



Jacqui Sinnott-Lacey
Chief Operating Officer

52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Wednesday, 2 September 2020

**TO: COUNCILLORS G OWEN, A PRITCHARD, I ASHCROFT, MRS P BAYBUTT,
N DELANEY, T DEVINE, S EVANS, J FINCH, D O'TOOLE,
E POPE AND J THOMPSON**

Dear Councillor,

A virtual meeting of the **PLANNING COMMITTEE** will take place on **THURSDAY, 10 SEPTEMBER 2020** at **7.00 PM** at which your attendance is requested. A Skype meeting request will be sent to individual Members of the Planning Committee. The meeting will also be available to view for members of the public via Webcast on the Council's website.

Yours faithfully

A handwritten signature in black ink, appearing to be 'JS', enclosed in a rectangular box.

Jacqui Sinnott-Lacey
Chief Operating Officer

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**
To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.
- 3. URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN**
Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

- | | | |
|-----------|--|-----------|
| 4. | DECLARATIONS OF INTEREST
If a member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.) | 117 - 118 |
| 5. | DECLARATIONS OF PARTY WHIP
Party Whips are not to be used by this Committee in respect of its functions concerning the determination of applications, approval of consents, the taking of enforcement action and the exercise of powers and duties with regard to highways, hedgerows, the preservation of trees and high hedge complaints. When considering any other matter which relates to a decision of the Cabinet or the performance of any member of the Cabinet, in accordance with Regulatory Committee Procedure 9, Members must declare the existence of any party whip, and the nature of it. | |
| 6. | MINUTES
To receive as a correct record the minutes of the meeting held on the 30 July 2020. | 119 - 122 |
| 7. | PLANNING APPLICATIONS
To consider the report of the Corporate Director of Place and Community. | 123 - 132 |
| 7a | 2019/1003/FUL - BARN LODGE VETERINARY HOSPITAL, 54A SOUTHPORT ROAD, ORMSKIRK
To consider the report of the Corporate Director of Place and Community. | 133 - 140 |
| 7b | 2020/0263/OUT - HUNTERS, MOORGATE, ORMSKIRK
To consider the report of the Corporate Director of Place and Community. | 141 - 156 |
| 7c | 2020/1058/OUT - 52A NEW CUT LANE, HALSALL
To consider the report of the Corporate Director of Place and Community. | 157 - 164 |
| 7d | 2020/0606/FUL - 72 NEW CUT LANE, HALSALL
To consider the report of the Corporate Director of Place and Community. | 165 - 172 |
| 7e | 2020/0317/FUL - 56 GRANVILLE PARK WEST, AUGHTON
To consider the report of the Corporate Director of Place and Community. | 173 - 180 |
| 8. | ADOPTION OF THE WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT 2020
(Relevant Portfolio Holder: Councillor D Evans)
To consider the report of the Corporate Director of Place and Community. | 181 - 302 |

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

REMOTE MEETING GUIDANCE : Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-

Jill Ryan on 01695 585017

Or email jill.ryan@westlancs.gov.uk



REMOTE MEETINGS – GUIDANCE

This guidance is designed to assist members when attending remote meetings.

The guidance should be read in conjunction with the Council's Remote Meetings Protocol and Procedures Rules

General

1. If members wish to speak on a particular item it will assist the smooth running of the remote meeting if they indicate to the Chairman their wish to speak in advance of the meeting.
2. Please join the meeting no later than 15 minutes before the start of the meeting to ensure that the technology is working correctly.
3. It is a requirement of the remote meetings regulations that any member participating in a remote meeting must be able to be heard (and if practicable also be seen) by all other members, officers and public speakers participating in the meeting and, in turn, be able to hear (and if practicable see) those persons.
4. It is also a requirement that the meeting be live broadcast and so any camera (video-feed) should show a non-descript background and members should take care to ensure that no exempt or confidential papers can be seen in the video-feed.
5. At the start of the meeting please ensure that your microphone is muted and your video feed (if available on your device) is paused. Please remember to unmute your microphone (and unpause your video feed if available) when invited to speak by the Chairman!
6. At the start of the meeting the Member Services Officer will read out which Members and Officers are present. The attendance of members will be recorded.

7. Please remember to mute your mic/pause your video feed when you're not talking.
8. Only speak when invited to by the Chair.
9. Please state your name before you make an address.
10. If you're referring to a specific page or slide mention the page or slide number.
11. In the event of failure of the live broadcast then the Chairman will immediately adjourn the meeting until such time as the live broadcast is restored.
12. In the event that a member's individual remote connection should fail, the Chairman will call a short adjournment to determine whether the connection can be re-established (either by video technology or telephone connection). If connection cannot be restored after a reasonable period of time then the presumption is that the meeting should continue, providing the meeting remains quorate.
13. If connection to a member is lost during discussion of an item of business at a regulatory meeting (planning and licensing committees) that member will not be able to vote on that item (unless that part of the discussion during which connection was lost is, in the view of the Chairman, capable of being repeated for the benefit of the member concerned).

