



**PLANNING COMMITTEE: Thursday,
16 January 2025**

Report of: Assistant Director Planning & Regulatory Services

**Contact for further information: Feargal McEvoy (Extn. 5177)
(E-mail: feargal.mcavoy@westlancs.gov.uk)**

SUBJECT: PLANNING APPLICATION REF: 2023/0262/FUL

PROPOSAL: Development of site to provide nine no. residential dwellings for private occupation.

APPLICANT: Ms Reynolds

ADDRESS: 69 Liverpool Road South, Burscough L40 7SU

REASON FOR CALL IN: Application has been called in by Cllr Fowler on the grounds of (i) impact on local amenity, (ii) impact on highways and (iii) potential over-development.

Wards affected: Burscough West;

1.0 PURPOSE OF THE REPORT

1.1 To advise the Planning Committee on an application which seeks full planning permission to develop the site by the erection of nine no. residential dwellings.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission be GRANTED subject to conditions.

3.0 THE SITE

3.1 The site extends to 0.437 hectares and is situated on the north side of Liverpool Road South (A59). It comprises a detached bungalow and large garden area. The grounds which surround the now vacant bungalow were originally used as market gardens. The site wraps around an existing detached two storey dwelling known as Mill Dam Lane End Farmhouse which is Grade II listed, and brick barn, both of which front onto Liverpool Road South. There are trees and hedgerows within and on the perimeter of the site, which do not have any statutory protection. The front of the site is enclosed by a one metre high wooden fence, with vehicular access taken off Liverpool Road South.

- 3.2 To the east of the site is a new two storey care home (Burscough Manor). To the west of the site is a bungalow. Liverpool Road comprises a mix of house types with the properties on the opposite side of Liverpool Road comprising two storey dwellings. The site is also located west of the Grade II listed Mill Dam Lane End Farmhouse.
- 3.3 The site adjoins open land to the north which is allocated in the Local Plan under Policy SP3 as 'Yew Tree Farm, Burscough – A Strategic Development Site', for a residential/employment development.
- 3.4 The site is located within the settlement boundary of Burscough, designated as a Key Service Centre in the Local Plan.

4.0 PROPOSAL

- 4.1 The proposal relates to the construction of eight no. semi-detached 3-bedroom/5 person houses and one no. 3-bedroom/5 person detached house. One pair of semi-detached properties would face onto Liverpool Road South, whilst the remaining seven properties would be towards the rear of the site. All proposed dwellings would be served by a new access point from Liverpool Road South (A59) with internal estate road within as a private driveway.
- 4.2 Each of the dwellings has a gross floor area of 93m². All of the properties would have a width of 6.7 metres with a depth of 11.63 metres and an overall height of 6.86 metres (4.92 metres to eaves level). It is proposed that each of the properties would be constructed from brown or red facing bricks with cement tiled roofs. Each dwelling would be afforded parking and private amenity space to the rear and sides.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2021/0873/FUL - Development of site to provide 22 no. residential dwellings for private occupation. Application withdrawn 29/03/2022.

6.0 OBSERVATIONS OF CONSULTEES

- 6.1 Growth Lancashire (04/12/2024) – Report that the application, in its current form, represents a low level of less than substantial harm. As such the proposal fails to meet the duty to preserve the special character of heritage assets, including their setting, under the Planning (Listed Building and Conservation Areas) Act. The Local Planning Authority need to weigh this harm against the public benefits of the proposal in accordance with paragraph 215 of the NPPF. If in undertaking that weighing exercise a positive balance cannot be achieved then the scheme would remain contrary to Chapter 16 of the NPPF and local policy EN4.
- 6.2 Drainage Engineer (18/07/2024) – Following the submission of amended plans, reports that there is now no objection in principle to the proposal.
- 6.3 Environmental Protection (10/08/2023) – Raise no objection to the application subject to the imposition of conditions in relation to (i) acoustic insulation and (ii)

the submission of a demolition method statement and construction management plan.

6.4 United Utilities (10/08/2023) – Raise no objection to the application subject to the imposition of a condition in relation to a drainage strategy.

