



PLANNING COMMITTEE
9 November 2017

Report of: Director of Development and Regeneration

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SUBJECT: PLANNING APPLICATIONS

Background Papers

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

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

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).

CONTENT SHEET

<u>Report No</u>	<u>Ward</u>	<u>Appn No</u>	<u>Site Location & Proposal</u>	<u>Recommendation</u>
1	Tanhouse	2017/0663/FUL	Land To The West Of Evenwood Court Evenwood, Tanhouse Skelmersdale Lancashire Erection of 35 no. dwelling houses including access and associated infrastructure.	Planning permission be granted. Pages 4 - 18
2	Scarisbrick	2017/0427/FUL	188 Southport Road Scarisbrick, Lancashire Erection of 40 affordable dwellings including access road, public open space, landscaping, car parking and associated works.	Planning permission be granted. Pages 19 - 34
3	Digmoor	2017/0665/FUL	Site Of Former Sports Centre, Digmoor Road Digmoor, Skelmersdale Lancashire Erection of 72 dwelling houses including access and associated infrastructure.	Planning permission be granted. Pages 35 - 49
4	Digmoor	2017/0724/WL3	30 Alderley, Digmoor Skelmersdale Lancashire WN8 9LZ Rear single storey bedroom extension and internal modifications to create ground floor level access shower room.	Planning permission be granted. Pages 50 - 53

5	Birch Green	2017/0664/FUL	Land To The West Of Birch Green Road Skelmersdale Lancashire Erection of 104 dwelling houses including access and associated infrastructure.	Planning permission be granted. Pages 54 - 66
6	Aughton And Downholland	2017/0940/FUL	Lyncroft, Butchers Lane Aughton, Ormskirk Lancashire L39 6SY Extension to existing agricultural/horticultural building and new glasshouses.	Planning permission be granted. Pages 67 - 73

No.1 APPLICATION NO.	2017/0663/FUL
LOCATION	Land To The West Of Evenwood Court Evenwood Tanhouse Skelmersdale Lancashire
PROPOSAL	Erection of 35 no. dwelling houses including access and associated infrastructure.
APPLICANT	Gleeson Homes
WARD	Tanhouse
PARISH	Unparished - Skelmersdale
TARGET DATE	23rd October 2017

1.0 SUMMARY

1.1 This application is for residential development on a site where the principle of this form of development has been established by the making of a Local Development Order. The proposed design, layout and appearance is considered to be acceptable. The development will not have a detrimental impact on highway safety and adequate parking has been provided. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. I consider the proposal complies with the relevant policies of the Local Plan.

2.0 RECOMMENDATION: APPROVE with conditions

3.0 THE SITE

3.1 The site extends to approximately 1.7 hectares and is broadly rectangular in shape and for the most part, is relatively flat except for the western boundary that slopes steeply down to Northway. The site is currently a grassed and wooded area of land with footpaths crossing the site. To the south is the heavily wooded Delph Clough which is a Biological Heritage Site, to the east is Evenwood Court, a sheltered housing development with residential development beyond and a health centre to the south-east, to the north is another wooded area known as Elmers Green Common Clough, also a Biological Heritage Site. To the west is Northway, the one-way circular road around Skelmersdale town centre and between the site and Northway is a tree belt and a steep slope. Existing footways abut the northern, southern and eastern boundaries. The site is within the main settlement of Skelmersdale and also within the Strategic Development Site of Skelmersdale Town Centre.

4.0 THE PROPOSAL

4.1 The planning application relates to the erection of 35 dwellings with means of access via Northway. The units will comprise of a mix of 2, 3 and 4 bed two

storey properties with car parking at the front/side and garden space at the rear.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2015/1329/LDO - The Delph Clough LDO grants planning permission for the erection of buildings for C3 residential dwellings use class only.
- 5.2 2015/1101/SCR - Screening Opinion - Residential development up to 68 dwellings. EIA not required
- 5.3 2015/0831/SCR - Screening Opinion - Residential development up to 68 dwellings.

6.0 CONSULTEE RESPONSES

- 6.1 Lead Local Flood Authority (29.08.17) – No Objection subject to conditions
- 6.2 United Utilities (05.09.17) - No Objection subject to conditions
- 6.3 Lancashire County Council School Planning Team (07.08.17) – Education contribution not required
- 6.4 Lancashire County Council Highways (22.08.17 & 02.10.17 & 18.10.17) – No objections subject to conditions
- 6.5 Merseyside Ecological Advisory Service (12.10.17) - No objections subject to conditions
- 6.6 Technical Services Manager (24.08.17) - No objections
- 6.7 Executive Manager Community Services (04.09.2017) – No objections subject to conditions
- 6.8 Lancashire Constabulary (04.08.17) – Recommend security measures
- 6.9 Lancashire Fire and Rescue (18.07.2017) – Advisory notes provided

7.0 OTHER REPRESENTATIONS

- 7.1 None

8.0 SUPPORTING INFORMATION

- 8.1 The following documents have been submitted in support of the planning application:
Planning Statement

Design and Access Statement
Flood Risk and Drainage Strategy
Ground Investigation Report
Coal Mining Report
Transport Statement
Arboricultural Impact Assessment
Phase 1 Habitat Survey and Bat Roost Survey
Viability Assessment
Crime Impact Statement
Economic Benefits Report

9.0 RELEVANT PLANNING POLICY

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

The site is located within a Strategic Development Site in the Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD

NPPF

Promoting sustainable transport
Delivering a wide choice of quality homes
Requiring good design
Promoting healthy communities
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

West Lancashire Local Plan 2012-2027 DPD

SP1 - A Sustainable Development Framework for West Lancashire
SP2 – Strategic Development Site – Skelmersdale Town Centre
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF1 – Maintaining Vibrant Town and Local Centres
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

Supplementary Planning Document ‘Design Guide’ (Jan.2008).

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 The site benefits from an extant Local Development Order (LDO) for residential use (reference 2015/1329/LDO) which was approved on 15th March 2016. The LDO outlines the Council's position on planning obligations and design requirements such that only reserved matters details need to be approved, subject to developers meeting the conditions of the LDO.
- 10.2 The site is one of three sites benefitting from LDOs in Skelmersdale, the others being at the former Digmoor Road Sports Centre, and land to the west of Birch Green Road. Despite benefitting from LDOs Gleeson Homes have submitted planning applications for all three of the sites as the proposals deviate somewhat from the specific conditions and design requirements as set out in each of the LDOs.

Principle of Development

- 10.3 A Local Development Order has been granted for the development of this site for residential purposes and therefore the principle of the development has been accepted (2015/1329/LDO). The NPPF is a key material consideration and this site is a greenfield site within a sustainable location, therefore the principle of development is compliant with the NPPF. Policy SP1 of the Local Plan advocates all new built development in the Borough taking place within settlement boundaries. Policy SP2 advises that a key aim of the Strategic Development Site of Skelmersdale town centre is to increase the number of residents, diversify the style and range of accommodation available and deliver a minimum of 500 new high quality designed units over the Local Plan period. Policy GN1 goes on to say that within settlement boundaries, development on greenfield land will be assessed against all other relevant Local Plan policies. The site is within the Regional Town of Skelmersdale and as such the principle of development in this location is acceptable, subject to the proposal conforming to all other planning policies.

Affordable and Specialist Housing

- 10.4 Policy SP2 of the Local Plan states that 10% of all new housing within the Skelmersdale Strategic Development Site should be affordable in order to meet local housing needs. However, this requirement was waived in the recently granted LDO as this site is considered less attractive to the open market due to having viability issues. As such, there is no requirement for affordable housing on this site. However, the Planning Statement which accompanies this application advises that Gleeson homes are priced so that they can be afforded by 90% of local couples in full time employment. To establish sale prices, the Government's Annual Survey of Hours and Earnings (ASHE) figures are used to

determine the wage levels within the area. Using a multiplier, the level of mortgage that can be afforded by 90% of people living in the locality is determined. The affordable level of mortgage is compared to an assessment of house prices in the area and the prices adjusted to whichever is lowest. Thereby whilst not providing affordable homes within the definition set out in the NPPF, the applicant's model does provide a form of affordable accommodation, and has been accepted by the Council on the Ashurst Road site (planning application 2016/0665/FUL).

- 10.5 For developments of this size Policy RS2 requires 20% of the units to be designed specifically as accommodation for the elderly. There is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, whilst the dwellings themselves will not be constructed for use by the elderly without adaptation, they will be constructed to meet current Building Regulations with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Therefore, I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Siting, Layout and Design

- 10.6 The layout of the site allows for the main access road to be taken directly off Northway. A number of dwellings front the access road once the site levels and two cul-de-sacs lead off it.
- 10.7 The layout has been designed to ensure that there would be dwellings fronting onto most of the existing footpaths that surround the site on all sides to ensure that there is surveillance to these areas and in order to avoid a layout which is overtly inward looking.
- 10.8 The application has been amended since its original submission to allow for pedestrian links through the site to existing footpaths adjacent to the southern site boundary. The access has also been amended in order to discourage pedestrians to use the vehicular access onto Northway but to use existing footpaths in the area and the high level walkway to the town centre. This will ensure that the site integrates well into its surrounding area and to the town as a whole in accordance with Policy GN3.
- 10.9 The residential units would be two storey in height and there is a mix of detached and semi-detached properties, which would be appropriate and in keeping with the surrounding area. In terms of the level of amenity afforded to residents of the development, the proposed dwellings would benefit from sufficient private amenity space, and in terms of the relationship between the proposed properties, interface distances are broadly in accordance with Policy GN3 of the Local Plan and the Design Guide SPD.

- 10.10 The dwellings would benefit from front gardens, with some properties having off road parking to the side of the houses, ensuring that there would not be an over-dominance of hardstanding to the frontage of the houses. The dwellings themselves would be constructed from brick which would be acceptable in the street scene. I am satisfied that the design of the dwellings is acceptable in accordance with Policy GN3 of the Local Plan.

Impact on Residential Amenity

- 10.11 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout accommodates the required interface distances. With regards to amenity for existing residents, the nearest residential property to the development is Evenwood Court which is to the east of the site. The separation distances between Evenwood Court and the proposed dwellings comply with guidance given in the Design SPD and Policy GN3 and are sufficient to ensure that there would be no undue impact from overlooking, overshadowing and creation of poor outlook.

Highways and Parking

- 10.12 The development will be served via a new purpose built access from Northway to the west of the site down a steep slope. Northway is a one-way circular road around Skelmersdale town centre. At the proposed site access location Northway is two lanes wide and this, together with the slope, presents difficult conditions. However, by designing a junction with a central island to encourage drivers to turn left onto Northway and physically prevent drivers turning right against the one way traffic flow, together with measures in place to prevent pedestrians using the access and the introduction of a cutting into the slope up to the site, I am satisfied that this would provide a suitable and safe access to the proposed development.
- 10.13 Based on the trip analysis contained in the submitted Transport Statement, the Highway Authority consider that the vehicular trips forecast to be generated by the residential proposals will have a negligible impact on the local highway network. Therefore I am satisfied that the proposed development is unlikely to adversely affect highway safety in the immediate vicinity of the site or the free flow of traffic in the locality.
- 10.14 The Local Plan sets out parking standards for residential developments. The majority of plots meet the required standards however in relation to those plots which feature garages, the proposed garages do not conform to LCC's recommended 3m x 6m internal size. However, these properties have the capacity to park 2 cars on the driveway and the garages shown in the proposed layout would be of a sufficient size to accommodate a small car. In this particular case I consider the parking arrangements to be acceptable, particularly given low

levels of car ownership in the Skelmersdale area and the sustainable location of the site.