Public speaking

14. Any member of the public participating in a meeting remotely in exercise of their right to speak must be able to be heard (and if practicable also be seen) by members, officers and public speakers participating in the same item of business and, in turn, be able to hear (and if practicable see) those persons.
15. The Member Services Officer will mute the member of the public once they have spoken and remove them from the remote meeting on the instruction of the Chairman once the relevant item of business has been dealt with. Note: members of the public will be able to view/listen to the remainder of the meeting via the live broadcast.

Voting

16. Unless a recorded vote is called by a member, the method of voting will be, at the discretion of the Chairman, by:
 - General assent by the meeting (where there is no dissent); or
 - By the Member Services Officer calling out the name of each member present with members stating "for", "against" or "abstain" to indicate their vote when their name is called. The Member Services Officer will then clearly state the result of the vote (to be confirmed by the Chairman)
17. Details of how members voted will not be minuted, unless a recorded vote is called for prior to the vote taking place.

Declarations of Interest

18. Any member participating in a remote meeting who declares a disclosable pecuniary interest, or pecuniary interest that would normally require them to leave the room in which the meeting is taking place must leave the remote meeting. Their departure will be confirmed by the Member Services Officer who will invite the relevant member to re-join the meeting at the appropriate time.

Exclusion of the Press and Public

19. There are times when council meetings are not open to the public when confidential, or "exempt" items (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. The Member Services Officer will ensure that there are no members of the public in remote attendance and the live broadcast is ended, once the exclusion has been agreed by the meeting for that item(s).
20. Every Member in remote attendance must ensure there are no other persons present in their remote location who are able to hear, see or record the proceedings (unless those such persons are also entitled to be so present). Members must declare to the meeting, if at any point during discussion of the item, this requirement is not met.

Agenda Item 4

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		Notes
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/9/16-19/09/20)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 6

PLANNING COMMITTEE

HELD: Thursday, 30 July 2020

Start: 7.00 p.m.

Finish: 7.45 p.m.

PRESENT:

Councillor: G Owen (Chairman)
A Pritchard (Vice-Chairman)

Councillors: I Ashcroft J Finch
Mrs P Baybutt D O'Toole
N Delaney E Pope
T Devine J Thompson
S Evans

In attendance: Councillor D Evans (Planning Portfolio Holder)
Councillor Ian Rigby (Bickerstaffe Ward)

Officers: Ian Gill, Head of Growth and Development
Ann Veevers, Principal Planning Officer
Mark Loughran, Principal Planning Officer
David Delaney, Legal Assistant (Planning)
Julia Brown, Member Services Officer
Jill Ryan, Member Services Officer

19 APOLOGIES

There were no apologies received.

20 MEMBERSHIP OF THE COMMITTEE

There were no changes to the membership of the committee.

21 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

22 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

23 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

24 MINUTES

RESOLVED: That the minutes of the meetings held on the 9 and 16 July be approved as a correct record and signed by the Chairman.

25 PLANNING APPLICATIONS

The Corporate Director of Place and Community submitted a report on planning applications (all prefixed 2020 unless otherwise stated) as contained on pages 77 to 114 of the Book of Reports and on pages 115 to 116 of the Late Information Report.

(Notes:

1. In accordance with Regulatory Procedure Rule 7(b) Councillor Ian Rigby spoke in connection with planning application LCC/2020/0024 relating to Land at Simonswood Moss North Perimeter Road, Knowsley Industrial Park, Kirkby and left the meeting at the conclusion of this application.
2. Parish Councillor Abram spoke on behalf of North Meols Parish Council in connection with planning application 2019/1226/FUL relating to the New Fleetwood, 1 Hoole Lane, Banks and left the meeting at the conclusion of this application.
3. The Agent spoke in connection with planning application 2019/1226/FUL relating to the New Fleetwood, 1 Hoole Lane, Banks and left the meeting at the conclusion of this application).

26 LCC/2020/0024 - LAND AT SIMONSWOOD MOSS NORTH PERIMETER ROAD, KNOWSLEY INDUSTRIAL PARK, KIRKBY

RESOLVED: That in respect of application number LCC/2020/0024, Land at Simonswood Moss North Perimeter Road, Knowsley Industrial Park, Kirby the Council submit objections to Lancashire County Council as set out on pages 77 to 78 of the Book of Reports.

27 2020/0267/FUL - 12 SMALL LANE, ORMSKIRK, LANCASHIRE

RESOLVED: That planning application 0267/FUL relating to 12 Small Lane, Ormskirk be refused for the reason as set out on page 89 of the Book of Reports.

