



PLANNING COMMITTEE
22nd March 2018

Report of: Director of Development and Regeneration

Contact: Mrs. C. Thomas (Extn.5134)
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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	Up Holland	2017/0880/FUL	Land Adjacent To The M58 Motorway Chequer Lane Up Holland Lancashire Erection of a phased development of 116 dwellings with associated access and landscaping and other ancillary works.	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 a planning obligation under Section 106 of the Town and Country Planning Act 1990 being entered into. Pages 4 - 25
2	Scarisbrick	2017/0907/OUT	Martin Inn Martin Lane Burscough Ormskirk Lancashire L40 0RT Outline - Erection of 8no. dwellings following demolition of existing public house, including details of access and layout.	Outline Planning permission be refused. Pages 26 - 37

3	Digmoor	2017/0876/FUL	<p>Land To The West Of Abbeystead Digmoor Skelmersdale Lancashire WN8 9LP</p> <p>Erection of 45 dwellings, with associated access and landscaping and other ancillary works.</p>	<p>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 a planning obligation under Section 106 of the Town and Country Planning Act 1990 being entered into.</p> <p>Pages 38 - 55</p>

No.1 APPLICATION NO.	2017/0880/FUL
LOCATION	Land Adjacent To The M58 Motorway Chequer Lane Up Holland Lancashire
PROPOSAL	Erection of a phased development of 116 dwellings with associated access and landscaping and other ancillary works.
APPLICANT	Morris Homes Ltd
WARD	Up Holland
PARISH	Up Holland
TARGET DATE	23rd November 2017

1.0 SUMMARY

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

2.0 RECOMMENDATION

- 2.1 APPROVE subject to planning obligation and conditions.

3.0 THE SITE

- 3.1 The proposed development is split into two parcels of land and is also closely related to a third parcel of land located at Abbeystead, Skelmersdale, which is subject to a separate planning application also under consideration on this agenda (2017/0876/FUL).
- 3.2 The first and main parcel of land is located off Chequer Lane, on the south-western edge of the settlement of Up Holland. The site is bounded by Chequer Lane to the west, Tower Hill Road to the south, agricultural and playing fields to the east and a new housing development to the north, and is approximately 4.96 ha in size. A SSSI (Ravenshead Brickworks) adjoins the north-east corner of the site.
- 3.3 The site is currently in arable farming use and slopes considerably from north-east to south-west and there is a significant difference in levels between the site and Tower Hill Road, which is on lower ground. The northern and eastern boundaries are heavily screened by existing trees. There is a hedgerow along

some of the southern and western boundaries. A dry ditch runs from the eastern boundary through the centre of the site to the southeastern corner where it is then culverted under Chequer Lane. A public footpath runs along the eastern boundary of the site. A vehicular access has recently been created into the site off Chequer Lane.

- 3.4 The smaller parcel of land also part of this planning application, is triangular and bound between Chequer Lane to the east, the smaller residential part of Chequer Lane to the west and the M58 motorway to the south. This parcel of land measures approximately 0.70ha and is completely wooded with no public access.
- 3.5 The main site is located on an allocated housing site under Policy RS1 of the Local Plan and within the settlement of Skelmersdale with Up Holland. The smaller site is located on land allocated as Greenspace in the Local Plan.

4.0 THE PROPOSAL

- 4.1 This is a detailed application for the erection of 116 dwellings. The site is separated into two distinct parts as outlined above. On the larger sloping parcel of land it is proposed to erect a mix of 3 and 4 bedroomed semi-detached and detached two-storey properties.
- 4.2 The existing field access to the site will be closed and a new access created off Chequer Lane with the dwellings facing the main access road running through the site, and smaller cul-de-sacs branching off. Dwellings also face outward along the Tower Hill Road frontage. All the dwellings have private driveways and garden areas. The majority of trees and hedgerows are maintained around the boundaries of the site and an attenuation pond will be created in the SW corner of the site adjacent to the main entrance.
- 4.3 An area of informal public open space will be created on a separate parcel of land on the opposite side of Chequer Lane, currently heavily wooded, with a pedestrian link from the main site and informal paths created within the woodland.
- 4.4 No affordable housing is proposed on the site, instead, the site is linked to a separate development site in the same ownership at Abbeystead, Skelmersdale, which will provide a development of 45 affordable dwellings. This equates to the required 30% provision of the total number of dwellings at the Chequer Lane site, together with the 20% required at Abbeystead. This is subject to a separate planning application also on this agenda (2017/0876/FUL).

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2013/0834/FUL - Provision of new vehicular access. Approved 20/11/2013

6.0 CONSULTEE RESPONSES

- 6.1 LCC HIGHWAYS (28.09.2017, 10.11.2017 & 28.09.17) – No objection in principle, the development will not have a severe impact on highway capacity. Site layout and parking is considered acceptable.
- 6.2 LCC LEAD LOCAL FLOOD AUTHORITY (28.09.2017 and 10.11.2017) – No objections subject to conditions.
- 6.3 UNITED UTILITIES (26.09.2017) – No objection subject to conditions.
- 6.4 ENVIRONMENT AGENCY (03.10.2017) – No objection.
- 6.5 DIRECTOR OF LEISURE AND WELLBEING (01.11.2017) – No objection subject to conditions.
- 6.6 NATURAL ENGLAND (25.09.2017) – No objection
- 6.7 MERSEYSIDE ENVIRONMENTAL ADVISORY SERVICE (14.12.2017 and 25.01.2018) – No objection subject to conditions. There is no pathway that could give rise to likely significant effects on European sites and a detailed Habitats Regulations Assessment is not required as the site is close to the M58 and experiences high levels of disturbance, fields on the site are relatively small and dissected by hedgerows, bound by residential development and farming use is not a favoured foraging habitat of the qualifying species of pink footed geese and whooper swans. No evidence of red squirrel or brown hare and low likelihood of Great Crested Newts and water voles. Conditions in mitigation of potential impact on bats, nesting birds and priority habitats and invasive species can be dealt with by condition.
- 6.8 THE COAL AUTHORITY (27.09.2017) – No objection subject to conditions
- 6.9 LANCASHIRE CONSTABULARY (11.09.2017) - Recommend security measures.

7.0 OTHER REPRESENTATIONS

- 7.1 Up Holland Parish Council object to the proposed development on the following grounds:
- concerns about ground gas generation being rated as high risk in the area;
 - low water pressure in the area not been taken into account;
 - inadequate flood risk assessment;
 - overdevelopment;
 - insufficient local infrastructure to support the additional housing – i.e. Schools, dentists, doctors and other community facilities;
 - small garages leading to cars parked on the road;
 - increased traffic;

secured by design not being sought;
inadequate travel plan – can't easily walk to local services.

- 7.2 Four letters of objection have been received to the proposed development, raising the following concerns:
- loss of security;
 - loss of privacy;
 - increased flooding;
 - increased traffic leading to congestion;
 - lack of local service infrastructure – doctors, dentist and schools;
 - no social housing;
 - loss of wildlife;
 - not in keeping with this semi-rural area;
 - already enough development in the area.

8.0 SUPPORTING INFORMATION

- 8.1 The application is supported by the following information:

- Planning Statement
- Design and Access Statement
- Noise Assessment
- Flood Risk Assessment
- Transport Assessment
- Travel plan
- Ground Investigation Report
- Geo-Technical Report
- Minerals Safeguarding Report
- Utilities Impact Assessment
- Arboricultural Impact Assessment
- Tree Inspection Report
- Hedgerow Assessment
- Bat Survey
- Red Squirrel Survey
- Brown Hare Survey
- Great Crested Newt and Amphibian Survey
- Phase 1 Habitat Survey
- Agricultural Land Assessment

9.0 RELEVANT PLANNING POLICIES

- 9.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) 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 split into two parcels of land, one to the north-east of the junction of Chequer Lane and Tower Hill Road which is in arable farming and is allocated for residential development in the Local Plan; the other parcel is to the

west of Chequer Lane (across the road) and is allocated as an area of green infrastructure and open recreation space in the Local Plan. Both parcels are located within the Regional town of Skelmersdale. The following policies are relevant:

9.2 **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
Facilitating the sustainable use of materials

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
IF3 – Service Accessibility and Infrastructure for Growth
IF4 – Developer Contributions
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space
EN4 – Preserving and Enhancing West Lancashire’s Cultural and Heritage Assets

Supplementary Planning Document – Design Guide (January 2008)

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development

- 10.1 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan re-iterates this approach. The proposed dwellings are located on land covered by the above policy and allocated for residential development under Policy RS1 of the Local Plan. As such, the principle of development is considered to be acceptable.
- 10.2 The proposed area of public open space on the triangular parcel of land across the road is allocated as greenspace under Policy EN3 of the Local Plan. Policy EN3 sets out the Council’s expectations for “green infrastructure”, a term used to summarise the variety of functions of open spaces including parks, sports facilities, play areas, natural and semi-natural open spaces, footpaths or green

corridors, allotments and the inland waterways and canal network. It is acknowledged that whilst the Borough appears to have an abundance of open green spaces as a result of its rural setting, the main issue relates to deficiencies in certain types of open space and sports facilities and poor access to these spaces for local communities. There is an added problem in Skelmersdale relating to an over-supply of poor quality green spaces which have led to poor maintenance and under-utilisation. Policy EN3 provides a strategy that encourages and supports the provision of a network of multi-functional green spaces. The existing area of greenspace is heavily wooded and in private ownership. The proposed use of this land as public open space is consistent with the Council's policy on greenspace and is therefore acceptable in principle.