- 10.15 I am satisfied that vehicles can manoeuvre safely within the site and that adequate parking provision has been made within the site. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.16 An Arboricultural Impact Assessment has been submitted and whilst the proposed development will result in the loss of trees within the site, a belt of mature woodland of valuable quality and amenity value to the north and south boundaries will be retained which is welcomed as they also offer conservation value to the site. The loss of trees as part of the proposed development will be mitigated against through replacement planting on site, details of which will be provided in a landscaping scheme. The landscaping scheme and tree protection measures will be secured by planning condition. I am satisfied that the proposal accords with Policy EN2 of the Local Plan in this regard.
- 10.17 The site is immediately adjacent to the Elmer's Green Common and Clough Biological Heritage Site (BHS) and Delph Clough BHS which are designated sites; the woodland habitat within the BHS is also a priority habitat. The development will have a direct and indirect effect on the BHS and Priority Habitat as it will result in a loss of connectivity between the two BHS', will result in increased access and public use of woodland and light spill from the development. In order to address the above, an ecological management plan is required to avoid and mitigate against any harm to the BHS. This can be required by condition.
- 10.18 The submitted bat report states that no evidence of bat use or presence was found, therefore the Council does not need to consider the proposals against the three tests under the Habitats Regulations. The proposed development would result in the loss of bird breeding habitat and to mitigate for this, details of bird nesting boxes are required by condition. I consider that with mitigation in place, the proposed development complies with Policy EN2 of the Local Plan and the requirements of the habitats regulations and NPPF.

Drainage

- 10.19 The site is located within Flood Zone 1 and has no known risk of flooding. However, as the site is over 1 hectare in size a site specific Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA concludes that the site is at a low risk of fluvial, ground water and surface water flooding but as the development will increase the amount of impermeable

coverage of the land appropriate measures will need to be taken in respect of surface water drainage.

- 10.20 Ground conditions are mainly clay in nature and as such the use of soakaways/infiltration for disposal of surface water has been discounted. It is proposed that surface water will be discharged to Elmers Clough to the north. Storage is to be provided in traditional oversized pipes within the highway network to restrict water run off rate. The Lead Local Flood Authority and United Utilities have assessed the surface water drainage proposals and confirmed that they are acceptable in principle subject to planning conditions requiring the submission of full details.

Public Open Space

- 10.21 Paragraph 73 of the NPPF advises that Council's should provide up to date assessments of the need for new open space. Policy EN3 requires that new residential development provides for on-site open space or a contribution towards off-site open space. The Council's Provision of Public Open Space SPD states that for a development of this size, developers will be required to provide 13.5sqm of on-site public open space per bedroom. However, the Design Code associated with the LDO did not require public open space to be provided for this site due to its close proximity to existing areas of open space and the viability issues associated with the site.

Financial Benefits

- 10.22 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £245,000 over six years. The development is also CIL liable but is not subject to the charging schedule and therefore there is no requirement for a CIL payment.

11.0 RECOMMENDATION

- 11.1 That planning permission be GRANTED 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.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference '2905-0-001M' (proposed site layout) received by the Local Planning Authority on 17.10.2017;
Plan reference 'SCP/17041/SK01 rev C (potential site access) received by the Local Planning Authority on 17.10.2017;

Plan reference '201/1F, 202/1F, 301/1G, 304/1E, 310/1D, 401/1G, 403/1H' (house type plans) received by the Local Planning Authority on 22.06.2017;

Plan reference '313/314-00H, 13/313-9, 13/313-02, 313/314 03D, 313/314 04D, 313/314 05A, 313 06, 313 07' (house type plans) received by the Local Planning Authority on 22.06.2017.

Plan reference ' 309/1E and 403/1H' (house type plans) received by the Local Planning Authority on 24.07.2017;

Plan reference 2905-1-003 (access and section) received by the Local Planning Authority on 17.10.2017

3. Prior to construction full details and samples of the external brickwork and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development above slab level shall take place until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved boundary treatment for the plot has been provided in accordance with the approved details.
5. No development 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.

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;

f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;

g) Details of water quality controls, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

6. 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 LPA 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.

7. No development shall commence until details of the design and implementation of an appropriate foul drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
8. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
9. No part of the development shall be commenced until all the highway works for the site (within the adopted highway) and the estate road to and including the internal pedestrian crossing point (crossing to be located on a raised table) have been constructed in accordance with a scheme that shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.
10. A Traffic Management Plan for the construction vehicles and staff accessing the site during the construction works, and location of the site compound shall be submitted to and approved in writing by the Local Planning Authority before any works begin on site. Thereafter the approved Plan shall be implemented during the construction period.
11. No construction work on the dwellings shall be commenced until the existing footpath route on the line of the old Houghtons Lane is diverted to the new estate road pedestrian crossing point and the new footpath (with a paved width of 3m) shown on the approved plan ref: SCP/17041/SK01 Rev C is provided.
12. No dwelling shall be occupied until the associated off road car parking spaces are laid out and available for use in accordance with the approved plan.

13. The new estate road for the residential development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.
14. No construction works 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.
15. Prior to the first occupation of any dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garages shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
17. Prior to occupation of any dwelling, a scheme shall be submitted to and approved in writing by the Local Planning Authority that provides details of bird nesting boxes (number, type and location on an appropriately scaled plan) on the site together with a timetable for implementation. The nesting boxes shall be provided in accordance with the agreed scheme and timetable.
18. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. Trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
19. The development shall be carried out in accordance with the tree protection measures detailed in the Arboricultural Impact Assessment Report (Ascerta, April 2017).
20. Prior to construction a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The approved lighting scheme shall be implemented in a timetable to be agreed in writing with the LPA.
21. No tree felling, scrub clearance, vegetation management and/or ground clearance shall take place during the period 1 March to 31 August inclusive. If it is

necessary to undertake works during the bird breeding season then all trees, scrub and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected must be submitted to and approved in writing by the LPA and the development carried out in accordance with the approved details.

22. No construction shall take place until an Ecological Management Plan (EMP) has been submitted to and agreed in writing by the Local Planning Authority. The EMP shall include details of fencing around the woodlands during the construction period and storage of materials and machinery. Development shall be carried out in accordance with the approved plan.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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. 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. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. In order to comply with the NPPF and Policy GN3 of the West Lancashire Local plan 2012-2027 Development Plan Document and so to ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal.
6. In order to comply with the NPPF and Policy GN3 of the West Lancashire Local plan 2012-2027 Development Plan Document and so to ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
7. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To prevent stones and mud being carried onto the public highway to the detriment of road safety in accordance with Policy GN3 of the West Lancashire Local plan 2012-2027 Development Plan Document.
9. 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 in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD.

10. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To safeguard the availability of the pedestrian route and to provide a safe and suitable access for both existing pedestrians and the development occupant to the footbridge connection to The Concourse and so to comply with the provision of Policy GN3 of the West Lancashire Local Plan 2012-2027 DPD.
12. To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
19. To protect the trees and shrubs and thereby retain the character of the site and the area and to ensure that the development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
20. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
21. In order to protect nesting birds and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
22. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning

permission has been obtained, it does not mean that land drainage consent will be given.

The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:

<http://new.lancashire>.

2. This response does not grant the applicant permission to connect to the highway drainage network.
Neither does this response cover the suitability of any highway drainage proposal.
The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.
3. The applicant is advised that the new site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Environment Directorate before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement".
4. The applicant is advised that to discharge condition 14 that the Local Planning Authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980, or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
5. The alterations to the existing highway as part of the new works may require changes to the existing street lighting at the expense of the client/developer.
6. This consent does not give approval to a connection being made to the County Council's highway drainage system.

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

SP2 - Strategic Development Site - Skelmersdale Town Centre

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF1 - Maintaining Vibrant Town and Local Centres

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

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.

No.2 APPLICATION NO.	2017/0427/FUL
LOCATION	188 Southport Road Scarisbrick Lancashire
PROPOSAL	Erection of 40 affordable dwellings including access road, public open space, landscaping, car parking and associated works.
APPLICANT	MBE Construction
WARD	Scarisbrick
PARISH	Scarisbrick
TARGET DATE	29th November 2017

1.0 SUMMARY

1.1 This is a full planning application for 40 affordable dwellings. The proposed design and layout is considered to be acceptable. The development will not have a detrimental impact on highway safety and adequate parking has been provided. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. In my view the proposal complies with the relevant policies of the Local Plan.

2.0 RECOMMENDATION: APPROVE subject to conditions

3.0 THE SITE

3.1 The site is located on the southern side of the A570 Southport Road and lies towards the outer edge of the Borough's boundary with Sefton. The site has been cleared of a former car garage building with only the hardstanding remaining. Residential development lies immediately to the east on 'Otterstye View'. Black Brook runs along the western boundary. Open agricultural land lies to the south.

4.0 THE PROPOSAL

4.1 This application seeks planning permission for the erection of 40 affordable dwellings. The units will comprise of a mix of 2 and 3 bed two and two and half storey properties. Twelve units will front Southport Road with car parking to the rear, six properties will front onto Otterstye View and the remaining properties would face the new access road which will run through the site with a smaller cul de sac branching off it at the end. Vehicular access is provided via a pre-formed access from Otterstye View off Southport Road. There would be an area of public open space (0.8ha) to the south of the site which would include replacement tree planting.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 1999/0187 GRANTED - Outline - Erection of hotel (including details of siting and means of access) (renewal of planning permission 8/95/0872).
- 5.2 1997/0126 GRANTED - Outline - Erection of two single storey buildings for the display and sale of cars and the erection of a Petrol Filling Station (including details of siting and means of access). Renewal of p.p. 8/93/0326.
- 5.3 1995/0998 GRANTED - Display illuminated pylon sign.
- 5.4 1995/0872 GRANTED - Outline - Erection of hotel (including details of siting and means of access).
- 5.5 1994/0697 GRANTED - Display of various illuminated and non-illuminated advert signs.
- 5.6 1994/0010 GRANTED - Display various illuminated and non-illuminated advert signs.
- 5.7 1993/0326 GRANTED - Outline - Erection of two single storey buildings for the display and sale of cars and the erection of a petrol filling station, (including siting and means of access).
- 5.8 1992/0441 GRANTED - Display of various illuminated signs.
- 5.9 1991/1044 GRANTED - Change the use of former Supermarket to car sales, maintenance and repair depot.
- 5.10 1991/1043 GRANTED – Outline - Erection of Hotel, including details of siting and access.
- 5.11 1990/0985 GRANTED - Conversion of vacant Tesco store into Garden Centre.