28 2019/1226/FUL - THE NEW FLEETWOOD, 1 HOOLE LANE, BANKS, SOUTHPORT

RESOLVED: That planning application 2019/1226/FUL relating to the New Fleetwood, 1 Hoole Lane, Banks be approved subject to the conditions as set out on pages 96 to 99 of the Book of Reports.

29 2019/1247/FUL - 24 - 26 DERBY STREET, ORMSKIRK, LANCASHIRE

RESOLVED: That planning application 2019/1247/FUL relating to 24-26 Derby Street, Ormskirk be approved subject to the conditions as set out on pages 108 to 110 of the Book of Reports.

30 2020/0353/WL3 - 40 TONGBARN, SKELMERSDALE, LANCASHIRE

RESOLVED: That planning application 0353/WL3 relating to 40 Tongbarn, Skelmersdale be approved subject to the conditions as set out on page 113 of the Book of Reports.

.....
Chairman



Report of: Corporate Director of Place and Community

Contact: Mrs. C. Thomas (Extn.5134)
Email: catherine.thomas@westlancs.gov.uk

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	Scott	2019/1003/FUL	Barn Lodge Veterinary Hospital Clinic 54A Southport Road Ormskirk Lancashire L39 1LX Installation of hardstanding (3m x 3m) and the installation of an incinerator.	Planning permission be granted.
2	Knowsley	2020/0263/OUT	Former Hunter And Sons Warehouse Moorgate Ormskirk Lancashire L39 4RT Outline Planning Permission for the erection of 2 no. blocks (part two, part two and a half storey and three storey development with parking), so as to provide up to 31 No. units of residential accommodation (C3) including details of access, layout and scale. (all other matters reserved).	The decision to grant planning permission be delegated to the Corporate Director of Place and Community 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.
3	Halsall	2020/0158/OUT	52A New Cut Lane Halsall Southport Lancashire PR8 3DW Outline - Three detached dwellings including details of access, layout and scale (all other matters reserved).	Outline Planning permission be refused.
4	Halsall	2020/0606/FUL	72 New Cut Lane Halsall Southport Lancashire PR8 3DW Variation of condition Nos 2, 12 and 15 imposed on planning permission 2019/1257/FUL relating to design and layout, boundary treatments and electric vehicle charging points.	Planning permission be granted.
5	Aughton And Downholland	2020/0317/FUL	56 Granville Park West Aughton Ormskirk Lancashire	Planning permission be

			L39 5HS Demolition of existing conservatory and erection of two storey and single storey side and rear extensions including dormers to side elevation. Front porch. Ground floor window to western elevation. Rooflight windows to east and west elevations.	granted.



