be no undue impact from overlooking, overshadowing or creation of poor outlook in accordance with Policy GN3 of the Local Plan.
- 10.11 Overall it is considered that the proposed development would offer 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.

Highways Impacts

- 10.12 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.
- 10.13 In approving the previous adjoining planning permission, which included details of access, the Highway Authority has accepted that the local road network can accommodate further vehicular movements and the additional 9 dwellings proposed do not detract from this conclusion. The amended plans provided include a 2m wide footway to the affected Firswood Road boundary of the site which is deemed acceptable to the Local Highway Authority. It is noted that objections have been received from local residents in relation to the increase in vehicles associated with the proposal and there is an ongoing concern with the construction management of the wider site but this increase in development of 9 dwellings can only be concluded to have a negligible impact. In this regard any issues with regard to construction management is proposed to be bound by planning condition and a potential matter for planning enforcement to handle.
- 10.14 Electric Vehicle Charging points are to be provided for each of the 9 dwellings which, coupled with the off-street parking provision, associated garages and access arrangements, ensure the proposal accords with Policies GN3 and IF2 of the Local Plan.

Drainage Impacts

- 10.15 The drainage implications of the proposal are tied into the main Wain Homes development and it is noted that the wider site is covered by a Flood Risk Assessment and Drainage Strategy (FRA) which has been agreed with the Lead Local Flood Authority. With respect to the surface water drainage, the FRA proposes underground attenuation in the form of oversized pipes with flow controls together with an open SuDs attenuation meadow to limit flows. The Council's Drainage Engineer having assessed the current proposal is satisfied that there will be a negligible impact in terms of flood risk.

10.16 United Utilities have requested further details about the proposed floor and ground levels associated with the site which have been provided, however they have not provided any further comments. United Utilities have also suggested a planning condition requesting the submission and approval of a sustainable surface water drainage scheme and a foul water drainage scheme prior to the commencement of development. This would be submitted and approved in writing by the Council in consultation with consultees such as United Utilities and it is considered that the matter can be dealt with through a planning condition.

Landscaping and Biodiversity

10.17 The Council's Tree Officer has assessed the proposal and concluded that there are two trees affected which are of little stature and could easily be protected during construction or replaced and has highlighted that the boundary of the site is hedgerow which has implications for biodiversity. Overall, the Tree Officer has no objections to the proposal.

10.18 MEAS originally objected to the proposal because a loss of Biodiversity Net Gain (BNG) was proposed. The applicant sought to address this issue by utilising the parallel application (2023/0118/FUL) for the wider site whereby a condition requiring enhanced landscaping across the whole of the Wain Homes site will provide a net gain in biodiversity terms. As such MEAS has subsequently removed their objection.

10.19 Policy GN3 requires development to minimise the removal of trees, hedgerows, and areas of ecological value, or, where removal is unavoidable, provide for their like for like replacement or provide enhancement of features of ecological value. There has been a significant amount of negotiation between the applicant's ecology consultant and MEAS in terms of ensuring that there is an acceptable level of impact upon biodiversity. The redevelopment of this greenfield site will effectively result in a net loss of biodiversity. However, the application benefits from a parallel planning application for the wider adjoining site which the Planning Committee resolved to grant in September 2024 (2023/0118/FUL). This provides an opportunity for enhancement of landscaping and open space to mitigate the net loss on the application site by offsetting utilising the wider site. As such, a condition requiring the submission of an updated landscape plan and a habitat maintenance and management plan will ensure the proposal is acceptable.

10.20 Taking all the factors above into account, it is deemed that the development impact on ecology can be mitigated utilising the landscaping and future management upon the wider site. The development is therefore in accordance with Local Plan Policies GN3 and EN2.

Other Matters

10.21 Other issues have been raised in regard to the proposal, firstly electricity diversion and removal of an electricity pole with the impact that this may have on existing properties. The applicant has advised that this work is not associated with the applications submitted by Wainhomes and is being undertaken by Electricity North West (ENW) as a statutory undertaker. It is understood that ENW has undertaken consultation in accordance with their statutory obligations and there is limited consideration in this regard in connection with the current application(s).

- 10.22 Questions as to why the application has come forward as a separate development to the wider site have also been raised. The Firswood Road allocation is made up of many different landowners and applications can only be made when appropriate agreements are in place hence the separate schemes coming forward at different times. The scheme for 130 homes was approved prior to any agreements with the owner of the land subject to the current application for nine houses and it was not possible to bring the applications forward at that time.
- 10.23 In terms of queries regarding the impact of the proposal on open space provision, this is covered in greater detail on the Section 73 application (2023/0118/FUL) which highlights the calculations for the site as a whole. Overall, the open space across the Section 73 application is more than the recommended policy requirement and therefore the provision is considered acceptable. Such provision accounts for the addition of the 9 dwellings proposed in this application.
- 10.24 Comments have been raised regarding the lack of affordable housing on this scheme, however the Local Plan and NPPF which make up the development plan for West Lancashire, do not require affordable housing on sites below 10 dwellings.