6.0 OBSERVATIONS OF CONSULTEES

- 6.1 Environment Agency (07.07.17 & 18.09.17) – No Objection
- 6.2 United Utilities (04.07.17) - No Objection subject to conditions
- 6.3 Natural England (22.06.17) – No Objection
- 6.4 Environmental Health (27.06.17, 11.07.17 & 11.10.17) – Recommends conditions
- 6.5 Lead Local Flood Authority (22.05.17 & 28.06.17) – No Objection subject to condition

- 6.6 Technical Services Manager (13.07.17 & 08.08.17) No objections in principle
- 6.7 Merseyside Ecological Advisory Service (06.06.17) – No Objection subject to conditions
- 6.8 Lancashire County Council Highways (03.07.17, 06.07.17, 06.09.17, 02.10.17 & 17.10.17) – No Objection subject to conditions
- 6.9 Lancashire County Council School Planning Team (13.09.17) – Request a planning obligation towards secondary school places
- 6.10 Fire Prevention Officer (15.05.17) – Advice given

7.0 OTHER REPRESENTATIONS

- 7.1 Scarisbrick Parish Council (08.09.17 and 06.06.17) – Objects

A recent survey suggests that Scarisbrick requires 1 affordable house per annum and given recent developments, the parish is over quota. This over supply is leading to an increase in the population from buyers coming from outside the Parish. This increase is not deemed acceptable by the Parish Council until many problems in the Parish vis a vis the infrastructure are rectified. In this respect the roads in the Parish are in a generally poor state of repair and flooding continues to occur due to many blocked gullies. There are no shops, doctors, dentists in the Parish and these issues need improving if developments such as this are to be allowed and the population in the Parish continues to increase.

- 7.2 I have received 13 letters of objection from neighbouring residential properties in response to the proposal (original and amended plans). The main points of concern are summarised as follows:

Loss of residential amenity from overlooking from the new properties fronting onto Otterstye View;

The design and appearance of the development is out of character with the existing development in Otterstye View;

The scale and proportion are also vital here – the proposed development is not the same size as those properties that neighbour it. Small semi-detached properties set amongst larger detached properties would not fit in with the scale of surrounding properties;

Overdevelopment – too many units for this site, small gardens, lack of landscaped areas;

The proposed dwellings would significantly alter the fabric of the area and amount to serious ‘cramming’ in what is a low-density area;

The existing access to Otterstye is narrow and struggles to deal with traffic from existing residents – an additional 50 units will exacerbate this issue – why isn’t a

separate access being considered?;

The entrance/exit will be dangerous if the residents of Otterstye view have to share with the residents of the proposed development. It would be extremely congested with the volume of additional traffic;

Insufficient car parking spaces will lead to on street parking on the existing Otterstye estate;

Prefer to see a 50:50 ratio between affordable housing and social housing;

Concern an existing wall is to be demolished to allow the integration of the two developments;

The existing trees adjacent to the wall provide screening that allows for privacy for residents;

Development of 52 new homes in such a small area will have a huge impact on the environment such as noise pollution, air pollution, loss of light, heavy traffic and other safety issues;

There has been a flooding issue on the site. Concerned excavating the land could contribute to the flooding of the land;

Concern about the construction phase and the impact it will have on existing residents;

The amended plans address few, if any of the residents' concerns;

The new development would compromise the safety of children who play outside – inadequate parking proposed for the 6 properties fronting Otterstye View and the loss of the landscaped verge will put children in danger;

Residents are not against the development of the site in principle nor are we against the proposal for the site to be affordable housing. We are against the building of 6 properties fronting Otterstye View for the reasons conveyed above.

8.0 SUPPORTING INFORMATION

- 8.1 Flood Risk Assessment
- Ecological Appraisal
- Environmental Noise Impact Assessment
- Arboricultural Report
- Transport Statement
- Design and Access Statement
- Crime Impact Assessment

9.0 RELEVANT PLANNING POLICIES

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

The site is located within the Small Rural Village of Scarisbrick as designated in the West Lancashire Local Plan 2012-2027 DPD. The land to the south is located within the Green Belt.

NPPF

Promoting sustainable transport
Delivering a wide choice of quality homes
Requiring good design
Promoting healthy communities
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

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
IF4 – Developer Contributions
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

Supplementary Planning Document ‘Design Guide’ (Jan.2008).

Supplementary Planning Document – Provision of Public Open Space in New Residential Developments (July 2014)

10.0 SUMMARY OF ISSUES

Principle of Development

- 10.1 Policy RS1 of the Local Plan states that within Small Rural Villages very limited infill development (i.e. up to 4 units) will be permitted for market housing. Infill developments of 5 or more units may also be permitted where proposals provide the minimum amount of market housing to make the scheme financially viable, with the remainder of the housing being made available as affordable housing. On such sites, it will be expected that the affordable housing provision should be not less than 50% of all housing on the site. As the proposed development is for 100% affordable housing I am satisfied that the principle of development is compliant with the aims and objectives of the NPPF and Policy RS1 of the Local Plan.

Affordable Housing and Provision of Accommodation for the Elderly

- 10.2 The proposed development is for 100% affordable housing, the specific tenure details will be secured by a S106 agreement. The Housing Need Survey of 2010 indicated that a gross need of 1 affordable unit per annum was required in the Parish, however, as of October 2017, the Council's waiting list for Scarisbrick

shows 309 households who are seeking affordable housing in Scarisbrick across a range of property and household types. In light of the number of registrations on West Lancs Homefinder, there is a clear need for additional affordable housing in Scarisbrick.

- 10.3 Policy RS2 requires that 20% of the total number of residential units on the site should be designated to accommodate the elderly and 6 ground floor apartments have been specially designed for this (15%). In addition the stairwells for the flats would have the means to install an appropriate stair lift to allow access for the elderly to the first floor flats which will have the same layout standards as the ground floor flats. The applicant confirms that the dwellings will be designed to Part M of the Building Regulations. I am satisfied that the proposed development complies with Policies RS1 and RS2 and makes appropriate provision for elderly residents.

Siting, Layout and Design

- 10.4 The layout of the development illustrates the continuation of the ribbon development along Southport Road with the siting of the 'cottage flats'. Six of the properties will be served directly off Otterstye View with the remainder of the development being served by one internal spinal road which will run directly behind plots 1 to 12 and then curves so that it runs along the western boundary of the site. Some houses front this spinal road and others are served off a small cul-de-sac to the south of the site. The layout of the development has been somewhat limited by the Environment Agency's requirement to have an 8m easement along Black Brook which runs along the western boundary and this has led to a reduction in the number of units and a revised layout.
- 10.5 There is a mix of semi-detached and terraced properties along with three blocks of two storey 2-bed apartments. The majority of the dwellings would be two stories in height with the exception of five properties situated on the south west corner of the site which will be two and half stories. The overall mix and scale of the proposed properties is appropriate and reflects the scale of development on the neighbouring Otterstye View. In terms of the level of amenity afforded to residents of the development, I am satisfied that the private rear gardens generally accord with the standards advised in the Council's Design Guide SPD. A communal garden is proposed for the apartment blocks and the size of the space provided is considered to be acceptable. The proposed development would provide adequate interface distances between the dwellings.
- 10.6 The layout has been designed to ensure that there would be dwellings fronting onto Southport Road. This ensures an active frontage onto Southport Road whilst providing an attractive entrance feature. Similarly six dwellings would front onto Otterstye View to ensure that the proposed development integrates with the existing environment in order to avoid a layout which is overtly inward looking and thereby meeting a key policy aim.

- 10.7 The proposed layout offers a legible scheme with clear routes for vehicle and pedestrian movement throughout. Communal car parking is provided to the rear of the apartments and has been spaced out to allow for landscaping areas in-between.

Impact on Residential Amenity

- 10.8 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout accommodates the required interface distances. With regards to amenity for existing residents, I note that concern has been expressed from neighbours about the location and proximity of plots 19-24 to their own properties. I have considered the impact of the proposal on the amenities of existing neighbouring properties, particularly numbers 21 and 23 Otterstye View and I am satisfied that the interface distances exceed the 12m advised in the Council's SPD Design Guide. Similarly I am satisfied with the interface distances between the rear of plots 33-35 and the side elevation of the apartments numbered 20-30 Otterstye View. Overall, the proposed development would satisfy the requirements of Policy GN3 in respect of neighbouring amenity.
- 10.9 The flats on the elevation fronting Southport Road would be exposed to high road traffic noise levels. The submitted noise report identifies that satisfactory internal noise levels are achievable with acoustic glazing and it is proposed to install an alternative ventilation system. Environmental Health are satisfied with this approach and recommend appropriate conditions to require the submission of further details.

Highways and Parking

- 10.10 Vehicular access to the site is provided via the pre-formed access from Otterstye View, an un-adopted private road. A principal spine road will run through the site with a 5.5m wide carriageway. Two metre footways are provided throughout most of the layout. A shared footway/cycle way is provided to the north of the site to link the proposed development directly with Southport Road which has existing cycle ways and bus stop.
- 10.11 In terms of car parking Policy IF2 and Appendix F in the Local Plan provide details of parking requirements. For the proposed 2/3 bed dwellings, 2 car parking spaces are required per unit which equates to 80 spaces. The layout only incorporates 65 car parking spaces. The applicant acknowledges this deficit and justifies this on the basis that affordable housing tenants generally exhibit low levels of car ownership and therefore require less car parking. I also acknowledge that there is good pedestrian/cycle and public transport options in the immediate area as there is a bus stop directly to the north of the site which links the site to Southport, Wigan, Bescar and Ormskirk. On this basis I considered that the proposed car parking provision to be acceptable for this type of development, in

this location.

- 10.12 I am satisfied that vehicles can manoeuvre safely within the site and that adequate parking provision has been made within the site. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.13 The site incorporates Tree Preservation Order (TPO) No 15, 2002 which is located along the southern boundary between the settlement area and the Green Belt. The proposed layout would require the removal of a group of trees consisting of Cherry, Ash, Alder and Birch and a single mature Goat Willow which are subject to the TPO. The Arboricultural Officer has assessed the proposals and raises no objections to the proposed tree removal as it would not amount to any significant tree loss and can be compensated for with new tree planting on the adjacent open space.
- 10.14 An Ecological Appraisal has been submitted with the application and MEAS have advised that the conclusions are satisfactory. As the site is predominately hardstanding the presence of Great Crested Newt and the common toad are considered unlikely. The adjacent Black Brook was considered to provide only sub-optimal conditions for water vole. Considering this and that the site layout includes a buffer of approximately 5m between the top of the brook bank and the proposed development, water voles are unlikely to be affected by the proposed development. A condition will be imposed to secure this buffer zone. If any drainage proposals require works to the banks of the brook (such as creation of a headwall or installation of an outfall pipe) a full water vole survey would be required and can be secured by condition. Both the Ecological Assessment and Arboricultural Reports provide sufficient information to determine that roosting bats are unlikely to be present on the site and affected by the proposed development. However the Black Brook corridor provides good potential foraging and commuting habitat for bats and the lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with paragraph 125 of the NPPF. This can be secured by a planning condition. Some of the trees have been identified as having bird nesting potential and therefore it is considered necessary to attach a condition restricting the removal of trees throughout the bird nesting season. The development includes the creation of Public Open Space to the south of the site which will provide opportunities for habitat creation. Details will be required by condition.