PLANNING COMMITTEE

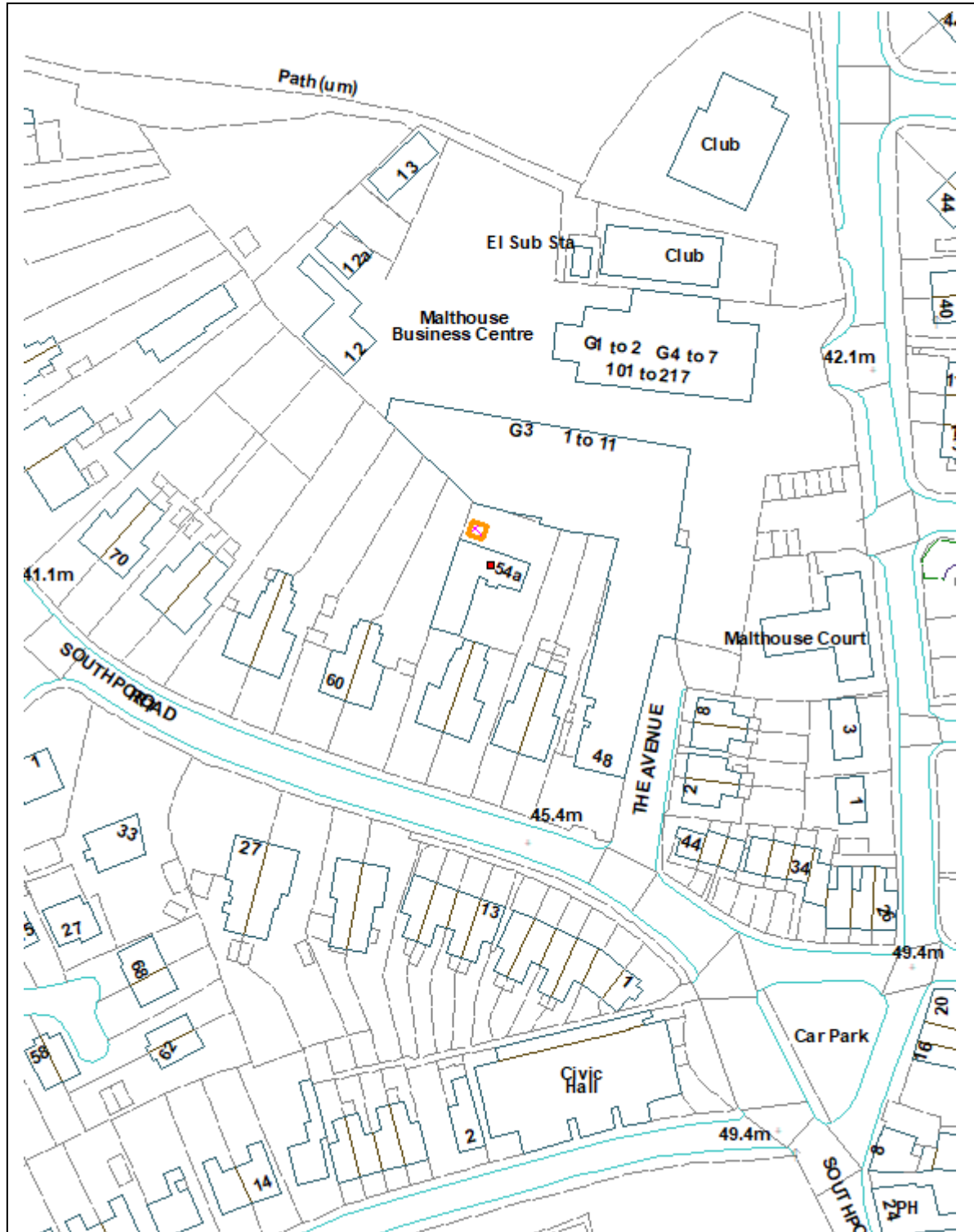
10 September 2020

(Agenda Item 7)