11.0 CONCLUSION

- 11.1 To conclude, the principle of the proposed development is acceptable as the site is within the settlement boundary for Skelmersdale (Policy GN1) and is within the boundary of a Housing Allocation (Policy RS1). The application is considered to be compliant with local plan policies and, subject to appropriate conditions, the proposal is not considered to have any significant adverse impacts on design, neighbouring amenity, highways, drainage and ground issues. The impacts upon biodiversity can be mitigated using the landscaping of the wider site to achieve a net gain on biodiversity. It is therefore considered that when applying the planning balance, the proposal complies with the NPPF, the relevant policies of the Local Plan and the guidance within the Design Guide SPD.

12.0 UPDATE TO ASSESSMENT

- 12.1 The application was deferred following comments made at the Planning Committee on the 5 September which raised concerns over the level of open space, highway access and parking, design and policy concerns, potential overdevelopment of the site and the provision of affordable housing.

Open Space

- 12.2 In respect of open space, paragraph 10.23 above confirms that the Section 73 application (2023/0118/FUL), which the Planning Committee resolved to approve in September, demonstrates that the overall provision of open space exceeds the policy requirement for the site as a whole, including the 9 additional dwellings proposed.
- 12.3 Although developments of 1-39 dwellings are not required to provide on-site public open space per the Council's SPD, this application includes 77sqm of open space in the southeast corner. Additionally, all residents will have access to private rear

gardens exceeding the Council's 10m minimum guidance recommended in the Council's SPD Design Guide.

Access and Parking

- 12.4 The Applicant has provided tracking diagrams that demonstrate emergency vehicle access and refuse collection from Firwood Road mirrors the arrangements for existing dwellings, with no safety concerns raised by LCC Highways. A bin collection point has been added to the plans and forward visibility exceeds the required standards.
- 12.5 As a result of comments made by LCC Highways, the original scheme which provided only two car parking spaces for the Jenner house types was amended and an additional space per dwelling was included. Each four-bedroom dwelling now includes three spaces. All other house types provide a driveway for two cars and a garage of 6.4m x 3.2 which is greater than the minimum 6m x 3m required to be counted as parking and is acceptable to LCC Highways.
- 12.6 LCC Highways have also confirmed that the proposed access and widened footpath across the full frontage of the site will need to be constructed under an appropriate legal agreement under the Highways Act 1980 Section 278. If they believed that parking along Firwood Road as a result of this development would become an issue, double yellow lines would have been requested as part of the plans. However, as adequate parking provision has been made and LCC Highways have not raised any concern, there is no planning justification for such a provision.

Overdevelopment

- 12.7 The Design Guide requires a minimum of 21m for principal elevation to principal elevation (front and rear) and 12m from side elevations to principal elevations and minimum garden lengths of 10m. Where two buildings are off set and direct overlooking is reduced by the oblique angle between windows, the distance between buildings can be reduced. Plots 3 and 5 and plots 2 and 6 are off set and distances here are circa 19m which is acceptable. All other plots exceed 21m or 12m from each other, and from existing dwellings including Freshfield and Oakdene to the north. The density of 30 dwellings per hectare aligns with the wider Firwood Road development. To maintain these standards, permitted development rights for garage conversions have been removed.
- 12.8 Comments have been made that one access from the site as opposed to two would be better in this location. However, by having two access points, Wain Homes are able to provide an active frontage to Firwood Road to the west and an active frontage to the wider development to the east. Without this, the development would turn its back onto either Firwood Road or the wider residential estate. LCC Highways have also confirmed that the proposed development with both its access points is an acceptable solution in highway terms.

Affordable Housing

- 12.9 Although Policy RS2 sets an affordable housing requirement for sites with a capacity of 8 or more dwellings, the current NPPF (2023) states at paragraph 65,

"provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)". As the development is not for 10 dwellings or more and the site area is less than 0.5ha, it follows that in accordance with the NPPF, the development is not required to deliver affordable housing. The site is also not within a designated rural area, for which the NPPF defines as National Parks, Areas of Outstanding Natural Beauty and areas designated as 'rural' under section 157 of the Housing Act 1985.