Drainage

- 10.15 The site is located within Flood Zone 1, which indicates that the site is at low risk of flooding. However a Flood Risk Assessment (FRA) has been submitted to

accompany the application due to the size of the development proposed. The application form states that foul water from the dwellings is to be connected to a mains sewer. In terms of surface water drainage the applicant has indicated through the FRA that as infiltration at the site is unlikely to be viable due to the high water table, then surface water is proposed to be discharged into the Black Brook utilising existing outfalls wherever possible. Whilst this approach is likely to be acceptable in principle, full details of the surface water disposal strategy will be required by condition.

Public open space

- 10.16 The application includes a portion of land (0.8ha) to the south which is to be used as public open space. Whilst the open space is on the periphery of the development I am mindful that this area of land lies within the Green Belt where recreational uses are acceptable in principle. The layout includes the provision of a footpath link from the proposed development to this open space. It is proposed that the open space would remain as an open grassed area with replacement tree planting. As discussed in paragraph 10.14 a condition will be imposed to secure details of habitat creation within the POS. The amount of open space to be provided exceeds the amount of on-site public open space required in Policy OS1 of the Public Open Space SPD, and therefore meets the requirement of Policy EN3 and the SPD. Long term management of the open space will be secured via a S106 Agreement.

Financial Benefits

- 10.17 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £253,000 over six years. The development is also CIL liable and the estimated CIL charge is £236,135 not taking into consideration any social housing relief that may be applied for by the applicant.
- 10.18 The scheme will also deliver financial benefits in the form of an Education Contribution of £42,846.54 to fund two secondary school places. This will be secured by a section S106 agreement.

Planning Obligations

- 10.19 The redevelopment of this site will be subject to a S106 Agreement requiring the details of affordable housing provision. This agreement will also secure the maintenance and management of the on-site Public Open Space and an education contribution.

11.0 RECOMMENDATION

- 11.1 That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice

Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:

The terms and conditions of the affordable housing units
The ongoing management and maintenance of Public Open Space
An Education Contribution

- 11.2 That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation 8.1 above be subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 120 Rev 19 received by the Local Planning Authority on 11th October 2017.
Plan reference 100 Rev 1, 118 Rev 2, 121, 140, 141, 142, 143, 144, 145, 146 and 147 received by the Local Planning Authority on 28th September 2017.
3. No development above slab level shall take place until full details and samples of the external brickwork, roofing materials and render have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no garages or other extensions to a dwelling shall be erected until details of the siting and design have been submitted to and approved in writing by the Local Planning Authority.
5. No development shall take place until full details of the finished floor levels of all properties have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those details.
6. No development 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) Confirmation that the foul sewage will be discharged to a main sewer;
 - b) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year +30% allowance for climate change), 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;

c) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development runoff rate

d) Flood water exceedance routes, both on and off site

e) A timetable for implementation, including phasing as applicable

f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

7. 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 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.

8. If drainage proposals require any works to the banks of the brook i.e. creation of a headwall or installation of an outfall pipe then a full water vole survey shall be submitted to and approved in writing by the Local Planning Authority. Any agreed recommendations of the survey shall be implemented in full during the construction phase of the development.

9. Development that would disturb nesting birds should be avoided during the nesting season (March to August inclusive). If works do need to be carried out during this period, then a confirming survey of the site should be undertaken and the results submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site.

10. Prior to construction a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The approved lighting scheme shall be implemented in a timetable to be agreed in writing with the Local Planning Authority.

11. Details of replacement bird nesting opportunities in the form of bird nesting boxes (number, type, location) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the nesting box(es) have been provided in accordance with the approved scheme.
12. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. The landscaping scheme should include the water vole buffer zone and Public Open Space. Trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
13. No 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.
14. No development shall commence until a Construction Environmental Management Plan (CEMP) to manage and mitigate the main environmental effects during the construction phases of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include details of ecological mitigation, construction and demolition waste management, pollution prevention control measures, Reasonable Avoidance Measures (RAMs) for the protection of wildlife and soil resource management. The measures contained in the approved CEMP shall be fully implemented during construction.
15. No development shall commence until a scheme for protecting the proposed dwellings along Southport Road (Plots 1-12) from noise and vibration from the A570 Southport Road has been submitted to and approved by the Local Planning Authority. All works which form part of the approved scheme shall be completed before the approved residential accommodation is occupied, and retained thereafter.
16. Prior to commencement of any part of the development hereby approved, including site clearance, ground preparation, or drainage works, and for the full period of construction, a facility shall be provided 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.
17. No part of the development shall be first occupied until all the highway works within the adopted highway (namely the provision of a pedestrian refuge island on Southport Road, A570, have been constructed in accordance with a scheme

- that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.
18. No dwelling shall be occupied until the associated off road car parking spaces are laid out and available for use in accordance with the approved plan.
 19. Prior to the first occupation of any dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
 20. No development other than that shown on plan number 120 rev 19 received on 9th October 2017 shall be carried out within 5m of the top of Black Brook.
 21. No development above slab level shall take place until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved boundary treatment for the plot has been provided in accordance with the approved details.
 22. Prior to the occupation of the first dwelling the existing vehicular access to Southport Road (A570) shall be physically and permanently closed and the existing verge/footway and kerbing of the vehicular crossing shall be reinstated in accordance with the Lancashire County Council Specification for Construction of Estate Roads.
 23. The new estate road from Otterstyle View for the residential development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road
 24. 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 a private management and Maintenance Company has been established.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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. 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. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. 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.
6. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. To safeguard the health of the trees and so ensure that the proposed development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard for road users and to ensure that the development complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

19. In the interests of sustainability in accordance with Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
20. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
21. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
22. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
23. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
24. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. The applicant is advised that the highway works will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Environment Directorate before works begin on site. Further information and advice can be found at www.lancashire.gov.uk and search for "278 agreement".

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

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal

complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

No.3 APPLICATION NO.	2017/0665/FUL
LOCATION	Site Of Former Sports Centre Digmoor Road Digmoor Skelmersdale Lancashire
PROPOSAL	Erection of 72 dwelling houses including access and associated infrastructure.
APPLICANT	Gleeson Homes
WARD	Digmoor
PARISH	Unparished - Skelmersdale
TARGET DATE	23rd October 2017

1.0 SUMMARY

1.1 This application is for residential development on a site where the principle of this form of development has been established by the making of a Local Development Order. The proposed design, layout and appearance is considered to be acceptable. The development will not have a detrimental impact on highway safety and adequate parking has been provided. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. I consider the proposal complies with the relevant policies of the Local Plan.

2.0 RECOMMENDATION: APPROVE subject to a planning obligation and conditions

3.0 THE SITE

3.1 The site extends to approximately 2.5 hectares and is broadly rectangular in shape and relatively flat. The site currently comprises of a grassed area and a brownfield site which formerly housed a sports centre and car park. The sports centre closed in 2011 and was demolished in 2012. Remnants of the hardstanding's associated with its former use still exist on the site. There is a belt of trees along the southern and part of the eastern boundaries fronting Digmoor Road and Gillibrands Road. To the north and west of the site is existing residential development. To the east is Digmoor Road with residential development beyond and to the south is Gillibrands Road, with residential development beyond.

3.2 The site also includes a triangular parcel of grassed land to the north, between a subway and the rear gardens of properties on Daniels Lane. There is a pedestrian footway across the north of the site linking Daniels Lane to the Banksbarn subway under Digmoor Road.

4.0 THE PROPOSAL

- 4.1 The planning application relates to the re-development of the site for 72 dwellings with means of access via Digmoor Road with the exception of four dwellings which will be accessed directly off Daniels Lane. The units will comprise of a mix of 2, 3 and 4 bed two storey properties with car parking at the front/side and garden space at the rear.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2015/1327/LDO - The Former Digmoor Sports Centre LDO grants planning permission for the erection of buildings for C3 residential dwellings use class only.
- 5.2 2015/0830/SCR - Screening Opinion - Residential development up to 100 dwellings. EIA not required
- 5.3 2012/0838/PND - Application for Determination as to whether Prior Approval of Details is required for the method of demolition of Skelmersdale Sports Centre & all ancillary buildings and proposed restoration of the site. Prior Approval Not Required

6.0 CONSULTEE RESPONSES

- 6.1 Lead Local Flood Authority (14.08.17) – No Objection subject to condition
- 6.2 United Utilities (21.08.17) No Objection subject to conditions
- 6.3 Lancashire Archaeology Advisory Service (23.08.17 & 09.10.17) – No Objection subject to condition
- 6.4 Lancashire County Council Highways (24.08.17 & 18/10/17) – No Objection subject to conditions
- 6.5 Merseyside Ecological Advisory Service (25.08.17) No objections subject to conditions
- 6.6 Environment Agency (19.09.17) No Objections
- 6.7 Technical Services Manager (25.08.17) No comments to add to those of UU and LLFA
- 6.8 Lancashire County Council School Planning Team (07.08.17) – No contribution required at the current time

7.0 OTHER REPRESENTATIONS

- 7.1 I have received a letter of representation from a neighbouring property raising the following concerns:

The 4 dwellings proposed with access and facing on to Daniels Lane will have further impact on the current problems we have in relation to parking, the four dwellings may equate to a total of 8 vehicles needing access to an already congested Lane.

The impact of further traffic calming regulations to the surrounding area (e.g. further speed bumps, and double yellow lines)

The environmental impact, there are a number of mature trees within the boundary of the proposed site.

Loss of privacy to the rear of my property

Increase in noise pollution

Would there be any possibility of a small car park being included within this development, either within the proposed development site, or at the front of houses 17-31 Daniels Lane as this would alleviate a number of concerns surrounding parking and increased congestion.

8.0 SUPPORTING INFORMATION

- 8.1 The following documents have been submitted in support of the planning application:

Planning Statement

Design and Access Statement

Flood Risk and Drainage Strategy

Ground Investigation Report

Coal Mining Report

Transport Statement

Arboricultural Impact Assessment

Phase 1 Habitat Survey and Bat Roost Survey

Viability Assessment

Crime Impact Statement

Economic Benefits Report

9.0 RELEVANT PLANNING POLICY

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

The site is located within the Regional Town of Skelmersdale as designated in the West Lancashire Local Plan 2012-2027 DPD.

NPPF

Promoting sustainable transport
Delivering a wide choice of quality homes
Requiring good design
Promoting healthy communities
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

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
IF1 – Maintaining Vibrant Town and Local Centres
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

Supplementary Planning Document ‘Design Guide’ (Jan.2008).