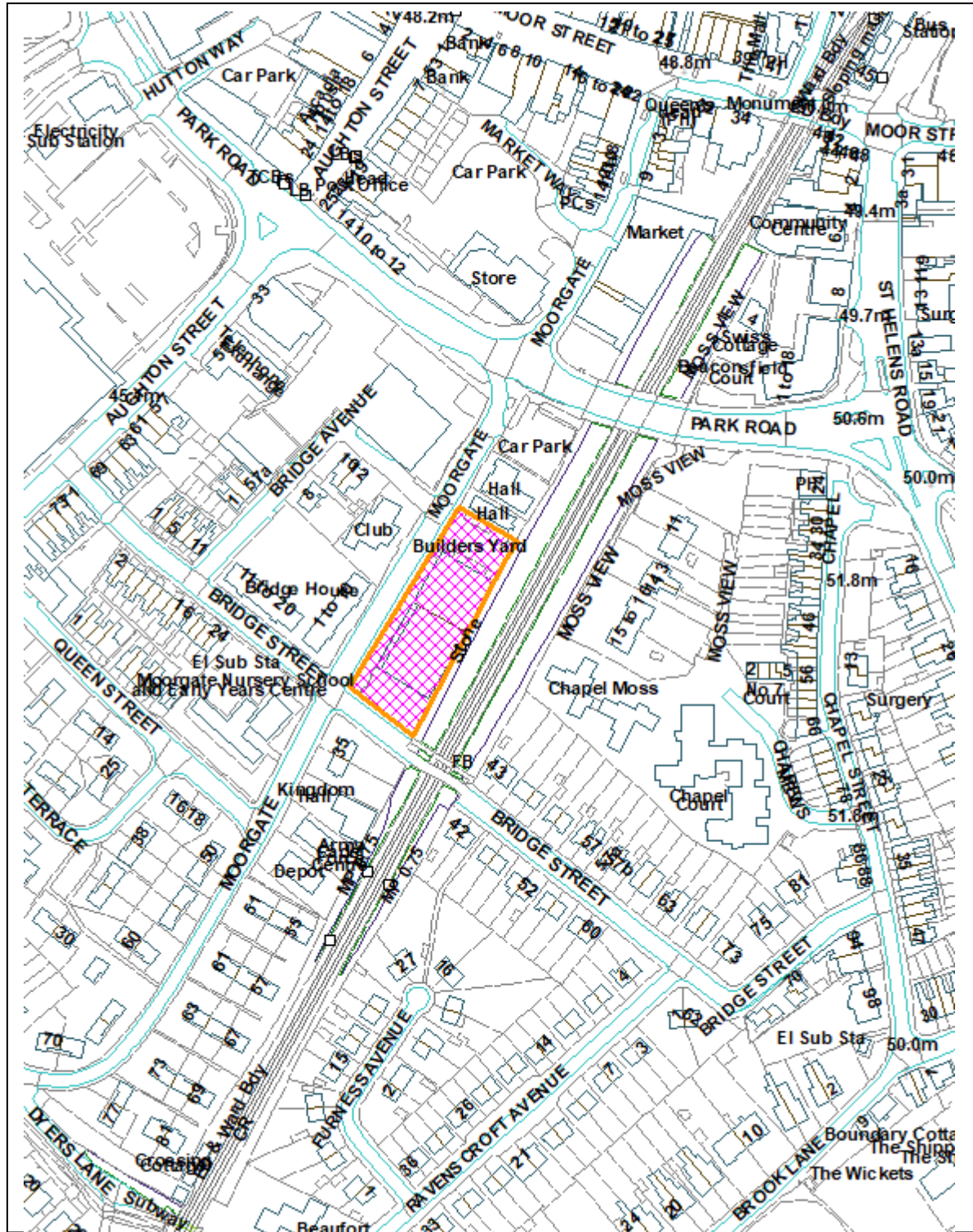
PLANNING APPLICATION ITEMS

LOCATION PLANS

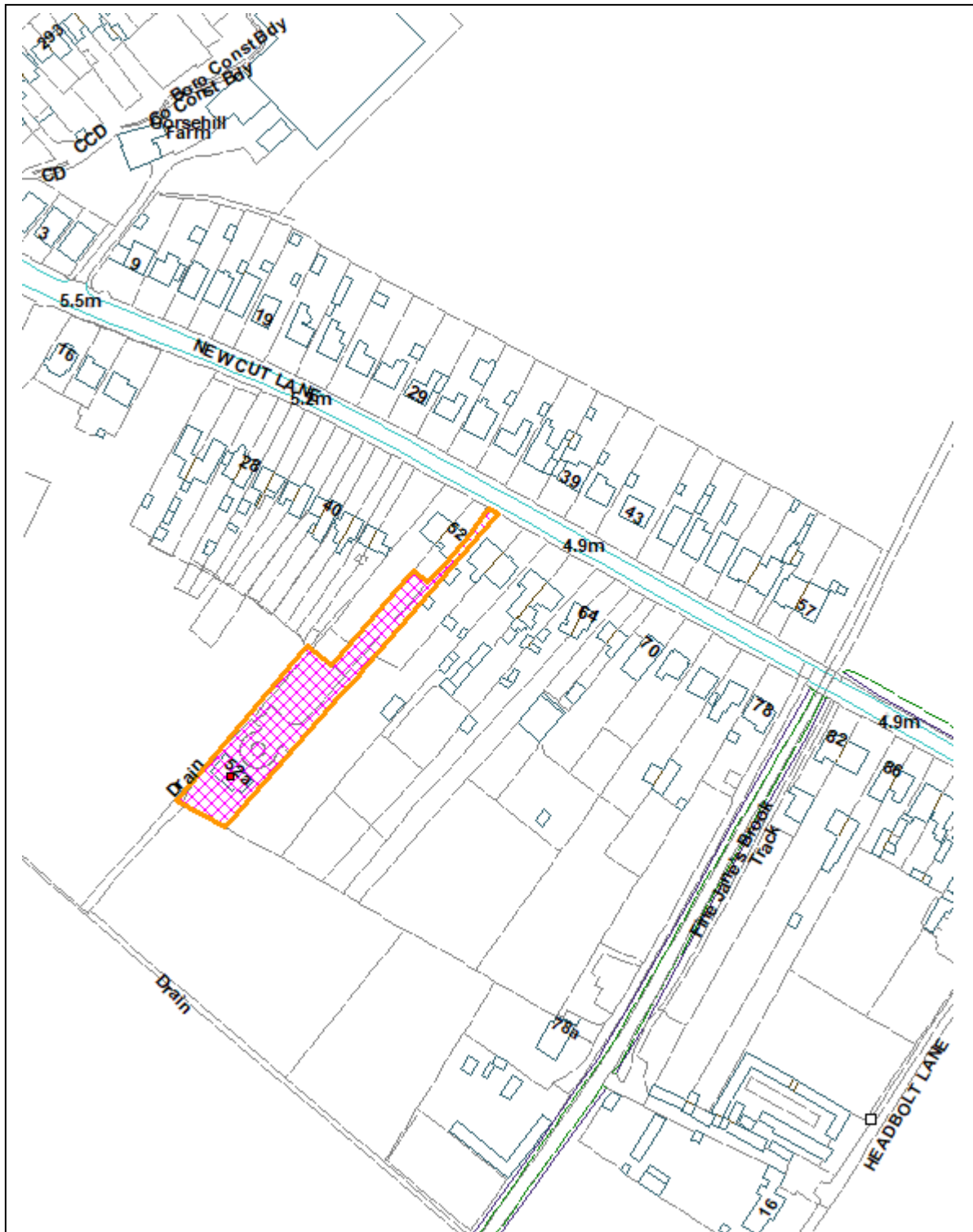
Barn Lodge Veterinary Hospital Clinic, 54A Southport Road, Ormskirk, L39 1LX.