13.0 RECOMMENDATION

- 13.1 That planning permission is granted by the Assistant Director of Planning and Regulatory Services 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:

Jenner House Type - JEN-PI Rev A and JEN-P2
Haversham House Type - HAV-PI
Shakespeare House Type - SHA-PI
Priestley House Type - PR-PI
Wordsworth House Type - WOR-P1 Rev A and WOR-P2
Received by the Local Planning Authority on 8th February 2023

Location Plan WH/FR/LP/01 Rev A
Street Scenes WH-FREL-SS-01 Rev B
Received by the Local Planning Authority on 31st July 2023

Waste Management Plan WH-FREL-WMP-01 Rev C
Storey Heights Plan WH-FREL-SHP-01 Rev C
Materials Plan WH-FREL-MP-01 Rev B
Hard Landscaping Plan WH-FREL-HLP-01 Rev B
EV Charging Plan WH-FREL-EVCP-01 Rev A
Cycle Storage Plan WH-FREL-CSP-01 Rev B
Boundary Treatment Plan WH-FREL-BTP-01 Rev C
Received by the Local Planning Authority on 8th November 2023

Proposed Site Layout WH-FREL-SL-01 Rev C
Received by the Local Planning Authority on 20th December 2023

1.8M Screen Wall FD-001
1.8M Feather Edged Fence FD-004 P1
1.2m Railing Detail (Ball Top) FD-002

1.8m Hit & Miss Fence FD-009
0.9m Post & Rail Fence FD-008
Proposed Cycle Store 9000
Received by the Local Planning Authority on 12th July 2024

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 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 1A or any amendments made to that Order, shall not apply:

- (i) the garage(s) hereby permitted shall not be converted into living accommodation (either in whole or part)

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

Reason: The Local Planning Authority wish to exercise control over future development in order to ensure highway safety in accordance with Policies GN3, EN2 and IF2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

4. The development shall be carried out in accordance with the Construction Management Statement (dated July 2023).

Reason: To protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. Prior to the commencement of any above ground works, details of the sections across the site shall be submitted to and approved in writing by the Local Planning Authority. The sections shall indicate existing and proposed ground levels 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 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.

6. No part of the development hereby approved shall commence until a scheme for the construction of the site access (and the off-site highway works including a 2m wide footway across the full frontage of the site onto Firwood Road) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

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.

7. The surface water from the approved driveway/hardstanding/car park should be collected within the site and drained to a suitable internal outfall. Prior to commencement of the development details of the drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: In the interest of highway safety to prevent water from discharging onto the public highway.

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

9. Prior to commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
 - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365
 - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it agreed that infiltration is discounted by the investigations)
 - iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable
 - v. Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

10. All piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to:

Monday-Friday 09:00-17:30 hrs
Saturday 0900-13:00 hrs
Sunday and Public Holidays None at all

In addition to the above, prior to the commencement of development the developer shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement. The method statement shall include the following details:

- i. Details of the method of piling
- ii. Days/hours of work
- iii. Duration of the pile driving operations (expected starting date and completion date)
- iv. Prior notification to the occupiers of potentially affected properties
- v. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Reason: To minimise any increases in background sound and vibration levels and to protect the amenity of any existing residents and 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.

11. Prior to commencement of any works associated with the development 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 West Lancashire Local Plan 2012-2027 Development Plan Document.

12. No part of the development hereby approved shall be occupied until all the highway works have been constructed and completed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.

13. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of the 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:

- planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work

- 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.

14. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

- b) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage in order to manage the risk of flooding and pollution during the lifetime of the development.

15. The development hereby permitted shall not be occupied until details of bird and bat boxes to include number, type and location on an appropriately scaled plan as well as timing of installation has been provided for approval and implemented in accordance with those details.

Reason: To mitigate for the loss of bird breeding habitat and bat roosting habitat in accordance with Local Plan Policy EN2 of the West Lancashire Local Plan 2012- 2027 Development Plan Document.

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

Reason: In the interests of biodiversity conservation and to comply with Policies GN3 and EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

17. Prior to occupation of the development full details including elevation, material and colour of the bin collection point shall be submitted to and approved in writing by the Local Planning Authority.

The bin collection point shall be constructed in accordance with the approved details prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of residential amenity, good design and highway safety and to ensure compliance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

INFORMATIVES

1. Working Hours

In the interests of residential amenity, the applicant/agent/developer is strongly advised to adopt the following recommended construction/demolition hours for all works on site. Works audible at or beyond the site boundary should not occur outside of Monday to Friday 08.00hrs to 18.00 hrs, Saturday 08.30hrs to 13.30hrs and at no time on Sundays or Public/Bank Holidays. Noisy or disruptive works carried on outside of these hours are much more likely to raise objections or complaints by local residents (due to disturbance) to the redevelopment of the site which may, in turn, result in formal action being pursued by Public Protection Services to enforce the recommended hours.

2. Construction Site Noise

Due to the proximity of existing noise sensitive premises and the potential for disturbance arising from contractors' operations, the developers' attention is drawn to Section 60 and 61 of the Control of Pollution Act 1974, BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites.

3. Highways

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

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by

telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

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

4. Coal Mining

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

5. Bird Breeding Season

No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works 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 buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present.

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.