6.5 Lancashire County Council – Highways (22nd June 2023) – State that they have no objection in principle to a development of this size at this location however the proposed layout of the development would not meet with the standards expected for the estate road to be considered for adoption by the Highway Authority.

7.0 OTHER REPRESENTATIONS

7.1 Burscough Parish Council (13/07/2023) – Object to the application on the grounds of limited access from the A59 during the construction phase and once the properties are occupied.

7.2 One objection has been received from a local resident on the grounds that the submitted plans are not to scale and they should be reviewed and corrected.

8.0 SUPPORTING INFORMATION

8.1 Design & Access Statement

8.2 Planning Statement

8.3 Transport Assessment

8.4 Heritage Statement

8.5 Tree Survey

8.6 Arboricultural Method Statement

8.7 Preliminary Ecological Appraisal

8.8 Flood Risk Assessment

8.9 Constructive Thinking Letter

9.0 RELEVANT PLANNING POLICIES

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

9.2 The site is located within the settlement boundary of Burscough, designated as a Key Service Centre in the Local Plan. The following policies are therefore relevant:-

National Planning Policy Framework (NPPF)

Delivering sustainable development

Delivering a sufficient supply of homes
Achieving well designed places
Conserving and enhancing the historic environment

West Lancashire Local Plan 2012-2027

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
EN2 – Preserving and Enhancing West Lancashire's Natural Environment
EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets
GN3 – Criteria for Sustainable Development
RS1 – Residential Development
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth

Supplementary Planning Documents

Design Guide (2008)

Burscough Neighbourhood Plan (2019)

BP12: Surface Water Drainage
BP13: Foul Water Drainage
BPH1: New Residential Development
BPH2: Housing Mix

10.0 OBSERVATIONS OF ASSISTANT DIRECTOR PLANNING & REGULATORY SERVICES

10.1 The application is a revised submission of planning application 2021/0873/FUL which proposed the construction of 22 dwellings on the site. This application was withdrawn by the applicant as the application was to be refused by the Local Planning Authority (LPA). The main concerns were in relation to heritage, drainage and highway issues which this application seeks to address as part of this revised and much reduced scheme. The main considerations for this application relate to;

- Principle of Development
- Heritage
- Highways Safety
- Siting/Design/Appearance
- Drainage
- Trees/Biodiversity
- Affordable Housing

Principle of Development

10.2 The NPPF supports the growth of areas to supply new homes in sustainable locations. The site is located within a main settlement area and Policy GN1 supports development within settlement boundaries and confirms that development on brownfield land will be encouraged. The site is located between the Key Service Centre areas of Ormskirk and Burscough, in an area which is accepted as being sustainable with good links to the aforementioned facilities.

- 10.3 Burscough Parish Neighbourhood Plan (2017-2027) Policy BPH1 (New Residential Development) states that new residential development within the existing settlement boundary will be supported provided it meets specified criteria, which include the following: (i) a mix of tenure and size that meets identified needs in line with accompanying policy BPH2 (Housing Mix) and (ii) is appropriate in scale and design to its local context and adjacent properties.
- 10.4 On this basis I am satisfied that the principle of development is acceptable, subject to compliance with all other relevant planning policies, as discussed below.