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 The site benefits from an extant Local Development Order (LDO) for residential use (reference 2015/1327/LDO) which was approved on 15th March 2016. The LDO outlines the Council’s position on planning obligations and design requirements such that only reserved matters details need to be approved, subject to developers meeting the conditions of the LDO.
- 10.2 The site is one of three sites benefitting from LDOs in Skelmersdale, the others being at the former Digmoor Road Sports Centre, and the Land at Delph Clough, Northway. Despite benefitting from LDOs Gleeson Homes have submitted planning applications for all three of the sites as the proposals deviate somewhat from the specific conditions and design requirements as set out in each of the LDOs.

Principle of Development

- 10.3 A Local Development Order has been granted for the development of this site for residential purposes and therefore the principle of the development has been

accepted (2015/1327/LDO). The NPPF is a key material consideration and this site is a brownfield site within a sustainable location, therefore the principle of development is compliant with the NPPF. Policy SP1 of the Local Plan advocates all new built development in the Borough taking place within settlement boundaries. Policy GN1 goes on to say that within settlement boundaries, development on brownfield land will be encouraged, subject to other relevant Local Plan policies being satisfied. The site is within the Regional Town of Skelmersdale and as such the principle of development in this location is acceptable.

Affordable and Specialist Housing

- 10.4 Policy RS2 of the Local Plan requires 20% of the units within developments of 15 or more dwellings to be affordable in this area of Skelmersdale. Condition 6 of the LDO requires a scheme to be submitted and agreed by the Council for the provision of 20% affordable housing. The proposal does not include any specific affordable units and on this basis the application has been supported by a Viability Assessment. The applicant specialise in building affordable low cost homes for people on low incomes. To establish sales prices, the Government's SAHE (annual Survey of Hours and Earnings) figures are used to determine wage levels within the area. Using a multiplier, the level of mortgage that can be afforded by 90% of couples in full time employment in the locality is determined. The affordable level of mortgage is compared to an assessment of house prices in the area and the prices are adjusted to whichever is the lowest. This model operated by Gleeson Homes has previously been accepted by the Council on the Ashurst Road site (planning application 2016/0665/FUL).
- 10.5 Having considered this matter in detail and carried out research into typical sales prices of comparable house types within Skelmersdale, I consider in this case the scheme can be considered to be delivering housing that is below the average market price for similar housing types in the area. Therefore, it can be considered to be a low cost development.
- 10.6 In order to ensure that the sales prices for dwellings on the site do not exceed those predicted, the applicant has offered to enter into a S106 agreement which will cap the prices of each unit, Therefore, whilst on the face of it the proposed development does not appear compliant with policy RS2 in respect of traditional models of affordable housing provision, under the circumstances described, I am satisfied that the housing delivered on this site will represent low-cost housing, and subject to the aforementioned S106 is acceptable.
- 10.7 For developments of this size Policy RS2 requires 20% of the units to be designed specifically as accommodation for the elderly. There is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, whilst the dwellings themselves will not be constructed for use by the elderly without adaptation, they will be constructed to meet current

Building Regulations Part M with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Therefore, I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Siting, Layout and Design

- 10.8 The layout of the site allows for a main spine road to be taken directly off Digmoor Road. The majority of the dwellings front the spine road and some smaller cul-de-sacs lead off it. Four of the properties will be served directly off Daniel's Lane to the north west of the site. The residential units would be two storey in height and there is a mix of detached and semi-detached properties, which would be appropriate and in keeping with the surrounding area. In terms of the level of amenity afforded to residents of the development, I am satisfied that the private rear gardens generally accord with the standards advised in the Council's Design Guide SPD. The proposed development would provide adequate interface distances between the dwellings.
- 10.9 The layout has been designed to ensure that there would be dwellings fronting onto Digmoor Road behind a landscaped entrance area. This ensures an active frontage onto Digmoor Road whilst providing an attractive entrance feature. The layout also ensures that dwellings front onto the existing public footpaths, which run across the north of the site linking Digmoor Road with Daniel's Lane, and around the south of the site, to ensure that there is surveillance to these areas. Similarly four dwellings would front onto Daniel's Lane to ensure that the proposed development integrates with the existing environment in order to avoid a layout which is overtly inward looking.
- 10.10 The proposed layout offers a legible scheme with clear routes for vehicle and pedestrian movement throughout. Parking is generally provided to the side of each dwelling which is welcomed as it allows for some frontage landscaping to be provided. Pedestrian links to existing footpaths have been provided to the north and south of the site so that the development integrates well into its surrounding area.

Impact on Residential Amenity

- 10.11 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout accommodates the required interface distances. With regards to amenity for existing residents, I note that a concern has been expressed from a neighbour about the loss of privacy to his own property on Daniel's Lane, however I am mindful that the land to the rear of 23 Daniel's Lane will remain undeveloped and is allocated as public open space. Similarly, I have considered the impact of the proposal on the amenities of existing neighbouring properties to the west and I am satisfied that suitable interface distances have been provided. Overall, the proposed development would satisfy the requirements of Policy GN3 in respect of

neighbouring amenity.

Highways and Parking

- 10.12 The majority of the development (68 dwellings) will be served via a purpose built, simple priority junction in the same location as the existing vehicular access into the site, from Digmoor Road and I am satisfied that this would provide a suitable and safe access to the proposed development. Based on the trip analysis contained in the submitted Transport Statement, the Highway Authority consider that taking account of the previous land use and associated vehicular trips, the vehicular trips forecast to be generated by the residential proposals will have a negligible impact on the local highway network. Therefore I am satisfied that the proposed development is unlikely to adversely affect highway safety in the immediate vicinity of the site or the free flow of traffic in the locality. Four dwellings will be served directly off Daniel's Lane and the Highway Authority considers this to be acceptable.
- 10.13 The Local Plan sets out parking standards for residential developments. The majority of plots meet the required standards however in relation to those plots which feature garages, the proposed garages do not conform to LCC's recommended 3m x 6m internal size. However, these properties have the capacity to park 2 cars on the driveway and the garages shown in the proposed layout would be of a sufficient size to accommodate a small car. In this particular case I consider the parking arrangements to be acceptable, particularly given low levels of car ownership in the Skelmersdale area and the sustainable location of the site.
- 10.14 I am satisfied that vehicles can manoeuvre safely within the site and that adequate parking provision has been made within the site. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.15 An Arboricultural Impact Assessment has been submitted and whilst the proposed development will result in the loss of trees in the south west corner of the site, a belt of mature woodland of valuable quality and amenity value along the south-eastern boundary will be retained which is welcomed. The loss of trees as part of the proposed development will be mitigated against through replacement planting on site, details of which will be provided in a landscaping scheme. The landscaping scheme and tree protection measures will be secured by planning condition. I am satisfied that the proposal accords with Policy EN2 of the Local Plan in this regard.
- 10.16 A Phase I Habitat Survey assessed the site as having limited ecological value and MEAS concur with this view. All trees were categorised as having negligible

roost potential apart from one mature alder (T27) which had low/negligible roost potential due to ivy presence. Habitats on site were considered to provide good connectivity for foraging and commuting bats across the site but with poor links to more suitable habitat off site. MEAS found that habitats on site and adjacent to the site may provide roosting, foraging, commuting habitat for bats and that lighting for the development may affect the use of these areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto the habitats in line with paragraph 125 of the NPPF. This can be secured by a planning condition. Some of the trees have been identified as having bird nesting potential and therefore it is considered necessary to attach a condition restricting the removal of trees through the bird nesting season. In addition other precautionary measures have been recommended within the submitted survey reports which are considered appropriate and again, the implementation of these measures can be secured by way of a condition.

Drainage

- 10.17 The site is located within Flood Zone 1 and has no known risk of flooding. However, as the site is over 1 hectare in size a site specific Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA concludes that the site is at a low risk of fluvial, ground water and surface water flooding but as the development will increase the amount of impermeable coverage of the land appropriate measures will need to be taken in respect of surface water drainage.
- 10.18 Ground conditions are mainly clay in nature and as such the use of soakaways/infiltration for disposal of surface water has been discounted. It is proposed that surface water will be discharged to the surface water sewer at Gillibrands Road. Storage is to be provided in traditional oversized pipes within the highway network to restrict water run off rate. The Lead Local Flood Authority and United Utilities have assessed the surface water drainage proposals and confirmed that they are acceptable in principle subject to planning conditions requiring the submission of full details.

Public Open Space

- 10.19 Policy EN3 requires that new residential development provides for on-site public open space or a contribution towards off-site open space. The Council's Provision of Public Open Space SPD states that for a development of this size, developers will be required to provide 13.5sqm of on-site public open space per bedroom. The proposal includes on site public open space to the north east and east of the site. The area proposed comprises of 2,958.15m² which equates to 15.17m² per bedroom proposed on site which meets the requirement of Policy EN3 and the SPD. The long term maintenance and management of the public open space can be secured in a S106 agreement.

Archaeology

- 10.20 The site is considered to have some historical interest and Lancashire Archaeological Advisory Service (LAAS) advised that a programme of archaeological works would be required. In response the applicant has repositioned the dwelling so as to avoid the foundations of the old farmhouse building and submitted a Heritage Assessment. LAAS are now satisfied that the proposals are acceptable in principle but in order to ensure that the archaeological remains would not be disturbed during the development a condition is recommended which requires the submission of details of how the heritage asset will be protected during construction works.

Financial Benefits

- 10.21 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £503,429 over six years. The development is also CIL liable but is not subject to the charging schedule and therefore there is no requirement for a CIL payment.

Planning Obligations

- 10.22 The redevelopment of this site will be subject to a S106 Agreement requiring the capping of the sales values on each of the units. This agreement will also secure the management and maintenance of on-site Public Open Space.

11.0 RECOMMENDATION

- 11.1 That the decision to grant planning permission be delegated to the Director of Development and Regeneration in consultation with the Chairman or Vice Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure,

The capping of the sales values on each of the units
Ongoing management and maintenance of Public Open Space

- 11.2 That any planning permission granted by the Director of Development and Regeneration pursuant to recommendation 11.1 above be subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-

Plan reference 2906-0-001 I and SCP/17042/FO3 received by the Local Planning Authority on 16th October 2017.

Plan reference Public Open Space Plan received by the Local Planning Authority on 4th October 2017.

Plan reference 2906-0-002 A and S17-077 received by the Local Planning Authority on 24th July 2017.

Plan reference Location Plan, 201/1F, 202/1F, 301/1G, 304/1E, 307/1B, 309/1E, 311/1A and 401/1G, 403/1H received by the Local Planning Authority on 23rd June 2017.