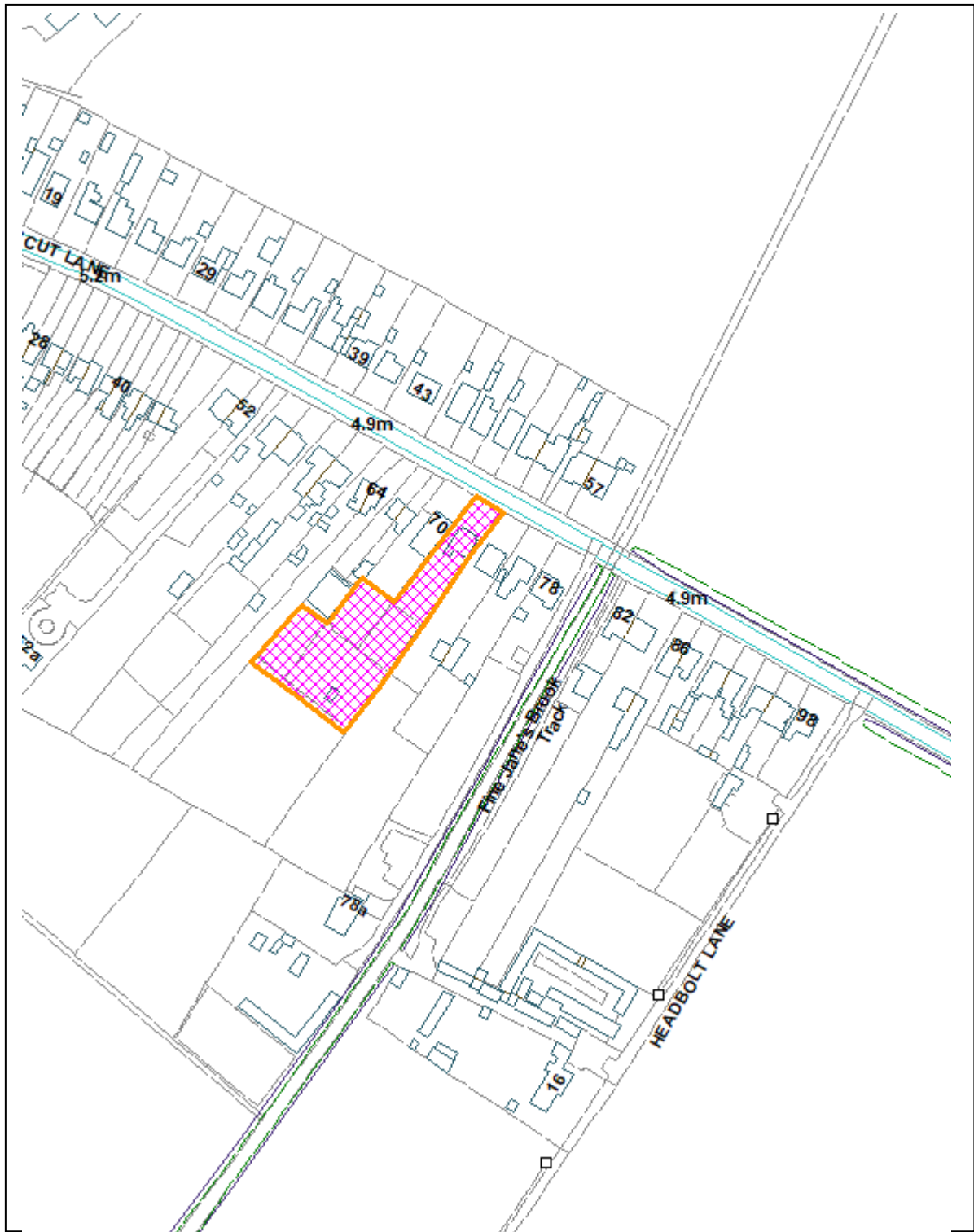
Former Hunter And Sons Warehouse, Moorgate, Ormskirk, L39 4RT.