Heritage

- 10.5 Policy EN4 of the WLLP states that there is a presumption in favour of the conservation of designated heritage assets. Development will not be permitted that adversely affects listed buildings, a scheduled monument, a conservation area, historic park or garden or archaeological remains. Development affecting the historic environment should seek to preserve or enhance the heritage asset and any features of special interest. This policy also requires development to preserve or enhance the area's character or appearance and in particular harmonise with its surroundings in terms of mass, scale, form, use of materials and overall design quality. This is reinforced by Chapter 16 of the NPPF 'Conserving and enhancing the historic environment'.
- 10.6 The site is within the vicinity of Mill Dam Lane End Farmhouse which is a Grade II Listed Building and an associated barn which is likely to be considered to be Listed through its curtilage location. The key consideration from a heritage perspective is the impact on the setting of the listed buildings.
- 10.7 Mill Dam Lane End Farmhouse is Grade II listed and adjoins the application site. This two storey farmhouse, was constructed in the early to mid 18th century and now consists of two dwellings. A large barn lies alongside the farmhouse and fronts directly onto Liverpool Road South.
- 10.8 The proposed development would surround the listed farmhouse, and the wider plot, on three sides. Two sets of semi-detached dwellings and one detached dwelling would be located to the rear of the farmhouse, two semi-detached dwellings located to the northwest of the farmhouse and two semi-detached dwellings located directly adjacent to the farmhouse, to the west. An access road to the new cluster of buildings would be located to the west of the site, furthest away from the listed farmhouse.
- 10.9 Historically open land, including the application site, would have surrounded the listed building. However its setting is now largely enclosed by fences, trees and hedges as a result of the subdivision of the site in the 20th century. The setting of the listed building is now screened from the surrounding land. Furthermore, Liverpool Road South is a well-developed road with a range of development along it from differing periods, as such, the historically more rural setting of the listed building has been substantially altered, and it is experienced in a wider context amongst 20th century suburban development. The significance of the farmhouse

and associated barn comes from its architectural importance, and whilst its setting plays an important role in its history, it has been altered over the years and the farmhouse now appears somewhat enclosed and separated from its wider setting.

10.10 Growth Lancashire have provided heritage advice on the application. Whilst generally supportive of the proposals, particularly compared to the withdrawn scheme, they have raised a number of concerns, which are outlined as follows;

- The dwellings to the north of the site will be glimpsed at from between the listed farmhouse and the barn and as such a level of harm will be caused by this. However, this harm is considered as being limited/negligible and could be mitigated by additional tree screening.
- In relation to the pair of dwellings that are directly adjacent to the dwellinghouse and face onto Liverpool Road South, it's considered that some low level less than substantial harm would arise from their proposed setting. The existing bungalow is set back behind a large front garden and as such the adjacent area next to the farmhouse remains open. This openness contributes to the setting of the listed building, as it would have historically been an open orchard associated with the site. The erection of two dwellings directly alongside the listed building completely removes any remaining sense of 'openness' that was once an important part of the building's setting and creates a line of continuous development along Liverpool Road South that negatively impacts on the setting of the listed building. It will also block positive views towards the listed building currently available from the road. It is suggested that these two dwellings be removed and replaced by sympathetic soft landscaping.
- Growth Lancashire consider that these two proposed dwellings also appear somewhat substantial and could benefit from being reduced in scale in order to appear less visually intrusive in the setting of the farmhouse. They consider that the frontages, in relation to the listed building, appear almost as if they are oriented with principal elevation away from the listed building/street, which may appear slightly incoherent from the streetscape when viewed in conjunction with the listed building.
- Comments are also made in relation to (i) the suggested replacement of the proposed fencing with hedges to reflect the historic character of the area and (ii) the retention/re-planting of hedgerows and trees to ensure that they buffer the development.

10.11 For the above reasons, it is considered that the submitted proposal is contrary to Policy EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets of the WLLP and the level of harm caused to the historic environment will be less than substantial harm.

10.12 As such, paragraph 215 of the NPPF (2024) should be applied, which states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." In light of the above, further considerations are required in order to assess the proposals in light of the requirements of paragraph 215 of the

NPPF. These are examined in the 'Considerations of the Planning Balance' section provided later within this report.