Affordable and Specialist Housing for the Elderly

- 10.3 The applicant proposes combining this site with a greenfield site at Abbeystead, Skelmersdale in order to deliver the full affordable requirement for the two sites. An application for residential development at the Abbeystead site has been made simultaneously by Morris Homes and the report for this application can be found elsewhere on this agenda (Planning Reference 2017/0876/FUL). Policy RS2 of the Local Plan requires that 30% of the dwellings at the Up Holland site should be affordable and that 20% of the dwellings on the Abbeystead site should be affordable.
- 10.4 It is proposed that all the affordable houses (i.e. 30% from the Up Holland site (35no.) as well as 20% from Abbeystead (9no.)) will be located at Abbeystead (totalling 44 affordable dwellings). The proposed development at Abbeystead is for 45 affordable dwellings, a slight over-provision. In order to ensure that both sites are linked in terms of affordable housing delivery, a S106 Agreement will be entered into to ensure, through the phasing of the two sites, that the development at Abbeystead is implemented prior to the dwellings on the Up Holland site being completed.
- 10.5 In addition to this, Policies RS1 and RS2 also require that 20% of new residential units should be suitable for the elderly. The Council are flexible on how this is achieved, but examples include, where appropriate, providing bungalows, appropriately designed apartments or delivering homes to Part M (2) of the Building Regulations (houses capable of easy adaptation with appropriate features for the elderly). Whilst there are no specific bungalows or appropriately designed apartments proposed on the Chequer lane site, an over-provision of units suitable for the elderly has been provided at Abbeystead and the dwellings at Chequer Lane will be constructed to Part M(2) of the Building regulations. The proposed development is considered to be in full accordance with policies RS1 and RS2 of the Local Plan.

Siting, Layout and Design

- 10.6 The layout of the site allows for the main access road to be taken directly off Chequer Lane with dwellings fronting this main access and footways either side. The land rises significantly into the site and at the lower entrance into the site an attenuation pond is proposed, providing a "green" entrance into the development as well as addressing surface water drainage requirements. The layout has been designed to positively address the surrounding network of roads in that there would be dwellings fronting onto both Chequer Lane and Tower Hill, avoiding a layout which is overtly inward looking.
- 10.7 A pedestrian link through the site to an existing footpath to the north creates permeability. A large area of woodland is to be retained to the north of the site bordering the recent Wainhomes development. Hedgerows along the eastern boundary are also to be retained. A number of cul-de-sacs lead off the main access road as well as a number of private driveways. Whilst the layout is typical of modern housing estates, it does reflect the density and style of houses in this part of Up Holland. I am satisfied that the layout would integrate well into its surrounding area in accordance with Policy GN3.
- 10.8 The residential units would all be two storey in height and the majority are detached, providing a spacious layout. 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.
- 10.9 The dwellings all benefit from rear gardens and private parking either within garages or driveways and driveways have been provided both on frontages (where they have been broken up between plots by landscaping) and to the side of dwellings in order to ensure that there would not be an over-dominance of hardstanding to the frontage of the houses. The dwellings are traditional in appearance and would be constructed from brick with slate grey concrete roof tiles. I am satisfied that the design of the dwellings is acceptable in accordance with Policy GN3 of the Local Plan.

Impact on Residential Amenity

- 10.10 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout accommodates the required interface distances. Provided the level of glazing is upgraded as specified within the submitted Noise Report, the proposed dwellings will not experience unacceptable noise nuisance from the nearby M58.

- 10.11 With regards to amenity for existing surrounding residents, the nearest residential property to the development is 103 Chequer Lane which lies to the immediate northern boundary of the site. This is a detached property set within a large plot. Seven dwellings are proposed along the boundary of this property; however, they are positioned such that a blank gable faces the property or a 10m garden length is retained between the proposed dwellings and the rear garden area of 103 Chequer Lane. In addition, there is a substantial tree belt along the site boundary.
- 10.12 Existing houses on Miners View also abut the northern boundary; however, they are separate from the closest proposed dwellings by a substantial 30m wide woodland belt. No 274 Tower Hill Road also abuts the boundary of the site to the east. However, this is separated from the development by a public footpath and hedgerow. The proposed dwellings in this location also include 12m rear gardens and the overall interface distance between 274 Tower Hill Road and the proposed dwellings is 30m.
- 10.13 A number of properties along Chequer Lane front onto a triangular parcel of land that is presently wooded. This parcel of land is included within the application and is proposed to be used as informal public open space. It will be maintained and managed by the applicant and an informal path created within the woodland. Whilst this may result in increased use of this area of land and therefore increased noise and disturbance, the existing dwellings front onto the land and are separated from it by Chequer Lane itself at a distance of approximately 20m. On balance, I am satisfied that the overall layout and interface distances are sufficient to ensure that there would be no undue impact of the proposed development from significant noise and disturbance, overlooking, overshadowing and creation of poor outlook. The proposed development is compliant with Policy GN3 in this regard.

Highways and Parking

- 10.14 The development will be served via a new purpose built access from Chequer Lane and I am satisfied that this provides 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 the vehicular trips forecast to be generated by the residential proposals will not have a severe impact on the local highway network. Therefore I am satisfied that the principle of the proposed development is acceptable in highway terms.
- 10.15 LCC Highways have raised concerns about the integration of the site into the wider network of footpaths and cycleways. In order to achieve a sustainable form of development in this semi-rural location, a number of measures have been suggested to improve the overall accessibility of the site. Many of these measures involve the provision of upgraded or new cycle and footpaths beyond the site. I consider that the requests made (widen and provide lighting to existing cycle link between Chequer Lane and Digmoor, off-road cycle link on Clay Brow

Road, widen Chequer Lane to 3m, improvement footway to railway station and upgrade bus stops on Ormskirk Road) would within the remit of the CIL Regulations as they constitute infrastructure improvements and are not directly attributable to this specific site. In terms of the off-site highway improvements proposed that directly link to this site, a new crossing will be provided across Chequer Lane to provide a safe access to the proposed open space (woodland) and beyond to the Chequer Lane playing fields. In addition, the existing bar marking on the road will be relocated on the approach to the new access to help reduce vehicle speeds as this is the start of the urban environment.

- 10.16 The Local Plan sets out parking standards for residential developments. Dwellings with 3 or more bedroomed dwellings should include a minimum of 3 off-road parking spaces. All the proposed dwellings are 3 or more bedroomed and amended plans have been received that show all detached garages meet the required 3m x 6m internal dimensions. Those housetypes that incorporate integral garages have also been amended to include internal garages of 2.9m x 5.8m and I am satisfied that with the imposition of conditions on these plot to require details of cycle storage, parking provision is acceptable. On this basis the proposed development is considered to be compliant with Policies GN3 and IF2 in the Local Plan.

Trees and Biodiversity

- 10.17 A detailed landscaping scheme has been submitted which includes the comprehensive planting of new trees and shrubs within and around the site and the retention of a large group of existing trees in the north of the site along with hedgerows to the north and east. I am satisfied that the proposal results in an increase in tree cover on the site and as a result, increases biodiversity in accordance with Policy EN2.
- 10.18 The applicant has submitted a number of ecological surveys, due to the fact that the site is adjacent to a designated Biological Heritage Site and are subsequently subject to Policy EN2.1 (Nature Conservation Sites/Major Wildlife Corridor). The proposed development has been assessed under the Habitats Regulations with regards to European protected sites. There is no pathway that could give rise to likely significant effects on European sites and a detailed Habitats Regulations Assessment is not required as the site is close to the M58 and experiences high levels of disturbance, fields on the site are relatively small and dissected by hedgerows, bound by residential development and farming use is not a favoured foraging habitat of the qualifying species of pink footed geese and whooper swans.
- 10.19 The proposed development has also been assessed against the three tests set out in the Habitats Regulations for site's affecting European protected species, in this case, bats, red squirrels, brown hare and Great Crested Newts. MEAS conclude that, provided the measures set out in the bat reports are implemented,

the proposals will not be detrimental to maintaining the local bat populations at favourable conservation status.

- 10.20 As well as European protected sites and species, there are other impacts on locally protected sites such as the BHS and birds. Subject to the imposition of an Ecological/Habitat Management Plan condition, I am satisfied that the proposed development is compliant with Policy EN2 of the Local Plan.

Surface Water, Drainage and Flood Risk

- 10.21 In terms of the principle of development relating to flood risk, the application site lies partly within Flood Zone 2 (the western part). The NPPF requires that a site specific Flood Risk Assessment (FRA) is required for proposals of 1 hectare or greater and proposals within Flood Zone 2. The site is susceptible to SW flooding, the latter being evidenced by flooding on Chequer Lane. As the site is presently greenfield, the NPPF and Policy GN3 of the Local Plan require that any development upon the land should not increase the risk of flooding either on or off the site and should achieve a surface water run-off rate to that equivalent of the greenfield run-off rate.
- 10.22 Surface water will be dealt with by a new system and attenuation in the form of a pond to act as a storage facility and a discharge at greenfield run-off rates to the existing 400mm diameter culvert under Chequer Lane. There is an existing ditch running along the eastern boundary of the site which captures overland flows from the field to the east and this remains unaffected by the development. The Lead local Flood Authority are satisfied that the drainage strategy is acceptable and that the proposed development, subject to further detailed calculations, will not lead to increased flooding on or off site.
- 10.23 Foul water is proposed to connect to an existing 300mm foul sewer in Chequer Lane. The Lead Local Flood Authority, Environment Agency and United Utilities have all been consulted and raise no objections. I am therefore satisfied that the proposal complies with the NPPF and Policy GN3 of the Local Plan with regards drainage and flood risk.