3. Prior to construction full details and samples of the external brickwork and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garages shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
5. No development 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), 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;
- 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;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltration rates;
- g) Details of water quality controls where applicable
- h) Access arrangements to undertake connection to watercourse and future maintenance arrangements

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

6. 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 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.
7. No development shall commence until details of the design and implementation of an appropriate foul drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
8. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. The landscaping scheme should include the Public Open Space. Trees and shrubs planted shall comply with BS. 3936(Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
9. Prior to construction a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The approved lighting scheme shall be implemented in a timetable to be agreed in writing with the Local Planning Authority.
10. Prior to site works the existing trees, shown to be retained as detailed in the Arboricultural Impact Assessment Report (Ascerta, March 2017) received by the Local Planning Authority on 23rd June 2017, shall be protected with stout fencing constructed to BS5837:2012, to contain the branch spread of the trees as shown in Appendix 2. Such fencing shall remain and be adequately maintained for the duration of the development operations. Within this fencing no development

operations may take place including the storage or dumping of materials or plant, the lighting of fires, the siting of temporary huts or the raising or lowering of ground levels. All dead or damaged existing trees specified for retention shall be replaced with trees of such size and species approved in writing by the Local Planning Authority.

11. No development shall take place until a document detailing measures to be taken during construction to protect the heritage asset has been submitted to and approved in writing by the Local Planning Authority. The document should include fencing details, proposed service runs, boundary construction, and site compounds and material storage areas, and how the heritage asset will be protected from disturbance by householders in the future. The measures contained in the approved document shall be fully implemented during construction.
12. Prior to commencement of any part of the development hereby approved, including site clearance, ground preparation, or drainage works, and for the full period of construction, a facility shall be provided 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.
13. No dwelling shall be occupied until the associated off road car parking spaces are laid out and available for use in accordance with the approved plan.
14. The new estate road for the residential development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.
15. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980. No part of the development hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the scheme details.
16. No construction works 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.
17. Prior to first occupation of any dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
18. No development shall commence until a Traffic Management Plan for the construction vehicles and staff accessing the site during the construction works and location of the site compound has been submitted to and approved in writing

- by the Local Planning Authority. Thereafter the approved plan shall be implemented during the construction period.
19. No part of the development shall be occupied until a new minimum 2m width footpath is constructed on the Digmoor Road site frontage between the site access junction and the "Bankfield" subway north of the site.
 20. No development above slab level shall take place until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved boundary treatment for the plot has been provided in accordance with the approved details.
 21. No tree felling, scrub clearance, vegetation management and/or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected must be submitted to and approved in writing by the LPA and thereafter the development shall be carried out in accordance with the approved details.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of adjacent properties and the area generally and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. 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. To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

9. In the interests of nature conservation and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. To safeguard the health of the trees and so ensure that the proposed development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. As the site is of archaeological interest and in order to comply with the provisions of Policy EN4 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
12. To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard for road users 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.
13. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
14. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
15. 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.
16. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. In the interests of sustainability in accordance with Policy IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
19. To provide a safe and suitable pedestrian route access from the development to the subway route 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. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
21. To ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

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
IF1 - Maintaining Vibrant Town and Local Centres
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

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.

No.4 APPLICATION NO.	2017/0724/WL3
LOCATION	30 Alderley Digmaor Skelmersdale Lancashire WN8 9LZ
PROPOSAL	Rear single storey bedroom extension and internal modifications to create ground floor level access shower room.
APPLICANT	West Lancashire Borough Council
WARD	Digmaor
PARISH	Unparished - Skelmersdale
TARGET DATE	25th October 2017

1.0 SUMMARY

1.1 I am satisfied there will be no significant detrimental impact upon the appearance of the existing dwelling house or character of the area and there would be no significant harm to the amenity of neighbouring properties created as a result of the proposal. The development is considered compliant with relevant planning policies and the application is therefore recommended for approval.

2.0 RECOMMENDATION: APPROVE with conditions

3.0 THE SITE

3.1 The application site is a mid-terrace property surrounded by similar residential dwellings. The estate is constructed in a Radburn style single aspect layout with the fronts of the dwellings facing north and the rear gardens facing south with narrow public pathways and spaces in between.

4.0 THE PROPOSAL

4.1 The application seeks planning permission for a single storey bedroom extension to create a ground floor level access shower room.

4.2 The proposed extension would be located on the rear south elevation of the dwelling house and would measure approx. 4.95m in width, approx. 3.6m in length and would have a pitched roof with an eaves height of approx. 2.375m and maximum ridge of approx. 3.41m.

5.0 CONSULTEE RESPONSES

5.1 None received

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 1999/1159/WL3 GRANTED – Pitched roofs over existing flat roofed dwellings (03.02.2000)

7.0 OTHER REPRESENTATIONS

- 7.1 None received

8.0 SUPPORTING INFORMATION

- 8.1 None received

9.0 RELEVANT PLANNING POLICIES

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

- 9.2 The application site is located within the Regional Town of Skelmersdale as designated within the West Lancashire Local Plan 2012-2027 DPD. The following policies are therefore relevant:

- 9.3 West Lancashire Local Plan 2012-2027 DPD
GN1- Settlement Boundaries
GN3- Criteria for Sustainable Development

Supplementary Planning Document- Design Guide (January 2008)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Visual Appearance and Design

- 10.1 By virtue of its size, scale, form and external appearance, the proposal would not be considered to compromise the architectural style of the existing dwelling house. The dual pitched roof design is in keeping and would have a lower eaves and ridge height than the main roof line and therefore would appear subservient.
- 10.2 The location and proportion of the proposed fenestrations and replacement patio doors on the rear east elevation of the extension relate well to the overall appearance and composition of the building. Furthermore given its siting at the rear of the property, the extension would not be visible from the street scene of Alderley and only partially visible from the rear walkways to the south of the site. As such the proposal would not be considered to create any significant harm to the character and appearance of the area and is acceptable in this respect.

Impact on Residential Amenity

- 10.3 Given the single storey scale and size of the development, roof design and existing boundary treatments I am satisfied the proposal would not have any significant adverse impact upon the residential amenity of the adjacent occupiers to the east, west and south of the site. The proposal is therefore considered to be in accordance with Policy GN3 of the Local Plan.

Summary

- 10.4 Given the above I consider the proposal satisfactorily meets the requirements of Policies GN1 and GN3 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval

11.0 RECOMMENDATION

- 11.1 That the application should be GRANTED 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.
2. All external brickwork and roofing materials shall be identical to those on the existing building in respect of shape, size, colour and texture. If the applicant or developer has any doubts as to whether the proposed materials do match they should check with the Local Planning Authority before commencement of the building works.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plans, Section and Elevations received by the Local Planning Authority on 15th September 2017

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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.
3. 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.

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:

GN1- Settlement Boundaries

GN3- Criteria for Sustainable Development

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.

No.5 APPLICATION NO.	2017/0664/FUL
LOCATION	Land To The West Of Birch Green Road Skelmersdale Lancashire
PROPOSAL	Erection of 104 dwelling houses including access and associated infrastructure.
APPLICANT	Gleeson Homes
WARD	Birch Green
PARISH	Unparished - Skelmersdale
TARGET DATE	23rd October 2017

1.0 SUMMARY

1.1 This application is for residential development on a site where the principle of this form of development has been established by the making of a Local Development Order. The scheme is acceptable in terms of layout, appearance, and design. The proposed development would allow for the provision and retention of reasonable levels of amenity for the occupants of future and neighbouring properties and would not be detrimental to highway safety or biodiversity. I consider that the development is compliant with the relevant policies in the Local Plan.

2.0 RECOMMENDATION: APPROVE with conditions.

3.0 THE SITE

3.1 The site extends to approximately 3.4 hectares and is broadly rectangular in shape and relatively flat, with a slight fall across the site from east to west and south to north. The site is currently a grassed area of land which was formerly a housing site that was demolished in 2009 and 2013. Remnants of the infrastructure for the housing still exist on the site in the form of tarmacked roadways. To the north and west is the heavily wooded Westhead Clough which is a Biological Heritage Site, to the east is Birch Green Road with residential development beyond and to the south is the residential area of Firbeck. Existing footways abut the southern, eastern and western boundaries. The site is within the main settlement of Skelmersdale and also within the Strategic Development Site of Skelmersdale Town Centre.

4.0 PROPOSED DEVELOPMENT

4.1 It is proposed to build 104 dwellings on the site with access taken from Birch Green Road. These will consist of a mix of two, three and four bedroomed, two storey semi-detached and detached properties in the following format:

37 x 2 bedroom semi-detached
33 x 3 bedroom semi-detached
28 x 3 bedroom detached
6 x 4 bedroom detached

5.0 HISTORY

- 5.1 2015/1328/LDO - The Findon LDO grants planning permission for the erection of buildings for C3 residential dwellings use class only.
- 5.2 2015/0832/SCR - Screening Opinion - Residential development up to 140 dwellings. EIA not required

6.0 CONSULTEE RESPONSES

- 6.1 Technical Services Manager (30.08.17) – No objection. Recommend conditions in respect of foul and surface water drainage.
- 6.2 Environmental Health (01.09.17) – No objection. Recommend conditions in respect of environmental control during the construction phase, electric vehicle charging points and external lighting.
- 6.3 Highway Authority (23.08.17) – No objection providing pedestrian linkages are improved and adequate off street car parking is provided.
- 6.4 United Utilities (07.09.17) – No objection. Recommend conditions.
- 6.5 Merseyside Environmental Advisory Service (MEAS) (31.08.17) – No objection. Request further information prior to determination.
- 6.6 Lancashire Fire and Rescue Services (17.08.17) – No objection.
- 6.7 Lancashire Constabulary (31.07.17) – No objection.
- 6.8 Lancashire County Council School Planning Team (07.08.17) – Education contribution not required.
- 6.9 Lead Local Flood Authority (14.08.17) – No objection.

7.0 OTHER REPRESENTATIONS

- 7.1 None.

8.0 SUPPORTING INFORMATION

Arboricultural Impact Assessment, Feb 2017
Planning Statement, June 2017
Design and Access Statement, May 2017
Non-residential Mining Report, Jan 2017
Extended Phase 1 Habitat Survey, March 2017
Ground Investigation Report, April 2016
Maximising Security Through Design
Transport Statement, April 2017
Economic Benefits Report, June 2017
Flood Risk Assessment and Drainage Strategy, April 2017

9.0 RELEVANT PLANNING POLICY

- 9.1 National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) provide the policy framework against which the development proposals will be assessed. The site is located within a Strategic Development Site in the town centre of the Regional Town of Skelmersdale.

NPPF

Promoting sustainable transport
Delivering a wide choice of quality homes
Requiring good design
Promoting healthy communities
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

West Lancashire Local Plan 2012-2027 DPD

SP1 - A Sustainable Development Framework for West Lancashire
SP2 – Strategic Development Site – Skelmersdale Town Centre
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF1 – Maintaining Vibrant Town and Local Centres
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

Supplementary Planning Document – Design Guide (January 2008)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

- 10.1 The site benefits from an extant Local Development Order (LDO) for residential use (reference 2015/1328/LDO) which was approved on 15th March 2016. The LDO outlines the Council's position on planning obligations and design requirements such that only reserved matters details would need to be approved, subject to developers meeting the conditions of the LDO.
- 10.2 The site is one of three sites benefitting from LDOs in Skelmersdale, the others being at the former Digmoor Road Sports Centre, and the Land at Delph Clough, Northway. Despite benefitting from LDOs Gleeson Homes have submitted planning applications for all three of the sites as the proposals deviate somewhat from the specific conditions and design requirements as set out in each of the LDOs.