Highway Safety

- 10.13 Policy GN3 states that proposals for new development should incorporate suitable and safe access and road layout design. The site is located on the northern side of Liverpool Road South (A59). Liverpool Road South is a classified road which has been categorised as a Strategic Route with a speed limit of 30mph.
- 10.14 The proposal is to construct a new access onto Liverpool Road South. The plans indicate a new access with a 5.5m wide carriageway width with 6m radius and 2m wide footways on both sides which is acceptable. The construction of the new site access and provision of a 2m wide footway across the full frontage of the site will need to be constructed under a section 278 agreement of the 1980 Highways Act.
- 10.15 In terms of visibility, Liverpool Road South (A59) is a classified road which has been categorised as a Strategic Route with a speed limit of 30mph. Visibility splays of 2.4m x 43m are required in both directions and the plans submitted with the application indicate that adequate visibility can be achieved.
- 10.16 Parking provision is in accordance with the required levels contained within the Local Plan Policy IF2 of two spaces per plot for 3 bedroomed properties. As no garages are proposed, a condition is attached to the recommendation to require the provision of secure cycle storage for each residential unit, together with electric vehicle charging points. Amended plans have received to ensure that there is pedestrian access to the parking spaces from both Liverpool Road South and directly to the properties for those plots where the parking spaces are outside the residential curtilage.
- 10.17 The proposed layout of the development would not meet with the standards expected for the estate road to be considered for adoption by the Highway Authority, this however is not an uncommon situation. To be considered for adoption the road should be 5.5m wide with 2m footways the full length of the road and around the turning head. The submitted plan does not show the footway running around the turning head. Additionally the swept path analysis submitted by the applicant is for a 10.5m long refuse vehicle. For the development to be considered for adoption the turning head should be able to accommodate an 11.2m long refuse vehicle. These issues have been raised with the applicant who has confirmed that they do not wish to have the internal site layout adopted for maintenance purposes. On this basis, I consider the proposed development to be in accordance with Policy GN3 and IF2 of the Local Plan in respect of site access and parking.

Siting/Design/Appearance

- 10.18 Policy GN3 in the Local Plan states that new development should, inter alia, be of a high quality design and complement or enhance any attractive attributes and/or local distinctiveness within its surroundings through sensitive design, including appropriate siting, orientation, scale, materials, landscaping and boundary treatment.

- 10.19 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.
- 10.20 The nine dwellings proposed are laid out in five separate blocks, with one pair of semi-detached properties facing directly onto Liverpool Road South with the remaining properties facing onto the new internal access road. It is considered the proposed dwellings are in keeping with the scale, design and proportions of the surrounding built environment and as such 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 and Policy BH1 of the Burscough Neighbourhood Plan. Similarly, the density, outdoor amenity space and hard landscaping are in keeping with the wider area and therefore the design is considered to accord with the aforementioned policies.

Residential Amenity

- 10.21 The NPPF at paragraph 135 requires that planning should ensure that developments provide a high standard of amenity for all existing and future users. Policy GN3 of the Local Plan allows development provided it retains or creates reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of the neighbouring and proposed properties. This policy and the SPD Design Guide state that rear garden areas should be 10m minimum, and the minimum interface distance between habitable rooms should be 21m, and 12m between main elevations and those that do not contain primary windows of habitable rooms.
- 10.22 The gardens have been designed to ensure that the gardens have at least 10m rear garden space, albeit the outrigger projects into the garden space in part. It is considered that all gardens have an acceptable level of amenity space.
- 10.23 The units achieve the interface distances where possible. The exception to this is the relationship between plot 4 and plot 1 where the properties are approximately 16m apart at the closest point. They are however at an oblique angle which reduces the potential for overlooking as there is not a direct line of sight. Due to the relatively tight nature of plot sizes, the proposed layout and interface distances between the properties within the proposed development, it is considered prudent to remove permitted development rights from the development, meaning that the dwellings cannot benefit from permitted rights for enlargements/alterations within Class A (Schedule 2 Part 1) of The Town and Country Planning (General Permitted Development) (England) Order 2015. Such works would require the submission of a planning application thereby ensuring that the Local Planning Authority can maintain satisfactory control over future building works to ensure that adequate spacing around each plot is maintained, thereby protecting the amenity of future occupiers.
- 10.24 I am satisfied that the interface distances between the proposed development and that of the neighbouring properties to the west and east are largely satisfactory. The nearest property within the proposed development (Plot 3) would be in excess of 24 metres away from the side elevation of 67 Liverpool Road South, whereas

the nearest property to the east would have an interface of between 10 metres (gable to gable) and 28 metres (front to rear). I am of the opinion that the development would not result in harm to the amenities of the occupants of neighbouring property and the amenity of the future occupiers will be safeguarded. It is considered that subject to safeguarding conditions the development will meet the requirements of Policy GN3.