Public open space

- 10.24 Policy OS1 of the Council's Open Space in New Residential Developments SPD requires that on developments of between 40 and 289 dwellings, developers will be required to provide 13.5 square metres of public open space per bedroom. This public open space should typically take the form of informal amenity green space. Public open space for this site is to be provided on a separate parcel of land to the west, across Chequer Lane. This land is currently wooded and it is proposed to create an informal path through the woodland, which will then be managed and maintained by the applicant. The principle of use of this land as public open space is considered acceptable and more than meets the level

required under the Council's SPD. A pedestrian crossing will be provided to link the area of open space to the development site and the wider area. Management and maintenance of the public open space will be subject to a S106 Legal Agreement.

Mineral Safeguarding Area/ Coal Working Area

- 10.25 The site lies within a Minerals Safeguarding Area as identified in LCC's Minerals and Waste Site Allocation and Development Management Policies DPD. Within these areas, planning permission will generally not be granted for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals found on the land unless the applicant can demonstrate that the mineral concerned is no longer of any value or has been fully extracted, or there is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- 10.26 In order to assess the extent and value of the resource, and to assess the stability of the land for future development, a Mineral Assessment has been submitted by the applicant. The assessment concludes that the future extraction of any mineral from the site is unlikely, due to the very small depth and volume of the deposit and its discontinued nature. Consequently, as the mineral resource is not a commercially viable deposit, the development of the site for uses not compatible with mineral extraction (i.e. housing) would be in conformity with Policy M2. I would agree with this assessment and also consider that the extraction of sand on this site would lead to considerable damage to the surrounding environment by way of noise, dust, vibration and impact on biodiversity. Therefore, on balance, I consider the development of the site outweighs the limited potential for mineral extraction on the site and is in compliance with Policy M2 of the Minerals and Waste Site Allocations DPD.
- 10.27 The site falls within an area of known past coal mining and one recorded mine entry shaft is present close to the site, although this has been treated and is remote from any of the areas where development is proposed. The Coal Authority are satisfied that the issue of the potential for coal mining legacy to affect the development has been adequately investigated.

Local Infrastructure

- 10.28 The Parish Council and local residents are concerned about the impact of the additional population on local services such as school places and health provision. The site is an allocated housing site and I am satisfied that the relevant bodies were consulted (LCC Education, NHS and CCG) and no significant impact was identified.

Summary

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

Planning Obligations

- 10.30 Under the terms of the provisions of Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 and requirements under s.106 of the Planning Act 1990, planning obligations are subject to three tests:
That the subject of the agreement is/are:
Necessary to make the development acceptable in planning terms;
Directly related to the development; and,
Fairly related in scale and kind to the development.

- 10.31 The restriction of these tests will see the following requirements secured by s.106 agreement:

The terms, conditions and phased delivery of the affordable housing (linked to Abbeystead);
Maintenance and management of open space and SUDs.

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 require:
The terms, conditions and phased delivery of the affordable housing (linked to Abbeystead);
Maintenance and management of open space and SUDs.
- 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 (Planning Layout) N1106/P/PL01 Rev F received by the Local Planning Authority on 2nd March 2018;

Plan Reference (detached garage) GR1+ received by the Local Planning Authority on 14th February 2018;

Plan Reference (detached garage) GR2-1+ received by the Local Planning Authority on 14th February 2018;

House type plans:

Plan Reference (Didsbury) P/HTDID/S/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Didsbury) P/HTDID/S/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dalton) P/HTDA/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dalton) P/HTDA/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dalton) N149/HTDAL/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dalton) N149/HTDAL/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Capesthorpe) P/HTCAP/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Capesthorpe) P/HTCAP/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dunham) P/HTDUN/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Dunham) P/HTDUN/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Rufford 2 Plus) P/HTRUF+/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Rufford 2 Plus) P/HTRUF+/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Appleton 2 Plus) P/HTAPP+/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Appleton 2 Plus) P/HTAPP+/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Bollington 2) HTBOL/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Bollington 2) HTBOL/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Brereton) P/HTBRE/01 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Brereton) P/HTBRE/02 received by the Local Planning Authority on 14th February 2018;

Plan Reference (Malham) P/HTMAL/01 received by the Local Planning Authority on 14th February 2018;

- Plan Reference (Malham) P/HTMAL/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Bramhall 2 Plus) P/HTBRA+/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Bramhall 2 Plus) P/HTBRA+/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Staunton) P/HTSTAU/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Staunton) P/HTSTAU/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Moreton 2) P/HTMOR01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Moreton 2) P/HTMOR02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Houghton 2) P/HTHOU01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Houghton 2) P/HTHOU02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Wharfdale Plus) P/HTWHA+/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Wharfdale Plus) P/HTWHA+/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Willington) P/HTWIL/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Willington) P/HTWIL/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Willington side aspect) P/HTWILSA/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Willington side aspect) P/HTWILSA/02 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Winster) HTWIN/01 received by the Local Planning Authority on 14th February 2018;
- Plan Reference (Winster) HTWIN/02 received by the Local Planning Authority on 14th February 2018.
3. The development shall be constructed from the materials detailed specified on Plan Reference: "Materials Plan" N1106/P/MAT01 Rev AB received by the Local Planning Authority on 14th February 2018. This shall include the boundary treatment specified on the plan.
 4. The development shall be constructed in accordance with the levels specified on Plan Reference: "Proposed Slab Levels" 18001/D100 Rev A received by the Local Planning Authority on 14th February 2018.
 5. A Traffic Management Plan for the construction works, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site and shall include details of:
The parking of vehicles of site operatives and visitors;

Loading and unloading of plant and materials used in the construction of the development;
Storage of such plant and materials;
Routes to be used by vehicles carrying plant and materials to and from the site;
Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties;
Thereafter development shall be carried out in accordance with the approved plan.

6. 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.
7. No development shall take place until a scheme for the construction of the site access and the off-site works of highway improvement (including the new pedestrian crossing and relocated red lining on Chequer Lane), 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.
8. No part of the development shall be occupied until all the highway works referred to in Condition 7 have been constructed and completed in accordance with the scheme details.
9. No construction works shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that the estate street serving each phase of the development will be completed to. The Estate Street Phasing and Completion Plan shall set out dates for entering the section 38 agreement of the Highways Act 1980 and/or the establishment of a private Management and Maintenance Company. Development shall proceed in accordance with the approved plan.
10. 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 extend before any development commences.
11. Car parking spaces and manoeuvring areas shall be surfaced and provided in accordance with the approved plan in accordance with a timetable to be agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the associated car parking has been provided.
12. Prior to construction of any dwelling, a scheme for the provision of cycle storage facilities throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.
13. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation

- shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.
14. Notwithstanding the particulars accompanying the planning application, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any dwelling. The Travel Plan shall include objectives, targets, measures and funding mechanism to achieve targets, monitoring, implementation timescales for delivery (which exceeds the build out period) and the provision of a travel plan co-ordinator. The approved plan shall be audited and updated at intervals as approved. The plan shall be implemented in accordance with the details as approved.
 15. The development shall be carried out in accordance with the recommendation of section 7.0 regarding tree protection specified in the TEP "Arboricultural Impact Assessment December 2017" received by the Local Planning Authority on 9th January 2018 and the Tree Removal and Protection Plan D6795.002 and Tree Protection Fencing Plan D.TREE_FENCING.001 received by the Local Planning Authority on 9th January 2018.
 16. Within a period of 9 months from the date when any part of the development is brought into use, the approved landscaping scheme as shown on plan references: A103571 LS101 - LS106 (Landscape Strategy 1 to 6) shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of ten years from the agreed date of planting.
 17. No tree felling or hedgerow removal and/or ground clearance shall take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure that no breeding birds are present. If present, details of how they will be protected will be required to be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.
 18. No development, other than off-site highway works, shall be carried out until an Ecological Management Plan has been submitted to and approved in writing with the Local Planning Authority. The EMP shall incorporate all, but not limited to, the following:
 - Details of bird nesting boxes;
 - Details of pollution prevention measures and safe storage of materials/chemicals;
 - Lighting schemes to avoid illumination of surrounding habitats and retained habitats within the site;
 - Protection measures for all features considered to be of ecological value;
 - Toolbox talks targeted at the species that may be found on site/in the wider area and their legal protection;
 - Covering of all open excavations and capping of any pipes with a diameter of greater than 200mm overnight and provision of means of escape;
 - Avoidance of working at night;
 - Appropriate working measures to avoid animals being trapped and response to the discovery of animals on site;
 - Long-term maintenance of habitats on site

- Thereafter development shall be carried out in accordance with the approved Plan.
19. No tree shall be felled on the site until all trees on site have been checked for potential bat roosting features and evidence has been submitted to the Local Planning Authority which demonstrates this survey has been undertaken. This survey must include the following:
 - emergence and re-entry or bat activity data
 - methods used
 - surveyors name, qualifications, experience and licence number
 - result/findings
 - recommendations
 - proposed mitigation/reasonable avoidance measures if impacts can be mitigated
 - proposed compensation measures if impacts cannot be mitigatedAny proposed mitigation/RAM/compensation measures shall be implemented in accordance with the approved details thereafter.
 20. No dwelling above slab level shall be constructed until a method statement for the eradication of Himalayan Balsam on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include the following:
 - A plan showing the extent of the plant(s)
 - The method(s) to be used to prevent the plant spreading further, including demarcation;
 - The method(s) of control to be used, including details of monitoring.A validation report shall then be submitted to and confirmed in writing by the Local Planning Authority confirming the remediation treatment carried out and that the site has been free of the invasive species for 12 consecutive months.
 21. This site must be drained using a total separate drainage system. For the avoidance of doubt, no surface water flows generated from the site will be allowed to connect with the public sewerage system via direct and or indirect means.
 22. 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 for the corresponding rainfall event and must not exceed 5 litres per second. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed.

c) Flood water exceedance routes, both on and off site;

d) A timetable for implementation, including phasing as applicable;

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

f) 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.

23. Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved and, 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.

24. A contaminated land investigation shall be carried out in respect of the proposed development site in order to identify whether there are substances in, on or under the land with potential to cause harm to human, ecological, environmental, structural or controlled water receptors, and to assess the degree of risk posed by those substances to each receptor.

The investigation should be carried out by appropriately qualified and experienced consultants. The investigation shall begin with a desk study that adequately characterises the site, including its geography, geology, hydrology and historical use. From this a conceptual site model shall be produced, based on the past and intended use of the site and identifying all potential pollutant linkages.

If the desk study and conceptual site model identify potential pollutant linkages, an intrusive site investigation shall be carried out in accordance with BS10175:2001 'Investigation of Potential Contaminated Sites - Code of Practice' and any other relevant Government guidance current at the time.

The investigation shall take the form of a sufficient number of sampling points arranged spatially so as to ensure adequate cover of the site, especially those areas intended for use as gardens and landscaped areas, or where concentrations of contaminants are anticipated. Sufficient samples must be obtained to characterise the soils, and in addition to soil samples, shall include ground and surface water samples where the conceptual model demands. Additionally, monitoring for landfill gas shall be carried out where appropriate and the results assessed against the latest version of the CIRIA report. The samples shall be analysed for a full suite of organic and inorganic contaminants. The analysis must be carried out at a laboratory that is UKAS accredited, and which complies with the Environment Agency's MCERTS standard in respect of each contaminant.

Sample results shall be screened against Government Soil Guideline Values (SGV) where these are available. Where these are not available, the results must be screened using clearance values that have been derived using best available toxicological data using a statistical model acceptable to the Local Planning Authority (LPA). In those cases where values are exceeded, more detailed site-specific risk assessments must be carried out to decide whether remediation is required. These assessments must be carried out using best toxicological data for the contaminant concerned, and by means of a statistical model acceptable to the LPA.

Where the investigation confirms the presence of contamination likely to cause harm to receptors, whether human or otherwise, a remediation scheme shall be devised that will result in the contamination being dealt with so as to remove the risk to receptors and make the site suitable for its intended use.

The results of the desk study and site study, together with details of any proposed remediation, shall be submitted to and approved in writing by the LPA before any part of the dwelling hereby approved shall be constructed. Any remediation scheme approved shall be carried out as part of the development of the site, and shall be followed by a validation report sufficient to prove that the remediation has been effective. This report must also be submitted and approved in writing by the LPA.

25. Notwithstanding the provisions of the Town and Country Planning (Development Management Procedure) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan 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 in consultation with the Highway Authority.
26. No construction above slab level of any dwelling hereby approved shall take place until a scheme for protecting the proposed dwellings from noise from the M58 Motorway and other road traffic and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed prior to occupation of any of the dwellings in accordance with the agreed timetable and retained thereafter.

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. 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.
5. To safeguard the safety and interests of the users of the highway and residential amenity to ensure that the development complies with the provisions of Policy GN3 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. 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.
7. 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 so to ensure the safety and interests of the users of the highway and to ensure compliance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works in the interests of highway safety and to ensure compliance with Policy GN3 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. 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.
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 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.
12. To promote the provision of cycle facilities in the interests of sustainable travel and in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
13. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

14. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
15. 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.
16. 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.
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. 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.
19. To safeguard a protected species and so ensure that the development complies with the provisions of Policy to ensure compliance with the provisions of Policies GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
20. To avoid the spread of an invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 and to ensure compliance with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
21. In order to reduce the risk of flooding and to comply with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development plan Document and the National Planning Policy Framework.
22. In order to reduce the risk of flooding and to comply with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development plan Document and the National Planning Policy Framework.
23. 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 and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
24. As the site may be contaminated by virtue of its past use and to ensure compliance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
25. To ensure sufficient off-street parking remains in the area in the interests of highway safety and so comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
26. To protect occupiers from excessive noise nuisance 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:

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

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

No.2 APPLICATION NO.	2017/0907/OUT
LOCATION	Martin Inn Martin Lane Burscough Ormskirk Lancashire L40 0RT
PROPOSAL	Outline - Erection of 8no. dwellings following demolition of existing public house, including details of access and layout.
APPLICANT	Elwood Estates
WARD	Scarisbrick
PARISH	Burscough
TARGET DATE	17th November 2017

1.0 REFERRAL

1.0 This application was to be determined under the Council's delegation scheme, however, Councillor Charles Marshall has requested that it be referred to the Planning Committee to consider the location of the site for a housing development.

2.0 SUMMARY

2.1 This application is for a residential development of 8 dwellings. The application is in outline with details of access and layout being agreed as part of this outline application. The scheme is acceptable in terms of access and layout. However, the proposal would result in housing in an unsustainable location, contrary to the requirements of the NPPF and policies GN1 and RS1 of the West Lancashire Local Plan 2012-2027 DPD and is be recommended for refusal.

3.0 RECOMMENDATION: REFUSE.

4.0 THE SITE

4.1 The site is located on the corner of Martin Lane and Merscar Lane and within a relatively rural area to the far west of the settlement of Burscough. The site lies wholly within the Green Belt and contains a public house known as Martins Inn which is no longer trading, and a car park area to the rear. The site is currently accessed off Merscar Lane. Previously there was a small outdoor seating area to the immediate rear of the pub. Part of the existing public house was available for use as associated accommodation.

4.2 The site has some neighbouring residential properties to the north, south and west. Open agricultural fields lie to the east. Nos. 2 and 4 Merscar Lane which are opposite the site are Grade II listed.

5.0 PROPOSED DEVELOPMENT

- 5.1 The application seeks outline planning permission for residential development on the site following demolition of the existing pub. Matters relating to access and layout are to be agreed at this stage with appearance, landscaping and scale reserved for future consideration.
- 5.2 There would be 8no. dwellings on the site comprising 4no. pairs of two storey semi-detached dwellings. Access would be taken from Merscar Lane with the exception of 1no. dwelling where the vehicular access would be taken from Martin Lane.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 None.

7.0 CONSULTEE RESPONSES

- 7.1 Highway Authority (12.10.17) – No objection. Recommend conditions.
- 7.2 United Utilities (29.09.17) – No objection. Recommend conditions.
- 7.3 Technical Services Manager (20.10.17) – No objection. Recommend conditions.
- 7.4 Environmental Protection - Contaminated Land (25.10.17) – No comments or observations.
- 7.5 Environmental Protection (01.11.17) – No objection. Recommend conditions.
- 7.6 Merseyside Environmental Advisory Service (01.03.18) – No objection. Recommend conditions.

8.0 OTHER REPRESENTATIONS

- 8.1 West Lancashire Conservation Area Advisory Panel (12.10.17) – The principle of redevelopment is acceptable but the application should be refused on the grounds that the proposed layout has no relationship with the listed cottages opposite and would cause harm to their historic setting.
- 8.2 Burscough Parish Council (10.10.17) – In principle support the application but the proposal should include affordable houses. Landscaping on the corner of the plot should ensure good visibility for road users.
- 8.3 A total of 2 local residents have objected to the development, the main grounds of objection can be summarised as:

Loss of privacy and creation of poor outlook to no.57 Martin Lane;
The boundary between the site no.57 Martin Lane is incorrect on the plan;
Highway safety issues in respect of the proposed driveway to serve plot 8;
The drainage details submitted are insufficient;
A tree which is to be removed is not within the ownership of the applicant.

9.0 SUPPORTING INFORMATION

- 9.1 Utilities Statement
- Tree Survey/Tree Protection
- Sequential Test
- Volume Assessment
- Supporting Correspondence
- Planning Statement
- Bat Survey
- Affordable Housing Statement
- Heritage Statement

10.0 RELEVANT PLANNING POLICY

- 10.1 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.
- 10.2 The site is located within the Green Belt as designated in the West Lancashire Local Plan. Therefore the following applies:

National Planning Policy Framework

Building a strong, competitive economy
Supporting a prosperous rural economy
Promoting sustainable transport
Delivering a wide choice of high quality homes
Requiring good design
Protecting the Green Belt
Conserving and enhancing the natural environment

West Lancashire Local Plan (2012-2027) DPD

SP1 - A Sustainable Development framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
GN5 - Sequential Tests
RS1 - Residential Development
RS2 - Affordable and Specialist Housing

11.0 **ASSESSMENT**

Principle of Development – Green Belt

11.1 Paragraph 87 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to advise Local Planning Authorities that when considering any planning application they should ensure that substantial weight is given to any harm to the Green Belt, and that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

11.2 Paragraph 89 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate unless they fall into certain categories, this part of the NPPF details several exceptions to this, including:

Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

11.3 Annex 2 of the Framework defines 'previously developed land' (PDL) as being land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or has been occupied by agricultural or forestry buildings.

11.4 The eastern part of the site which contains the pub building, adjoining seating area and associated car park would be classed as previously developed land (within the Green Belt). Therefore the principle of development is acceptable provided that there would be no greater impact on the openness of the Green Belt than the existing development.