Principle of Development

- 10.3 As stated above, a Local Development Order has been granted for the development of this site for residential purposes and therefore the principle of the development has been accepted (2015/1328/LDO). The NPPF is a key material consideration and this site is a brownfield site within a sustainable location, therefore the principle of development is compliant with the NPPF. Policy SP1 of the Local Plan advocates all new built development in the Borough taking place within settlement boundaries. Policy SP2 advises that the Findon area should provide for a high quality housing scheme. Policy GN1 goes on to say that within settlement boundaries, development on brownfield land will be encouraged, subject to other relevant Local Plan policies being satisfied. The site is within the Regional Town of Skelmersdale and as such the principle of development in this location is acceptable, subject to the proposal conforming to all other planning policies.

Affordable and Specialist Housing

- 10.4 Policy SP2 of the Local Plan states that 10% of all new housing within the Skelmersdale Strategic Development Site should be affordable in order to meet local housing needs. However, this requirement was waived in the recently granted LDO as this site is considered less attractive to the open market due to having viability issues. As such, there is no requirement for affordable housing on this site. However, the Planning Statement which accompanies this application advises that Gleeson homes are priced so that they can be afforded by 90% of local couples in full time employment. To establish sale prices, the Government's Annual Survey of Hours and Earnings (ASHE) figures are used to determine the wage levels within the area. Using a multiplier, the level of mortgage that can be afforded by 90% of people living in the locality is

determined. The affordable level of mortgage is compared to an assessment of house prices in the area and the prices adjusted to whichever is lowest. Thereby whilst not providing affordable homes within the definition set out in the NPPF, the applicant's model does provide a form of affordable accommodation, and has been accepted by the Council on the Ashurst Road site (planning application 2016/0665/FUL).

- 10.5 For developments of this size Policy RS2 requires 20% of the units to be designed specifically as accommodation for the elderly. There is no specific definition of 'elderly accommodation' and each case is considered on its own merits. In this case, whilst the dwellings themselves will not be constructed for use by the elderly without adaptation, they will be constructed to meet current Building Regulations Part M with the structure designed to ensure minimal work is required in any future adaptation that may be necessary. Therefore, I am satisfied that the proposed development complies with Policies RS1 and RS2 in this respect.

Design/Layout/Scale and Impact on Residential Amenity

- 10.6 Access to the estate would be taken from Birch Green Road, with houses arranged around smaller cul-de-sacs. The residential units would be two storey in height and a mix of detached and semi-detached properties. This scale and mix would be appropriate and in keeping with the surrounding area.
- 10.7 The dwellings would benefit from front gardens, with some properties having off road parking to the side of the houses, ensuring that there would not be an over-dominance of hardstanding to the frontage of the houses. The dwellings themselves would be constructed from brick which would be acceptable in the street scene. I am satisfied that the design of the dwellings is appropriate and in accordance with Policy GN3 of the Local Plan.
- 10.8 In terms of the potential impact from the development on existing residents, the nearest residential properties form part of the Firbeck and Findon estates which are to the south of the site. The separation distances between these existing dwellings and the proposed dwellings comply with guidance given in the Design SPD and Policy GN3 and are sufficient to ensure that there would be no undue impact from overlooking, overshadowing and creation of poor outlook.
- 10.9 The proposed dwellings would benefit from sufficient private amenity space, and in terms of the relationship between the proposed properties, interface distances are broadly in accordance with Policy GN3 of the Local Plan and the Design Guide SPD.
- 10.10 The application has been amended since its original submission to allow for pedestrian links through the site to existing footpaths adjacent to the southern

and western site boundaries. This will ensure that the site integrates well into its surrounding area and to the town as a whole in accordance with Policy GN3.

Highways

- 10.11 Vehicular access is proposed via the existing simple priority junction from Birch Green Road, located on the eastern boundary of the site. Given the level of development and traffic flows on Birch Green Road the existing access will be sufficient to serve the site and the reuse of the previous/existing priority junction from Birch Green Road is acceptable.
- 10.12 There are local facilities in the Birch Green environment and the town centre Concourse is within a convenient walk of the site. There are also a number of bus services on Birch Green Road. To ensure that the site is accessible to pedestrians/cyclists the layout has been amended since its submission to include links from footpaths within the site to those footpaths that lie outside of the site. I am therefore satisfied that the site is accessible to pedestrians and that there are adequate pedestrian linkages to the wider area, in accordance with Policy GN3 of the Local Plan.
- 10.13 The Local Plan sets out parking standards for residential developments, which require 2 bed dwellings to provide 2 off road parking spaces, and 3/4 bed dwellings to have 3 off road parking spaces. The majority of plots meet the required standards however for those plots with garages the proposed garages do not conform to LCC's recommended 3m x 6m internal size. These properties still have the capacity to park 2 cars on the driveway and the garages shown in the proposed layout would be of a sufficient size to accommodate a small car. In this particular case I consider this to be acceptable, particularly given the low levels of car ownership within Skelmersdale and the sustainable location of the site. I am satisfied that the proposed development in terms of highway safety and parking is acceptable and in accordance with Local Plan requirements.

Ecology

- 10.14 The site is adjacent to the Westheads Clough Biological Heritage Site (BHS) which is a designated site; the woodland habitat within the BHS is also a priority habitat. An Ecology Survey has been submitted with the application which concludes that the site offers no significant opportunities for protected or otherwise notable species of fauna. It also recommends safeguarding techniques in respect of bats and breeding birds. The development will have a direct and indirect effect on the BHS and Priority Habitat as it will require the removal of scrub and tree pruning from along the woodland edge. In addition to adverse impacts during construction, the woodland may also experience increased edge effects following the completion of development and increased levels of recreational disturbance post development.

- 10.15 Due to the potential impacts of the development upon the BHS and Priority Habitat, MEAS have advised that in order to reduce adverse edge effects on the BHS and remove the requirement for tree pruning and scrub removal to take place, the proposed site layout should be revised in order to create a no development buffer along the northern edge of the site. However, a revision to the site plan to incorporate this would result in a loss of units which would make the scheme unviable, and given the need for housing in Skelmersdale on balance I consider that the development is acceptable without revision. This takes into account the fact that the site previously contained housing and as such the site is in effect reverting to its previous use. MEAS have also suggested that the applicant may wish to consider donating a sum of money for woodland management works to take place as a form of mitigation. The Council to not have a mechanism for securing and spending such money, therefore this would not be an appropriate approach. On balance I do not consider the impact of the development on the adjacent woodland would be so severe as to warrant a refusal of this application.

Drainage

- 10.16 The site is located within Flood Zone 1 and has no known risk of flooding. However, as the site is over 1 hectare in size a site specific Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA concludes that the site is at a low risk of fluvial, ground water and surface water flooding but as the development will increase the amount of impermeable coverage of the land appropriate measures will need to be taken in respect of surface water drainage.
- 10.17 Ground conditions are mainly clay in nature with a high water table and as such the use of soakaways/infiltration for disposal of surface water has been discounted. The nearest surface water body is Skelmersdale Hall Clough which is 30m to the west, and it is proposed that surface water will drain to here using oversized storage pipes to restrict surface water run off rate. The Lead Local Flood Authority and United Utilities have assessed the surface water drainage proposals and confirmed that they are acceptable in principle subject to planning conditions requiring the submission of full details. Foul water discharge is to connect to the existing foul sewers.

Public Open Space

- 10.18 Paragraph 73 of the NPPF advises that Council's should provide up to date assessments of the need for new open space. Policy EN3 requires that new residential development provides for on-site open space or a contribution towards off-site open space. The Council's Provision of Public Open Space SPD states that for a development of this size, developers will be required to provide 13.5sqm of on-site public open space per bedroom. However, the Design Code associated with the LDO did not require public open space to be provided for this

site due to its close proximity to existing areas of open space and the viability issues associated with the site. In the light of this the current scheme does not benefit from on-site open space provision.

Trees

10.19 An Arboricultural Assessment has been submitted with the application and whilst the proposed development will result in the loss of trees across the site the prominent tree groupings which are on the western and eastern boundaries will be retained. The loss of trees as part of the proposed development will be mitigated against through replacement planting on site, details of which will be provided in a landscaping scheme. The landscaping scheme and tree protection measures will be secured by planning condition. I am satisfied that the proposal accords with Policy EN2 of the Local Plan in this regard.

Financial Benefits

10.20 The scheme will deliver financial benefits in the form of New Homes Bonus which would equate to approximately £725,965 over six years. The development is also CIL liable but is not subject to the charging schedule and therefore there is no requirement for a CIL payment.

11.0 RECOMMENDATION

That planning permission be GRANTED 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.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
 - Plan reference '2904-0-001F' received by the Local Planning Authority on 14.10.17.
 - Plan reference '201/1F, 202/1F, 301/1G, 304/1E, 307/1B, 309/1E,311/1A, 401/1G, 405/1E' received by the Local Planning Authority on 22.06.17.
 - Plan reference '313/314-00H, 13/313-9, 13/313-02, 313/314 03D, 313/314 04D, 313/314 05A, 313 06, 313 07' received by the Local Planning Authority on 22.06.17.
 - Plan reference 'S17/079' received by the Local Planning Authority on 24.07.17.
 - Plan reference '2904-1-000' received by the Local Planning Authority on 22.07.17.
 - Plan reference '212-00H, 13/212-02A, 13/212-9, 212-03F, 212-04C, 212-05B,212-06212-07A' received by the Local Planning Authority on 22.06.17.
3. Prior to construction full details and samples of the external brickwork and roofing materials shall be submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details.

4. No development 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.
- 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;
- f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- g) Details of water quality controls, where applicable.
- h) Evidence of condition of Skelmersdale Hall Clough watercourse.
- i) Access arrangement to undertake connection to watercourse and future maintenance agreements.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner.

5. 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 LPA 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.