Drainage

- 10.25 A Flood Risk Assessment and Preliminary Surface Water Drainage Strategy documents accompany the planning application. Following consultation, these have been revised. The Councils Drainage Engineer has reviewed the most recent submission, withdrawing the previous objection he made in relation to the disposal of foul and surface water drainage. United Utilities have also raised no objection to the proposal subject to a condition relating to drainage.
- 10.26 The Drainage Strategy and plans provided indicate that the foul sewage will discharge to a public sewer. The United Utilities sewer map indicates the presence of a foul sewer beneath Liverpool Road South carriageway and therefore, in principle, this proposal is considered acceptable.

Trees/Biodiversity

- 10.27 Policy EN2 of the West Lancashire Local Plan states that development involving the loss of, or damage to, woodlands or trees of significant amenity, screening, wildlife or historical value will only be permitted where the development is required to meet a need that could not be met elsewhere and where the benefits of the development clearly outweigh the loss or damage.
- 10.28 The Council's Tree Officer considers that the overall amenity loss caused by the proposed development is minimal and can easily be offset by way of new planting. The landscaping scheme should include one specimen tree planted of at least extra heavy standard in size located on site adjacent to 67 Liverpool Road South and centralised to the plot. This will be in a sustainable place and contribute to the wider public benefit for a longer period and is covered by way of condition. He has made further comments in respect of the proposed tree protection plan and considers that this can be dealt with by way of the condition particularly as the proposed car parking layout would need minimal adjustment to ensure that the existing tree stock would not be impacted as a result of the proposed development.
- 10.29 Growth Lancashire have also suggested the replacement of the proposed fencing with hedging and the retention/re-planting of hedgerows and trees to ensure that they buffer the development, which are covered by way of condition.
- 10.30 A preliminary ecological appraisal and preliminary root assessment survey were submitted as part of the application. No evidence of protected species were found inside during the surveys, however the trees contained evidence of nesting birds. Conditions are attached to the recommendation to ensure the protection of breeding birds and also the provision of new bat roosting habitat on site is provided. On this basis, it is considered that the application is in accordance with Policy EN2 of the WLLP.

Affordable Housing

- 10.31 Policy RS2 of the Local Plan states that affordable housing will be required in new residential developments of 8 dwellings or more in the Borough's Key Service Centres, Key Sustainable Villages and Rural Sustainable Villages. For developments of 8-9, the requirement is 25%.
- 10.32 However, the NPPF at paragraph 65 states that affordable housing should not be sought for residential developments that are not major developments. Major developments are defined as development where 10 or more houses will be provided or the site has an area of 0.5 hectares or more. The site comprises 0.437 ha and the proposal is for 9 dwellings and falls under the most recent threshold for affordable housing set at national level. As the Local Plan affordable housing policy pre-dates and is not consistent with the NPPF in respect of affordable housing, there is no requirement for affordable housing on this site based on the current proposals.

11.0 PUBLIC BENEFITS AND CONSIDERATIONS OF THE "PLANNING BALANCE"

- 11.1 Policy EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets of the WLLP advises that planning permission will only be granted in such instances where it does not adversely affect the setting of a listed building. the setting and important views of the building.
- 11.2 The concerns raised by Growth Lancashire are summarised in paragraph 10.10 of this report and the proposed development is considered to cause less than substantial harm to the setting of Mill Dam Lane End Farmhouse. Some of these concerns can be addressed by attaching conditions to the recommendation in relation to a detailed landscaping scheme, including the replacement of the proposed fencing with more sensitive hedgerows.
- 11.3 Growth Lancashire state that the identified harm arising from the proposal should be weighed against the stated public benefits of the development, in accordance with paragraph 215 of the NPPF. Public benefits are those which would sustain or enhance the heritage asset. The guidance confirms that great weight should be afforded to their significance. Public benefits could be anything that delivers economic, social or environmental benefits as described in the NPPF. They should be of a nature or scale to be of benefit to the public at large. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 11.4 The public benefits that could potentially arise are identified as follows;
- The proposal would contribute to the Council's new Local Housing Need figure of 562 dwellings per year,
 - Regeneration of a plot of land within the settlement of Burscough which currently fails to offer an active frontage, thereby promoting on-street vibrancy and adding to the local character of the area,

- The scheme will enable the employment of local tradesmen during the construction phase,
- Will enhance the concept of social sustainability, as the development will allow local people the chance to live in Burscough, thereby creating a more vibrant community.