Principle of Development – Openness

11.5 The proposed dwellings would be sited on the area of the site which constitutes brownfield land; the development of this part of the site may only be acceptable if it accords with the provisions of the bullet point above, i.e. *the redevelopment would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.* The redevelopment proposals are almost split in two, with 4no. houses being built on the site of the public house, and 4no. houses being built on the site of the existing car park.

- 11.6 I consider that the proposed redevelopment of the part of the site which contains the pub would not have a greater impact on openness as there would be a marked reduction in the amount of built form on this part of the site, and the configuration of the dwellings would allow for views through the site which currently do not exist.
- 11.7 This is not the case for the redevelopment of the existing car park. It is accepted that the car park represents a form of development, although, its current impact is somewhat limited in the surrounding landscape and the redevelopment of the site which is proposed means it would be replaced with a more imposing form of development.
- 11.8 The application includes 4no. affordable dwellings and paragraph 89 of the NPPF allows for *'limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan'*. Policy RS1 of the Local Plan goes on to say within Green Belt, *'very limited affordable housing (up to 4 units) may be permitted where it is proven that there are no suitable sites in non-Green Belt areas, in accordance with Policy GN5 which requires a sequential test to be undertaken'*. In accordance with the NPPF the exception listed in paragraph 89 in relation to affordable dwellings is not subject to a test on their potential impact on openness.
- 11.9 A Sequential Assessment has been submitted with the application. The Assessment has taken account of reasonably available sites within the Burscough and Scarisbrick Area and has discounted a total of 65 sites as being unsuitable for development. This is for a variety of reasons including the sites not being comparable in scale to the application site, and not being available for development; they are therefore not a reasonable alternative to the proposed site. I consider that the applicant has demonstrated that in this instance there are no sequentially preferable sites in accordance with Policy GN5.
- 11.10 Therefore the principle of allowing 4no. affordable dwellings on the site should be considered acceptable. However, the application proposes that for saleability reasons the affordable dwellings would be sited on the footprint of the existing public house and the market dwellings on the area of land that is currently the car park. In these circumstances this seems to be a reasonable approach and should planning permission be granted a condition could be imposed to ensure that the market houses are not to be occupied until the affordable dwellings have been provided on site.
- 11.11 I consider that in terms of openness there would be an improvement in openness on the eastern part of the site and overall it is beneficial to openness to leave the area to the rear of 17 and 19 Merscar Lane free from built development. On balance I consider that a mixed development for affordable dwellings and open market dwellings is acceptable.

Principle of Development – Isolated dwellings

11.12 Paragraph 55 of the NPPF states:

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

the essential need for a rural worker to live permanently at or near their place of work in the countryside; or

where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or

where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or

the exceptional quality or innovative nature of the design of the dwelling. Such a design should:

be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;

reflect the highest standards in architecture;

significantly enhance its immediate setting; and

be sensitive to the defining characteristics of the local area.

11.13 The inclusion of paragraph 55 in the NPPF indicates local planning authorities should avoid isolated homes in the countryside, but it does provide for the above exceptions. As regards the special circumstances listed above, the application proposal would not fall within any of the four cited categories. The applicant has provided information to suggest that two people that work at Burscough Industrial Estate would be interested in buying one of the dwellings once complete, however, this would not be classed as falling within the limits of bullet point one.

11.14 The Local Plan does not have a policy on "isolated dwellings", nor on the Green Belt in general, but in Policy GN1(b) defaults to national policy (apart from the one local interpretation on national policy, i.e. allowing up to 4 affordable dwellings in the Green Belt). Likewise, the Green Belt SPD has no policy on "isolated dwellings". Policy RS1 of the West Lancashire Local Plan 2012-2027 Development Plan Document directs residential development to sustainable locations within the settlement boundary and RS1(b) states: *Within the Green Belt, very limited affordable housing (i.e. up to 4 units) may be permitted where it*

is proven that there are no suitable sites in non-Green Belt areas, in accordance with Policy GN5.

- 11.15 The NPPF does not offer any definition of the term 'isolated', however, appeal decisions have established that the definition of isolated is not the same as remote but that decision makers should consider issues such as the physical separation from the settlement, surrounding land uses and distance from the road.
- 11.16 In a recent appeal decision (APP/P2365/W/17/3182494 – Barn at Plumtree Barn, Black-a-moor Lane) the Inspector considered the issue of isolation and made reference to a recent High Court judgement in which it was clarified that 'isolated' should be given its ordinary dictionary meaning of 'far away from other places, buildings or people; remote'. In this particular appeal decision, the Inspector found that as the appeal site would be close to two existing residential dwellings, the proposed dwelling would not be far away from other buildings or people. However, there would still be a need to consider whether the proposed development would be far away from other places, which includes consideration of whether the appeal site is a suitable location for housing having regard to its location and accessibility. In an appeal decision which was issued 25th January 2018 – Brookfields, Charity Lane (APP/P2365/W/17/3183002), the Inspector found that whilst the dwelling would be close to two other dwellings and not remote from them, they are a small group and not within a village or settlement and they would be located some distance along a private road with no pavement or street lights and separated from the edge of the nearest village by open fields. As the site could not reasonably be considered as a settlement, or community the Inspector considered that the development would result in an isolated housing development in the countryside which the Framework seeks to avoid apart from in special circumstances.
- 11.17 The Charity Lane appeal decision refers to the High Court judgement referenced above and notes that it refers to the Framework's distinction between rural communities, settlements and villages on the one hand, and the countryside on the other, which suggests that 'isolated homes in the countryside' in the Framework's terms are not those in such communities and settlements. There are dwellings on either side of the site and on the opposite side of Merscar Lane, therefore the proposed dwellings would not be far away from other buildings or people. The site lies between the small rural village of Bescar which is approximately 1.83 miles away, and the Key Service Centre of Burscough, which is approximately 2.52 miles away. The site is physically separated from Burscough by fields, country lanes and Burscough Industrial Estate, and from Bescar by agricultural fields and country lanes. There are railway stations in both Burscough and in Bescar. Bescar has a Catholic Primary School but there is an absence of other local facilities. There are a range of shops/facilities/services in Burscough Town Centre. The site is within the Green Belt outside of the settlement boundary and the site and its neighbours could not reasonably be

considered as a settlement, or community, in this context, it is therefore considered to be in the countryside.

- 11.18 There is an absence of continuous footpaths leading from the application site to both Bescar and Burscough, there is also an absence of street lighting on these routes. Given the distance of the site from the settlement boundaries and the services that they offer and the absence of adequate pavements and street lighting, the private car is likely to be the favourite mode of transport. Although cycling may be reasonable, there are problems arising from carrying shopping and other loads and having to face inclement weather conditions. There are no bus routes which link the application site to either of these settlement areas.
- 11.19 I consider that the proposed development would not be in a suitable location and would be contrary to policies GN1b) and RS1 b) of the Local Plan and paragraph 55 of the NPPF. These policies, among other things, jointly seek to direct development to sustainable locations where the environment is accessible to all sections of the community and encourages the use of public transport, so to avoid new isolated homes in the countryside. Given the distance from essential facilities and services and the lack of public transport close to the site I consider that the proposed new dwellings would be located in an environmentally unsustainable location where future occupants of the dwellings would need to use private transport to access day-to-day facilities. Overall, as the development would result in new isolated dwellings in the countryside, and there would be no special circumstances to justify them, I consider that the site would not represent a sustainable location for new housing, and it would conflict with Policies GN1 (b) and RS1 of the Local Plan.

Loss of a community facility

- 11.20 There is an existing public house on the site which would be demolished as part of this proposal. Where the loss of a community facility is proposed, Policy IF3 of the Local Plan requires that a justification is provided in support of the planning application which demonstrates that the facility is no longer in demand and adequate alternative provision exists.
- 11.21 A statement has been submitted with the application to demonstrate why redevelopment of the site is acceptable. This statement explains that the popularity of the Martin Inn had declined in recent years which had led to its closure. Since 2002 there have been eight different tenants each of which has failed to run a viable business. The Martin Inn was last operated from April 2015 to May 2016 and despite being run on a zero rent agreement was unable to make a profit. Since its closure the building has fallen into disrepair and I consider that the redevelopment necessary to allow the premises to operate as a community facility is unlikely to be commercially viable.

- 11.22 Based on the above, as the pub has been closed for some time it is considered that the loss of the facility will not have a significant impact upon the surrounding community and there would be regenerative benefits in allowing the site to be used for other purposes.

Visual appearance/design/layout

- 11.23 The application is in outline form with appearance and scale to be considered at reserved matters stage. The layout that has been submitted with the application shows two pairs of semi-detached dwellings on the footprint of the public house and two other pairs of semi-detached houses on the site. The layout ensures that sufficient interface distances are provided within the site and also between the new dwellings and existing residential properties. Concern has been raised by nearby residents in respect of overlooking, however, the nearest new dwelling would be approximately 22m away from the adjoining property at no.57, and would not have a direct relationship with it which would minimise any undue impact from overlooking.
- 11.24 I am satisfied that the proposed layout is acceptable and would not give rise to a significant impact on residential amenity in accordance with Policy GN3 of the Local Plan. Visual appearance and design will be considered at reserved matters stage.

Drainage

- 11.25 Foul sewage is to be disposed of via a septic tank, with access to the existing tank being maintained. Specific details of the foul drainage scheme can be secured via planning condition. In terms of surface water drainage it is proposed to use a soakaway to dispose of the surface water emanating from the site, however, it remains to be demonstrated that this approach could be acceptable. Details of a surface water drainage scheme can also be secured via a planning condition. I am satisfied that it will be possible to secure suitable foul and surface water drainage for the site in accordance with Policy GN3 of the Local Plan.