6. No development shall commence until details of the design and implementation of an appropriate foul drainage scheme have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.
7. No development above slab level shall take place until a landscaping scheme has been submitted to and approved by the Local Planning Authority. The landscaping scheme shall show the location, branch spread, and species of all existing trees and hedges; the location, species and number of all proposed trees, shrubs and hedges; and the location of all existing and proposed grassed and hard surfaced areas. Trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). Within a period of 9 months from the date when any part of the development is brought into use the approved landscaping scheme shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
8. The development shall be carried out in accordance with the tree protection measures detailed in the Arboricultural Impact Assessment Report (Ascerta, Feb 2017).
9. Prior to construction a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The approved lighting scheme shall be implemented in a timetable to be agreed in writing with the LPA.
10. No tree felling, scrub clearance, vegetation management and/or ground clearance is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected must be submitted to and approved in writing by the LPA and thereafter the development shall be carried out in accordance with the approved details.
11. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.
12. No dwelling shall be occupied until the associated off road car parking spaces are laid out and available for use in accordance with the approved plan.
13. The new estate road for the residential development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site

- compound before any development takes place within the site and shall be further extended before any development commences fronting the new access road.
14. No construction works 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.
 15. Prior to the first occupation of any dwelling, it shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.
 16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, the garages shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority.
 17. No development above slab level shall take place until details of boundary treatments have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved boundary treatment for the plot has been provided in accordance with the approved details.
 18. A Traffic Management Plan for the construction vehicles and staff accessing the site during the construction works, and location of site compound shall be submitted to and approved in writing by the Local Planning Authority before any works begin on site. Thereafter the approved Plan shall be implemented during the construction period.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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. 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. To ensure that the proposed development can be adequately drained and that there is no flood risk on or off the site resulting from the proposed development
5. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development. To reduce the flood risk to the development as a result of inadequate maintenance. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
6. To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed

development. To ensure that appropriate and sufficient maintenance mechanisms are put in place for the lifetime of the development to reduce the flood risk to the development as a result of inadequate maintenance. To ensure that water quality is not detrimentally impacted by the development proposal.

7. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. To safeguard the health of the trees and so ensure that the proposed development complies with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
10. To ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. To prevent stones and mud being carried onto the public highway to the detriment of road safety.
12. Vehicles reversing to and from the highway are a hazard to other road users.
13. To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.
14. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
16. To allow for vehicles visiting the site to be parked clear of the highway and to ensure that the development complies with the provisions of Policies GN3 & IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
17. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
18. 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 adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. For the avoidance of doubt, this response does not grant the applicant permission to connect to the ordinary watercourse(s) and, once planning permission has been obtained, it does not mean that land drainage consent will be given.
The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. Information on the application process and relevant forms can be found here:
<http://new.lancashire>.

2. This response does not grant the applicant permission to connect to the highway drainage network.
Neither does this response cover the suitability of any highway drainage proposal.
The highway drainage proposal and the suitability for future highway adoption under Section 38 of the Highways Act 1980 is for the Local Highway Authority to comment on.

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

SP2 - Strategic Development Site - Skelmersdale Town Centre

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF1 - Maintaining Vibrant Town and Local Centres

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

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.

No.6 APPLICATION NO.	2017/0940/FUL
LOCATION	Lyncroft Butchers Lane Aughton Ormskirk Lancashire L39 6SY
PROPOSAL	Extension to existing agricultural/horticultural building and new glasshouses.
APPLICANT	Duncan Gielty
WARD	Aughton And Downholland
PARISH	Aughton
TARGET DATE	31st October 2017

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Westley has requested it be referred to Committee to consider the impact of the development on the openness of the greenbelt.

2.0 SUMMARY

- 2.1 It is considered that the principle of the development at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the Green Belt, character of the area, amenity of neighbouring properties or highway safety. The development is considered to be compliant with relevant planning policies and the application is therefore recommended for approval.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

- 4.1 The application site is located to the north of Butchers Lane, west of the junction with Brookfield Lane. The site consists of a farmhouse property and farm yard with a collection of farm buildings including polytunnels. The site is located within the Green Belt.

5.0 PROPOSED DEVELOPMENT

- 5.1 This application seeks planning permission for:

Extension to existing agricultural / horticultural building (granted planning permission under reference 2013/0573/FUL) measuring approx. 9m x 18.2m x 8.4m (height). The building will comprise of moorland green box profile tin sheets to match that of the existing building;

New glasshouses measuring approx.10m x 30.3m x 3.3m (H).

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2017/0796/PNP - Application for Determination as to Whether Prior Approval is Required for Details - Extension to existing agricultural storage building (tractors and machinery) and new glasshouses. Withdrawn.
- 6.2 2016/0192/FUL - Extension to building to form a cantilevered canopy (retrospective). GRANTED 14.04.2016.
- 6.3 2014/1299/FUL - Erection of flue (retrospective) and erection of an agricultural storage building. REFUSED 09.03.2015
- 6.4 2013/0573/FUL - Erection of agricultural storage building. GRANTED 26.07.2013
- 6.5 2010/0754/FUL - Installation of a 20kw wind turbine on a 15m high mast. REFUSED 14.10.2010
- 6.6 2010/0386/FUL - Installation of a 20kw wind turbine on a 22m high mast. WITHDRAWN 14.06.2010
- 6.7 2000/0364 - General purpose/machinery storage building. GRANTED 28.09.2000
- 6.8 1999/0665 - Extension to existing agricultural storage building. GRANTED 10.09.1999
- 6.9 1999/0492 - Outline - One pair semi-detached agricultural worker's dwellings (including details of means of access). REFUSED 02.09.1999
- 6.10 1999/0327 - Extension to agricultural building. GRANTED 12.05.1999
- 6.11 1995/0507 - Erection of agricultural building for use as potato store. GRANTED 13.09.1995
- 6.12 1992/0296 - Extension to existing hardstanding of farm yard. GRANTED 18.06.1992
- 6.13 1991/0598 - Retention of second floor dormer extension at rear. GRANTED 11.07.1991
- 6.14 1990/1032 - Retention Of second floor dormer extension at rear. REFUSED 07.09.1990

7.0 CONSULTEE RESPONSES

- 7.1 Highway Authority (29/09/2017) – No objections.
- 7.2 Environmental Health (06/10/2017) – No objections in principle. No comment to make on the extension to the storage building. In terms of glasshouse, recommends planning conditions in terms of heating, ventilation or air conditioning systems and lighting.

8.0 OTHER REPRESENTATIONS

- 8.1 One objection has been received from a neighbouring resident on the grounds of:

The proposed new polytunnel would be situated immediately adjacent to the southerly boundary of no.166, and there are already existing polytunnels belonging to the applicants situated immediately adjacent to the westerly boundary. This would have a significant impact on the visual amenity of the property and garden, creating the appearance of being ‘hemmed in’; Impact on the privacy of garden and potentially cause some loss of light; There is sufficient space for the applicants to locate the new polytunnel elsewhere on their land.

9.0 SUPPORTING INFORMATION

- 9.1 Design and Access Statement

10.0 RELEVANT PLANNING POLICIES

- 10.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the West Lancashire Local Plan (WLLP) provide the policy framework against which the development proposals will be assessed. The application site is located within the Green Belt as designated in the West Lancashire Local Plan Proposal Map. The following policies are therefore relevant:
- 10.2 West Lancashire Local Plan 2012-2027 DPD
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development

Supplementary Planning Document – Design Guide (January 2008)

National Planning Policy Framework (NPPF)

11.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development

- 11.1 Paragraph 89 in the National Planning Policy Framework states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.” There are 6 exceptions to this rule including “*buildings for agriculture and forestry*”. The application site is an established agricultural enterprise. Lyncroft is a mixed arable and crop farm comprising of 300 acres (50 acres for hay; 100 acres are for cereals and 150 acres are for mixed vegetable crops.)
- 11.2 The proposed extension to existing agricultural / horticultural building (granted in 2013) would be used for the storage of agricultural produce, machinery and equipment. The glasshouse would be used for horticultural purposes for the growing of crops such as salads. On this basis, I am satisfied that the proposed development is appropriate and required for agricultural purposes and the principle of development is therefore acceptable.

Impact upon the Green Belt

- 11.3 The proposed extension to the building will be located within the existing yard and is sited between the existing agricultural building and polytunnels on the site. The proposed glasshouse will be sited to the north of the existing polytunnels. During negotiations, the proposed glasshouse has been re-sited, so it is as close to and parallel to existing development, to ensure minimum encroachment on to the open greenbelt.
- 11.4 The existing buildings/yard would become a backdrop to the proposals and so I am satisfied that the development would not be viewed in isolation but in the context of the wider site. This limits its impact on the Green Belt and visual amenity of the surrounding rural area.
- 11.5 I am satisfied that the proposed development is appropriate development within the Green Belt, would not cause significant harm to the Green Belt, or conflict with the purposes of including land within the Green Belt due to the intended purpose of the buildings, the context within which they would be located, and their siting and scale.

Design

- 11.6 Policy GN3 supported by the Council’s SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.

- 11.7 The proposed extension to the agricultural building is of an appropriate design which would match that of the original building. It would be constructed of box profile tin in Juniper Green with concrete panels to the lower walls. The glasshouses would comprise of glass to both roof and sides with aluminium frames.
- 11.8 The size, scale and type of materials for the proposed development would be in keeping with other agricultural buildings in the local area. The development would be seen against existing built development and would be appropriate within its agricultural setting.
- 11.9 On that basis I consider the development would comply with the requirements of GN3 and the SPD - Design Guide.

Impact on Residential Amenity

- 11.10 The site although rural in character is surrounded by scattered residential properties. The proposed works would be screened due to existing high hedge landscaping along Butchers Lane and Brookfield Lane. Additional landscaping is also proposed in the form of a Hawthorn hedge to the north of the proposed glasshouse. The works are seen in the context of the working farm operations at the site.
- 11.11 I note concerns raised from occupants of a neighbouring property in terms of impact upon visual amenity, privacy, loss of light and being 'hemmed in'. During negotiations with the applicant's agent, the glasshouse has been re-sited to a horizontal position alongside the existing polytunnels rather than in a vertical position. This moves the glasshouse away from the boundary of no. 166 Brookfield Lane.
- 11.12 Taking into consideration the siting of the development, its use and design, I do not consider it would result in significant harm to the amenities of the occupants of neighbouring properties.

Highways

- 11.13 The proposed development does not include any highway works. It is envisaged that no increase in vehicle movement or access needs will arise from the development. LCC Highways have been consulted on the planning application and have raised no objection to the proposed development, and are of the opinion that the proposals should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions and reasons:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference ML/DG/5629 and ML/DG/2605 received by the Local Planning Authority on 05/09/2017.
3. The materials to be used on the proposed extension to the agricultural building and glasshouses shall be those specified on the drawing ML/DG/5629 received by the Local Planning Authority on 05/09/2017.
4. The agricultural building shall be used for storage of crops and storage of agricultural equipment plant and machinery and for no other purpose including the operation of any plant and machinery other than that required to move the stored products in and out of the building.
5. Within a period of 9 months from the date of this permission the approved landscaping scheme shall be carried out. All trees and shrubs planted shall comply with BS. 3936 (Specification of Nursery Stock) and shall be planted in accordance with BS. 4428 (General Landscape Operations). All planting shall be maintained and dead or dying material shall be replaced for a period of seven years from the agreed date of planting.
6. Prior to the installation of any mechanical heating, ventilation or air conditioning systems to be installed in the glasshouses details of the plant shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and no other such systems shall be installed without the express written consent of the Local Planning Authority. The details required by this condition shall include measures to attenuate noise from the system.
7. Artificial lighting shall not operate within the glasshouse except between the hours of 07.00 and 21.00.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. 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. 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. To protect the amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To assimilate the proposed development into its surroundings and to ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To protect the amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. To protect the amenity of adjacent residential properties and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

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 Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

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.