11.5 In conclusion, the principle of the proposed development is acceptable as the site is within the settlement boundary for Burscough (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. Whilst there is a level of harm to the adjacent Grade II Listed Building (Mill Dam Lane End Farmhouse), this is of a low level of less than substantial harm and when applying the planning balance, it is considered that the proposal complies with the NPPF, the relevant policies of the Local Plan, Burscough Neighbourhood Plan and the guidance within the Design Guide SPD.

12.0 RECOMMENDATION

12.1 That planning permission is granted by the Assistant Director of Planning and Regulatory Services subject to the following 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:

Site Sections – Drawing No: 324-CTS-00-Zz-Dr-A-4401-RevPO1
 Location Plan – Drawing No: 324-CTS-00-Zz-Dr-A-4100-RevPO1
 Existing Site Plan – Drawing No: 324-CTS-00-Zz-Dr-A-4101-RevPO1
 Demolition Site Plan – Drawing No: 324-CTS-00-Zz-Dr-A-4102-RevPO1
 Proposed Site Plan – Drawing No: 324-CTS-00-Zz-Dr-A-4103-RevPO1
 Site Sections – Drawing No: 324-CTS-00-Zz-Dr-A-4401-RevPO1
 Block Plan GF – Drawing No: 324-CTS-00-Zz-Dr-A-4200-RevPO1
 Block Plan Roof – Drawing No: 324-CTS-00-Zz-Dr-A-4201-RevPO1
 GA Floor Plans & Elevations – Drawing No: 324-CTS-00-Zz-Dr-A-4202-RevPO1
 Tree Protection Plan – Drawing No: Arbtech TPP 01
 Proposed Drainage Layout – Drawing No: 1114-20-01-001-RevP1

received by the Local Planning Authority on 20th March 2023.

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. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials and should be reflective of those within the surrounding area, unless otherwise agreed in writing by the Local Planning Authority.

The development shall be carried out only in accordance with the agreed schedule of materials and method of construction.

Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) Schedule 2, Parts 1 A – F and 2 A - B, or any amendments made to that Order, shall not apply:

- (i) no extensions shall be carried out to the dwelling(s)
- (ii) no garages or carports shall be erected within the curtilage of the dwellings
- (iii) no vehicle standing space shall be provided within the curtilage of the dwellings
- (iv) no buildings, greenhouses, swimming pools, gates, walls, fences or other structures shall be erected within the curtilage of the dwellings
- (v) no means of access shall be constructed to the curtilage of the dwellings
- (vi) no windows or dormer windows shall be added to the dwelling

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

Reason: The character and location of the property are such that the Local Planning Authority wish to exercise control over future development in order to protect residential and visual amenity to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved by, the Local Planning Authority. The site access shall be constructed and made available for use before any further development takes place or to a timetable agreed in writing by the local planning authority. The site access shall be maintained as approved during all stages of construction.

Reason: These details are required prior to the commencement of development to safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document

6. The parking provision and any hardstanding shown within the curtilage of the dwelling on the approved plans shall be made of porous materials, or provision shall be made to direct run off water from the hard surface to a permeable or porous area

or surface within the curtilage of the dwelling house in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The parking spaces shall be provided in accordance with the approved details prior to first occupation of the dwelling. The parking provision shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, to reduce surface water run off in accordance with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document

7. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 1114-20- 01-001, Rev P1 - Dated Apr 21 which was prepared by MUIR. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. 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 ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

8. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The details shall relate to all land surfaces not built upon and shall include:

- land-levels and gradients resulting in the formation of any banks, terraces or other earthworks,
- hard surfaced areas and materials,
- planting plans, specifications and schedules, planting size, species and numbers/densities, 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 first 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.

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

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

10. The development shall be implemented in accordance with all the mitigation measures for bat roost and nesting birds, as detailed in paragraph 4.2 (Evaluation) of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Survey, Arbtech received by the Local Planning Authority on 20 March 2023.

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

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

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

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.