Highways

- 11.26 The site was previously used as a public house and a proposed housing development is likely to generate fewer vehicle movements compared to this. The main access into the site would be taken from Merscar Lane, with parking for plot no.8 taken from Martin Lane. Sufficient off-street parking would be provided on site, in accordance with Policy IF2 of the Local Plan. The Highway Authority has confirmed that the proposed access is acceptable and that visibility would be improved as the dwellings would be set further away from the road and corner of Martin Lane/Merscar Lane than the existing public house building. Adequate visibility splays would be possible for both the access to the site on Merscar Lane

and the access to the parking area for Plot no.8 in accordance with Policy IF2 of the Local Plan.

Heritage

- 11.27 In coming to decisions Local Planning Authorities should refer to the principle act which requires, in this case, to paying special regard to the desirability of preserving listed buildings or their setting (s.66). Recent High Court judgements identify the need to give considerable weight and importance to the duty imposed and to the presumption in favour of the desirability of the preservation of heritage assets, including their setting.
- 11.28 The setting of a heritage asset is defined in the NPPF glossary and identifies that the setting is the surroundings in which an asset is experienced. I consider that the setting to No's 2-4 Merscar Lane is somewhat compromised by the development of the Martin Inn which lies on the south side of Merscar Lane, opposite the listed cottages. The replacement of the current public house building with the dwellings would not in my view cause harm to their historic setting. Indeed given the reduction in the bulk/mass of the buildings opposite it could be argued that the scheme presents an improvement.
- 11.29 In this respect I feel the proposal accords with Chapter 12 of the NPPF and Policy EN4 of the WLLP and the Council's statutory duty under section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Ecology

- 11.30 An Ecological Survey was submitted with the application which has been reviewed by the Council's ecological advisors MEAS.
- 11.31 The fields surrounding the site are likely to be used by qualifying bird species, such as pink-footed geese and whooper swan, however, as the site is relatively screened from the surrounding arable fields by tree lines, hedgerows and existing dwellings and buildings this will limit the potential for disturbance to any birds within the fields during the construction period, and there are unlikely to be any significant effects from recreational disturbance due to the small number of dwellings proposed.
- 11.32 The survey found three common pipistrelle bats roosting within the existing building; the report categorises these roosts as day roosts. Developments affecting European protected species (EPS) must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations. The three tests are set out in Regulation 55.

The three tests are:

Test 1: Regulation 55(2)(e): “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”

This development meets the circumstances detailed above and therefore no evidence to support this test is required.

Test 2: Regulation 55(9)(a): “that there is no satisfactory alternative”

This development meets the circumstances detailed above and therefore no evidence to support this test is required.

Test 3: Regulation 55(9)(b): “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

The proposed mitigation as set out within section 13 of the submitted bat survey report will ensure the maintenance of the population at favourable conservation status and within their natural range. The mitigation measures proposed can be secured by a suitably worded planning condition.

- 11.33 Government guidance on protected species licensing, states that a reasoned statement, which includes the supporting evidence and statements on how the proposals meet test 1 and 2, is not required in support of an application for an EPS licence in the following circumstances:

Housing developments of less than 1 hectare, including:

Existing buildings and associated structures that may need to be demolished before redevelopment takes place (whether domestic dwellings or other types of buildings); or

Barn conversions for domestic dwellings (not including conversion for commercial use, such as holiday lets).

- 11.34 The assessment of the proposals against the three tests is to ensure that the proposals are likely to be granted a licence prior to determination of the planning application. As the proposals in this case meet one of the criteria above, and satisfy test 3, a licence is likely to be granted.
- 11.35 House martin has been confirmed nesting on the existing building and house sparrow and starling are likely to nest within the building. The demolition of the existing building will result in the loss of these nest sites and to mitigate for this, details of bird nesting boxes that will be erected on the site should be provided. This could be secured by planning condition.

11.36 I am satisfied that the proposed development would not have an undue impact on ecology, in accordance with Policy EN2 of the Local Plan.

CONCLUSION

11.37 The proposal would result in housing in an unsustainable location, which is contrary to the requirements of the NPPF and policies GN1 and RS1 of the West Lancashire Local Plan 2012-2027 DPD.

12.0 RECOMMENDATION - That planning permission be REFUSED for the following reason:

Reasons for Refusal

1. The proposed development is contrary to paragraph 55 of the National Planning Policy Framework and Policies GN1 and RS1 of the West Lancashire Local Plan (2012-2027) DPD in that the development would result in new isolated homes in the countryside and the delivery of market housing outside of a settlement boundary in an unsustainable location. Insufficient special circumstances have been identified to support the development in this context.

No.3 APPLICATION NO.	2017/0876/FUL
LOCATION	Land To The West Of Abbeystead Digmaor Skelmersdale Lancashire WN8 9LP
PROPOSAL	Erection of 45 dwellings, with associated access and landscaping and other ancillary works.
APPLICANT	Morris Homes Ltd
WARD	Digmaor
PARISH	Unparished - Skelmersdale
TARGET DATE	23rd November 2017

1.0 SUMMARY

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

2.0 RECOMMENDATION

- 2.1 **APPROVE** subject to planning obligation and conditions.

3.0 THE SITE

- 3.1 The site is located within Skelmersdale, directly to the south-east of Thorne Island, the roundabout at the intersection of Gillibrands Road and Whiteledge Road, within the Digmaor area of the town. Abbeystead lies to the east, with residential areas beyond, Gillibrands Road to the north, a cycle path with Little Digmaoor Primary School and playing fields beyond to the south and Whiteledge Road to the west.
- 3.2 The approximate 1.8 ha site is currently grassed amenity land and is relatively flat. It does slope up towards Gillibrands Road to the north and again towards Whiteledge Road to the west. There is a large swathe of trees on the western part of the site adjacent to Whiteledge Road and another small group of trees to the north-east corner. The residential area to the east is predominantly single and two storey in character.
- 3.3 The site is linked to a larger area of proposed residential development at Chequer Lane/Tower Hill Lane, Up Holland, which is subject to a separate planning application also on this agenda (2017/0880/FUL).

4.0 THE PROPOSAL

- 4.1 This is a detailed application for the erection of 45 dwellings with access off Abbeystead. The dwellings are all 100% affordable in the form of either social or affordable rent or shared ownership and comprise a mix of one, two and three bed roomed one and two storey properties. A single main access road leads to a number of cul-de-sacs with a mix of terraced and semi-detached houses and bungalows and one two-storey block containing 4 one-bedroomed apartments. The majority of the parking is arranged in parking courts. Landscaping is provided around the perimeter of the site and each property has a private garden, except the block of apartments. A substantial area of public open space is provided on the western half of the site adjacent to Whiteledge Road.

5.0 PREVIOUS RELEVANT APPLICATIONS

- 5.1 1999/0056 - Outline - Residential development and open space, with details of siting and access. GRANTED 30.06.2003 (not implemented)

6.0 CONSULTEE RESPONSES

- 6.1 LCC HIGHWAYS (02.03.2018, 21.02.2018 & 28.09.17) – No objection in principle, the development will not have a severe impact on highway capacity. The proposed access to the site is acceptable, subject to relocation of the existing speed bump in Abbeystead. Extension of footpath to connect to existing path is considered acceptable. Site layout and parking is considered acceptable.
- 6.2 LCC LEAD LOCAL FLOOD AUTHORITY (01.03.2018) – No objections subject to conditions.
- 6.3 UNITED UTILITIES (26.09.2017) – No objection subject to conditions.
- 6.4 LCC ARCHAEOLOGY (28.09.2017) – No objection subject to condition.
- 6.5 ENVIRONMENT AGENCY (03.10.2017) – No objection.
- 6.6 DIRECTOR OF LEISURE AND WELLBEING (CONTAMINATION) (03.11.2017) – No objection subject to condition.
- 6.7 LANCASHIRE CONSTABULARY (07.09.2017) - Recommend security measures.

7.0 OTHER REPRESENTATIONS

- 7.1 None

8.0 SUPPORTING INFORMATION

- 8.1 The application is supported by the following information:
- Design and Access Statement
 - Tree Constraints report
 - Planning Statement
 - Bat and Red Squirrel Surveys
 - Noise Assessment
 - Ground Investigation Report
 - Phase 1 Habitat Survey
 - Minerals Safeguarding
 - Geo-Environmental Study
 - Flood Risk Assessment
 - Transport Statement
 - Utilities Statement

9.0 RELEVANT PLANNING POLICIES

- 9.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) 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 the Regional town of Skelmersdale. The following policies are relevant:

9.2 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
- Facilitating the sustainable use of materials

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
- IF3 – Service Accessibility and Infrastructure for Growth
- IF4 – Developer Contributions
- EN1 – Low Carbon Development and Energy Infrastructure
- EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
- EN3 – Provision of Green Infrastructure and Open Recreation Space
- EN4 - Preserving and Enhancing West Lancashire's Built Environment

10.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Principle of Development

- 10.1 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan re-iterates this approach. The proposed dwellings are located on land covered by the above policy within the settlement boundary of the regional town of Skelmersdale. As such, the principle of development is considered to be acceptable.