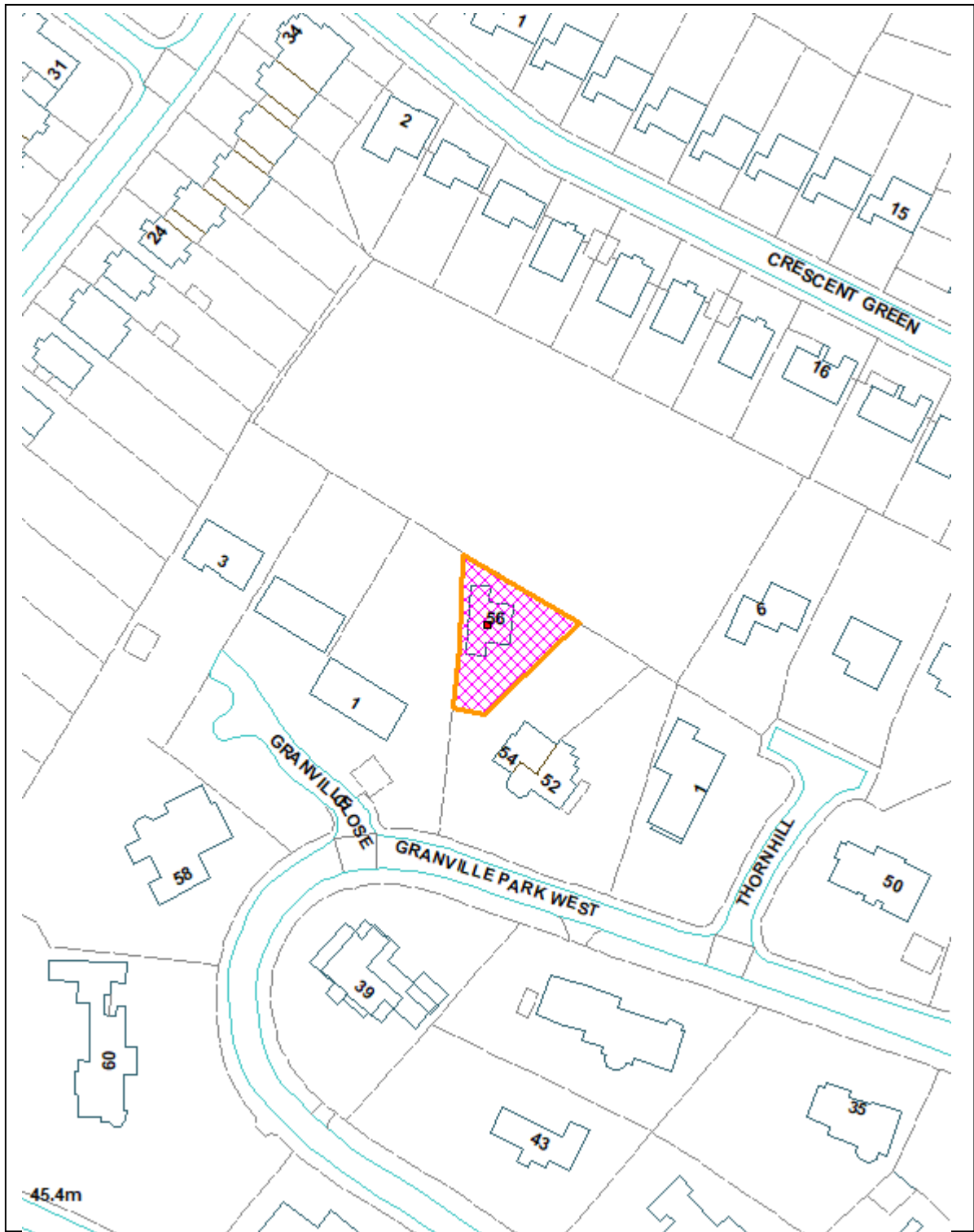
52A New Cut Lane, Halsall, PR8 3DW.



72 New Cut Lane, Halsall, PR8 3DW.



56 Granville Park West, Aughton, L39 5HS.



No.1	APPLICATION NO.	2019/1003/FUL
	LOCATION	Barn Lodge Veterinary Hospital Clinic 54A Southport Road Ormskirk Lancashire L39 1LX
	PROPOSAL	Installation of hardstanding (3m x 3m) and the installation of an incinerator.
	APPLICANT	Barn Lodge Veterinary Hospital Clinic
	WARD	Scott
	PARISH	Unparished - Ormskirk
	TARGET DATE	17th January 2020

1.0 **REFERRAL**

- 1.1 This application has been called in for consideration at Planning Committee by Councillors Thompson and Delaney who raise concerns in respect of impacts upon neighbouring amenity and health & safety. The application relates to full planning permission for an incinerator.

2.0 **SUMMARY**

- 2.1 The application is for the installation of an incinerator in connection with the existing veterinary practice and is considered to be acceptable in principle. I consider the design of the incinerator to be acceptable and, subject to restrictive conditions, do not consider the development would result in unacceptable harm to either the residential amenity of neighbouring properties or the visual amenity of the surrounding area. Ecology and highway impacts are considered to be acceptable. The proposed development is considered to be compliant with the NPPF and relevant policies in the West Lancashire Local Plan.

3.0 **RECOMMENDATION - APPROVE with conditions**

4.0 **THE SITE**

- 4.1 The application site is an existing veterinary practice/hospital located on the northern side of Southport Road to the rear of no's.54 and 56 Southport Road. There is residential accommodation in the main living areas of Nos 54/56 which is currently used by veterinary staff. Malthouse Business Centre is to the rear of the site and properties fronting onto Southport Road are residential.
- 4.2 Pedestrian and vehicular access is taken from an access point between no's.52 and 54 Southport Road. Parking is provided to the front, eastern side of the building and to the rear.