Affordable and Specialist Housing for the Elderly

- 10.2 The applicant proposes combining this site with a greenfield allocated housing site at Chequer Lane/Tower Hill Road, Up Holland in order to deliver the full affordable requirement for the two sites. An application for residential development at the Chequer Lane/Tower Hill Road site has been made simultaneously by Morris Homes and the report for this application can be found elsewhere on this agenda (Planning reference 2017/0880/FUL). Policy RS2 of the local plan requires that 30% of the dwellings at the Up Holland site should be affordable and that 20% of the dwellings on the Abbeystead site should be affordable.
- 10.3 It is proposed that all the affordable houses (i.e. 30% from the Up Holland site (35no.) as well as 20% from Abbeystead (9no.)) will be located at Abbeystead (totalling 44 affordable dwellings). The proposed development at Abbeystead is for 45 affordable dwellings, a slight over-provision. In order to ensure that both sites are linked in terms of affordable housing delivery, a S106 Agreement will be entered into to ensure, through the phasing of the two sites, that the development at Abbeystead is implemented prior to the dwellings on the Up Holland site being completed.
- 10.4 In addition to this, Policies RS1 and RS2 also require that 20% of new residential units should be suitable for the elderly. The Council are flexible on how this is achieved, but examples include, where appropriate, providing bungalows, appropriately designed apartments or delivering homes to the Lifetime Homes Standard (Part M (2) of the Building Regulations) and adapting the homes from the outset with appropriate features for the elderly. The scheme at Abbeystead includes 9 bungalows and 4 lifetime homes compliant apartments, an over-provision of the 20% requirement for this site and therefore in this regard, a benefit to the local area. The proposed development is considered to be in full accordance with policies RS1 and RS2 of the Local Plan.

Siting, Layout and Design

- 10.5 The layout of the site allows for the main access road to be taken directly off Abbeystead with dwellings fronting this main access and footways either side. The layout has also been designed to positively address the surrounding pedestrian network in that there would be dwellings fronting onto the existing footpaths that surround the site on three sides. This provides surveillance to these areas and avoids a layout which is overtly inward looking.
- 10.6 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 and just one main vehicular access route. Parking courts are screened to a certain degree being accessed via undercrofts and the use of corner properties adds visual interest to the development. I am satisfied that the layout would integrate well into its surrounding area in accordance with Policy GN3.
- 10.7 The residential units would be mostly two storey in height, with the exception of the 9 bungalows, which is in keeping with the scale and type of properties in the surrounding area. Various types and size of dwellings are proposed, including 1 and 2 bedroomed apartments, 2 and 3 bedroom houses and 2 bedroomed bungalows as a mix of terraced and semi-detached dwellings and apartments. 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.
- 10.8 The dwellings all benefit from rear gardens, with the exception of the block of 4 apartments, which has no private amenity space (but directly adjoins the large area of public open space). Some properties have 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 are traditional in appearance and constructed from brick with slate grey concrete roof tiles. I am satisfied that the design of the dwellings is acceptable in accordance with Policy GN3 of the Local Plan.

Highways and Parking

- 10.9 The development will be served via a new purpose built access from the western side of Abbeystead and I am satisfied that this provides a suitable and safe access to the proposed development. A new footpath will be provided along the western side of Abbeystead from the site access southwards to link in with the existing start of the footpath along this side of Abbeystead and leading to Little Digmaor Primary School.

- 10.10 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.
- 10.11 The Local Plan sets out parking standards for residential developments. There are no garages incorporated within the development and the parking provision includes a total of 62 allocated spaces and 16 visitor spaces (a total of 79 spaces). This is considered acceptable in this location having regard to the nature of the parking courts and the mix of dwelling types.
- 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.

Impact on Residential Amenity

- 10.13 In terms of the relationships between the proposed dwellings, I am satisfied that the proposed layout, in general, accommodates the required interface distances. Where this is not the case, it is across the main access at ground floor level only.
- 10.14 With regards to amenity for existing surrounding residents, the nearest residential properties to the development are along the eastern side of Abbeystead. The separation distances between 1 Abbeystead (a bungalow) and 25-29 Abbeystead to the proposed dwellings comply with guidance given in the Design SPD and Policy GN3. The distance between 31 Abbeystead and the proposed dwellings falls slightly short, however, it is screened by an existing boundary fence, garages to the side and the proposed dwellings are angled slightly away from no. 31. To the south of the proposed development, the separation distance to the gable elevation of 2 Abbeystead is 20m with vegetation in-between. I am satisfied that the overall layout and interface distances are sufficient to ensure that there would be no undue impact of the proposed development from overlooking, overshadowing and creation of poor outlook

Trees and Biodiversity

- 10.15 A detailed landscaping scheme has been submitted which includes the comprehensive planting of new trees and shrubs within and around the site and the retention of a group of existing trees at the corner of Abbeystead and Gillibrands Road. I am satisfied that the proposal results in an increase in tree cover on the site and as a result, increases biodiversity in accordance with Policy EN2.

- 10.16 The applicant undertook a Phase 1 Habitat Survey of the site and as a result, further surveys were carried out relating to bats and red squirrels. No red squirrels were identified on the site and no bat roosts found. However, five different species of bats commuted through and/or foraged along the wooded western edge. This area of woodland is to be retained along with a large "buffer" area of amenity grassland, separating the proposed dwellings from the bat activity area. As part of the development, it is proposed to increase the number of trees on the eastern part of the site and install a minimum of seven bat boxes within the western woodland. Provided the recommendations advocated within the bat survey are adhered to, I am satisfied that the proposals will not be detrimental to maintaining the local bat populations at favourable conservation status. 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.

Surface Water, Drainage and Flood Risk

- 10.17 In terms of the principle of development relating to flood risk, the application site lies partly within Flood Zone 2 (the western part). The NPPF requires that a site specific Flood Risk Assessment (FRA) is required for proposals of 1 hectare or greater and proposals within Flood Zone 2. The site is susceptible to SW flooding, the latter being evidenced by a localised dip at the western end of the site which is predominately wooded. The dip is not natural as just beyond the woodland is a bund which was probably built as part of the Whiteledge Road highway works. In addition, the site is criss-crossed with sewers and culverts.
- 10.18 As the site is presently greenfield, the NPPF and Policy GN3 of the Local Plan require that any development upon the land should not increase the risk of flooding either on or off the site and should achieve a surface water run-off rate to that equivalent of the greenfield run-off rate.
- 10.19 Foul water is proposed to connect to a diverted public sewer. Surface water is proposed to discharge at attenuated rate (via oversized pipes) to the existing culverted Tawd River along the western boundary. The Lead Local Flood Authority, Environment Agency and United Utilities have all been consulted and raise no objections. I am therefore satisfied that the proposal complies with the NPPF and Policy GN3 of the Local Plan with regards drainage and flood risk.

Public open space

- 10.20 Policy OS1 of the Council's Open Space in New Residential Developments SPD requires that on developments of between 40 and 289 dwellings, developers will be required to provide 13.5 square metres of public open space per bedroom. This public open space should typically take the form of informal amenity green space. I note that provision of public open space on the western part of the site. The principle of use of this land as public open space is considered acceptable

and more than meets the level required under the Council's SPD. Management and maintenance of the public open space will be subject to a S106 Legal Agreement.

Mineral Safeguarding Area/ Coal Working Area

- 10.21 The site lies within a Minerals Safeguarding Area as identified in LCC's Minerals and Waste Site Allocation and Development Management Policies DPD. Within these areas, planning permission will generally not be granted for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals found on the land unless the applicant can demonstrate that the mineral concerned is no longer of any value or has been fully extracted, or there is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.
- 10.22 In order to assess the extent and value of the resource, and to assess the stability of the land for future development, a Mineral Assessment has been submitted by the applicant. The assessment concludes that the future extraction of the Shirdley Hill sand from the site is unlikely, due to the very small depth and volume of the deposit and its discontinued nature. Consequently, as the mineral resource is not a commercially viable deposit, the development of the site for uses not compatible with mineral extraction (i.e. housing) would be in conformity with Policy M2. I would agree with this assessment and also consider that the extraction of sand on this site would lead to considerable damage to the surrounding environment by way of noise, dust, vibration and impact on biodiversity. Therefore, on balance, I consider the development of the site outweighs the limited potential for mineral extraction on the site and is in compliance with Policy M2 of the Minerals and Waste Site Allocations DPD.

Archaeology

- 10.23 Lancashire Archaeology historic mapping indicates a former farmstead of Digmoor was located within the north-east corner of the site. This provided the name for the former small hamlet that surrounded the farmstead and the name for the local area still used today. This former hamlet has since been redeveloped as part of Skelmersdale, with most of the site of the hamlet lying under the large Gillibrands Road junction. It is possible that below-ground remains might be encountered by the proposed development. Consequently, a programme of archaeological work should be carried out prior to development. This can be secured by condition and as such comply with Policy EN4 of the Local Plan.

Summary

- 10.24 In summary, it is considered that the principle of residential development at this site is acceptable. I am satisfied that there will be no significant detrimental impact upon the character of the area, amenity of neighbouring properties,

biodiversity, trees or highway safety. The development is considered to be compliant with relevant planning policies and the application is therefore recommended for approval.

Planning Obligations

10.25 Under the terms of the provisions of Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 and requirements under s.106 of the Planning Act 1990, planning obligations are subject to three tests:

That the subject of the agreement is/are:

Necessary to make the development acceptable in planning terms;

Directly related to the development; and,

Fairly related in scale and kind to the development.

10.26 The restriction of these tests will see the following requirements secured by s.106 agreement:

The terms, conditions and phased delivery of the affordable housing;

Maintenance and management of open space and SUDs

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 require:

The terms, conditions and phased delivery of the affordable housing;

Maintenance and management of 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 N1106/P/PL02 Rev D (Planning Layout) received by the Local Planning Authority on 28th February 2018;

Housetype plans:

Plan reference P/HTBUN/02 (Bungalow) received by the Local Planning Authority on 13th February 2018;

Plan reference P/HTBUN/03 (Bungalow SA) received by the Local Planning Authority on 13th February 2018;

- Plan reference P/HTED/01 (Edgware apartment) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTED/02 (Edgware apartment) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTBU/01 (Budworth) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTBU/02 (Budworth) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTCHEXT/01 (Chatsworth EXT HQI) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTCHEXT/02 (Chatsworth EXT HQI) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTDA/01 (Dalton) received by the Local Planning Authority on 13th February 2018;
- Plan reference N149/HTDAL/01 (Dalton) received by the Local Planning Authority on 13th February 2018;
- Plan reference N149/HTDAL/02 (Dalton) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTCAP/01 (Capesthorpe) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTCAP/02 (Capesthorpe) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTAPA/01 (Apartment) received by the Local Planning Authority on 13th February 2018;
- Plan reference P/HTAPA/03 Rev A (Apartment) received by the Local Planning Authority on 13th February 2018;
3. The development shall be constructed from the materials detailed specified on Plan Reference: "Materials Plan" N1106/P/MAT02 Rev A received by the Local Planning Authority on 13th February 2018. This shall include the boundary treatment specified on the plan.
 4. No development shall commence until full details of the construction phasing have been submitted to and agreed in writing by the Local Planning Authority. The information shall include a Traffic Management Plan for the construction vehicles and staff accessing the site during the construction works, timetable for construction, phasing and areas proposed for site cabins and storage of material. Thereafter development shall be carried out in accordance with approved details.
 5. 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.
 6. 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 (including the new pedestrian footway and relocated speed hump on Abbestead), 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.

7. No part of the development shall be occupied until all the highway works have been constructed in accordance with the approved scheme referred to in Condition 6 and completed in accordance with the scheme details.
8. No dwelling shall be occupied 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.
9. 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.
10. Prior to construction of any dwelling, a scheme for the provision of cycling storage facilities throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.
11. Prior to construction of any dwelling a scheme for the provision of electric vehicle charging points throughout the development and timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the agreed details.
12. Car parking courts as well as individual car parking spaces shall be surfaced and the car parking spaces and manoeuvring areas provided/marked out in accordance with the approved plan in accordance with a timetable to be agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the associated car parking has been provided.
13. Within a period of 9 months from the date when any part of the development is brought into use, the approved landscaping scheme as shown on plan references: A103571 LS201 - LS205 (A) (Landscape Strategy 1 to 5) shall be carried out. All planting shall be maintained and dead or dying material shall be replaced for a period of ten years from the agreed date of planting.
14. No development shall take place until a Method Statement detailing measures to be taken during construction to protect the health of the trees shown to be retained 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.
15. No tree felling or hedgerow removal and/or ground clearance shall take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure that no breeding birds are present. If present, details of how they will be protected will be required to be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme.

16. The development hereby approved shall incorporate the ecological recommendations regarding bats included within section 4.7.1 and 4.7.2 of the Bat Survey Report dated July 2017 and received by the Local Planning Authority on 21st August 2017. Full details of location and design of the 7 bat boxes along with a timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved scheme.
17. This site must be drained using a total separate drainage system. For the avoidance of doubt, no surface water flows generated from the site will be allowed to connect with the public sewerage system via direct and or indirect means.
18. 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 for the corresponding rainfall event and must not exceed 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
 - c) Any works required off-site to ensure adequate discharge of surface water without causing flooding (which could include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - d) Site investigation and test results to confirm infiltrations rates. If infiltration is shown to be a viable option for the disposal of surface water, then this should then be used as the primary method for disposing of surface water from the site. Disposal via a surface water body will only be considered where infiltration is proved to be unsuitable;
 - e) A plan showing flood water exceedance routes, both on and off site;
 - f) A timetable for implementation, including phasing as applicable;
 - 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.
19. Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development shall be submitted to and approved and, 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.

20. The development shall be implemented in accordance with Section 8 of the recommendations of the Flood Risk Assessment dated August 2017 and received by the Local Planning Authority on 26th October 2017 and finished floor levels of all new dwellings shall be set 150mm above average ground level.
21. No development shall take place until full details of the finished levels of all parts of the site, including the floor levels of all buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with those details.
22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no garages, extensions or out buildings shall be erected or undertaken without the express written permission of the Local Planning Authority.
23. Prior to occupation of the dwellings on Plots 16, 30 and 45, unless required for purposes as an escape window(s), any first floor window on the gable elevation shall be fitted with obscure glass (Pilkington level 3 or equivalent) and be non-opening and shall remain so fitted at all times thereafter for the duration of the development. If required for escape purposes the window(s) shall be fitted with obscure glass (Pilkington level 3 or equivalent) and shall include a restrictor mechanism to prevent the window(s) from opening more than 50mm during normal use/non-emergency situations and shall remain so fitted at all times thereafter for the duration of the development.
24. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.
25. A contaminated land investigation shall be carried out in respect of the proposed development site in order to identify whether there are substances in, on or under

the land with potential to cause harm to human, ecological, environmental, structural or controlled water receptors, and to assess the degree of risk posed by those substances to each receptor.

The investigation should be carried out by appropriately qualified and experienced consultants. The investigation shall begin with a desk study that adequately characterises the site, including its geography, geology, hydrology and historical use. From this a conceptual site model shall be produced, based on the past and intended use of the site and identifying all potential pollutant linkages.

If the desk study and conceptual site model identify potential pollutant linkages, an intrusive site investigation shall be carried out in accordance with BS10175:2001 'Investigation of Potential Contaminated Sites - Code of Practice' and any other relevant Government guidance current at the time.

The investigation shall take the form of a sufficient number of sampling points arranged spatially so as to ensure adequate cover of the site, especially those areas intended for use as gardens and landscaped areas, or where concentrations of contaminants are anticipated. Sufficient samples must be obtained to characterise the soils, and in addition to soil samples, shall include ground and surface water samples where the conceptual model demands. Additionally, monitoring for landfill gas shall be carried out where appropriate and the results assessed against the latest version of the CIRIA report. The samples shall be analysed for a full suite of organic and inorganic contaminants. The analysis must be carried out at a laboratory that is UKAS accredited, and which complies with the Environment Agency's MCERTS standard in respect of each contaminant.

Sample results shall be screened against Government Soil Guideline Values (SGV) where these are available. Where these are not available, the results must be screened using clearance values that have been derived using best available toxicological data using a statistical model acceptable to the Local Planning Authority (LPA). In those cases where values are exceeded, more detailed site-specific risk assessments must be carried out to decide whether remediation is required. These assessments must be carried out using best toxicological data for the contaminant concerned, and by means of a statistical model acceptable to the LPA.

Where the investigation confirms the presence of contamination likely to cause harm to receptors, whether human or otherwise, a remediation scheme shall be devised that will result in the contamination being dealt with so as to remove the risk to receptors and make the site suitable for its intended use.

The results of the desk study and site investigation, together with details of any proposed remediation, shall be approved by the LPA before any part of the dwelling hereby approved shall be constructed. Any remediation scheme approved shall be carried out as part of the development of the site, and shall be followed by a validation report sufficient to prove that the remediation has been effective. This report must also be submitted to and approved by the LPA prior to occupation of any dwelling.

26. Prior to occupation of the apartment block on Plots 20 to 23, a scheme for the provision of bin storage shall be submitted to and approved in writing by the Local Planning Authority. The approved bin store shall be provided prior to the occupation of the apartments.

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 safety and interests of the users of the highway and the protection of the trees on the site and residential amenity to ensure that the development complies with the provisions of Policies GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. 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.
6. 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 so to ensure the safety and interests of the users of the highway and to ensure compliance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
7. In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works in the interests of highway safety and to ensure compliance with Policy GN3 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. 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.
9. 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.
10. In the interests of sustainability and to aid social inclusion in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. In the interests of sustainability in accordance with Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
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 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.
 14. 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.
 15. 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.
 16. 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.
 17. 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.
 18. To ensure that the proposed development can be adequately drained, that there is no flood risk on or off the site resulting from the proposed development and that water quality is not detrimentally affected by the development in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
 19. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
 20. To reduce the risk of flooding in accordance with Policy GN3 of the West Lancashire Local Plan 2012-2027 Development Plan Document.
 21. 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.
 22. The private garden areas are small and extension constructed under permitted development rights may impact on neighbouring residents and/or result in gardens that are not commensurate in size with the dwelling and so to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
 23. 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.
 24. To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site in accordance with Policy EN4 of the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
 25. As the site may be contaminated by virtue of its past commercial/industrial use and to ensure compliance with Policy GN3 of the West Lancashire Local Plan.

26. 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.

Notes

1. 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".
2. The applicant is advised that to discharge condition 6 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.
3. 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.
4. This consent does not give approval to a connection being made to the County Council's highway drainage system.
5. This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990.
6. The programme of investigation required as part of the archaeology condition above should comprise a desk based assessment, a walkover survey and a geophysical survey, the results of which should be confirmed by trial trenching. This should then be followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists (www.archaeologists.net).

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 - Residential Development
RS2 - Affordable and Specialist Housing
IF2 - Enhancing Sustainable Transport Choice

IF3 - Service Accessibility and Infrastructure for Growth

IF4 - Developer Contributions

EN1 - Low Carbon Development and Energy Infrastructure

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

EN4 - Preserving and Enhancing West Lancashire's Built 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.