5.0 **PROPOSAL**

- 5.1 The application seeks planning permission for the installation of an incinerator and hardstanding (3m x 3m) to the rear (parking area) of the existing veterinary practice building. The veterinary surgery/hospital operates as the main headquarters of 4 other local surgeries in the same group practice.
- 5.2 The incinerator comprises a primary chamber and secondary burning chambers which are encased in a corrugated sheet metal shelter similar to a small container. The footprint of the proposed development will be 3 metres by 3 metres with a ridge height of 3.2 metres

and the external stainless steel chimney would have a height of 6.6 metres (0.4m diameter). The incinerator will be located to the rear of the veterinary practice.

- 5.3 The applicant indicates that the incinerator would be in use for approximately 4 hours within a calendar week, which would likely to be divided into two burns of 2 hours per week. The incinerator would only be in use during daytime hours between 9am to 5pm Monday to Friday. There will be no cremations taking place on the weekend or bank / public holidays. The applicants have assessed the weight of material to be cremated to be approximately 200kg per week. The proposed incinerator has a burn rate of 50kg per hour making a burn time of 4 hours. The incinerator will burn animal waste from the other surgeries in the group practice. The practice currently contracts cremation out to an off-site facility in Leyland.

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 2000/1238 Display of illuminated advertisement sign GRANTED 21.06.2001.
- 6.2 2000/1237 Alterations to vehicular/pedestrian access arrangements and provision of car parking facilities GRANTED 18.04.2001.

7.0 OBSERVATION OF CONSULTEES

- 7.1 Environmental Health Officer - No objections in principle subject to the imposition of safeguarding conditions (09.01.2020, 02.06.2020, and 23.06.2020).
- 7.2 Highway Authority - No objections (18.12.2019).

8.0 OTHER REPRESENTATIONS

- 8.1 Neighbour representations have been received by the Council and the concerns raised are summarised as follows:

Air pollution;
Odours;
Inappropriate development;
Noise and smoke;
Eyesore and harmful to visual amenity;
Unsuitable location;
Impact on protected species; and
Human health risks.

Other comments have been raised in neighbour representations which do not relate to material planning considerations.

9.0 SUPPORTING INFORMATION

- 9.1 Manufacturer's Specification (i8-55A Animal Incinerator) (07.10.2019)
Panoramic View (22.11.2020)
Visual Impact (22.11.2020)
Burner Noise Levels (22.11.2020)
Photographs (22.11.2020)
Further Information including Burner Noise Levels (13.01.2020)
D1 Calculations (air quality) (24.02.2020)
Noise Assessment (01.05.2020)

10.0 RELEVANT PLANNING POLICIES

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

10.2 The application site is located within the Key Service Centre of Ormskirk with Aughton as designated within the West Lancashire Local Plan 2012-2027.

10.3 National Planning Policy Framework (NPPF)

Building a strong, competitive economy
Achieving well-designed places
Conserving and enhancing the natural environment

10.4 West Lancashire Local Plan (2012-2027) (DPD)

SP1 - A Sustainable Development Framework for West Lancashire
GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
IF2 - Enhancing Sustainable Transport Choices
EN2 - Preserving and Enhancing West Lancashire's Natural Environment

10.5 Supplementary Planning Document (SPD)

Design Guide (January 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Assessment

11.1 The main considerations for assessment of this application are:

Principle of Development
Design and visual impact
Impact on neighbouring properties
Impact on parking and highway safety
Ecology

Principle of Development

11.2 The site is located within the settlement boundaries of Ormskirk and the proposed incinerator would be used in connection with the existing veterinary practice which operates on site. Policy GN1 advises that within settlement boundaries, development on brownfield land will be encouraged, subject to other relevant Local Plan policies being satisfied. Therefore the principle of an incinerator in this location is acceptable, provided the development is in compliance with other Local Plan policies.

Design and Visual Impact

11.3 Policy GN3 in the Local Plan requires that development have regard to visual amenity and be sensitively designed to take account of the characteristics of its surroundings. The incinerator's external stainless steel chimney would have a maximum height of 6.6 metres (0.4m diameter) and would be the most visually prominent part of the proposed development. However the incinerator and its chimney would be located to the rear of the

existing veterinary practice building and would be screened from Southport Road due to the presence of the existing veterinary practice. Given the height of the commercial units to the rear in Malthouse Business Centre, I do not consider that the proposed development would have a detrimental impact on the character of the area.

- 11.4 Whilst I note objections from local residents based on visual impact, the proposed structure would be sited in an enclosed space, bound by brick walls, the existing surgery and other outbuildings. Whilst glimpsed views may be obtained from neighbouring gardens of the chimney through existing spaces between buildings, it is not considered the visual appearance of the area will be harmed in any significant way.
- 11.5 Given the context of the existing built environment and the part commercial use, I do not consider that the proposed development would be detrimental to the visual amenities or character of the surrounding area and would be in accordance with Policy GN3 of the WLLP.

Impact on surrounding land uses and neighbouring properties

- 11.6 Paragraph 180 of the NPPF states that planning decisions should aim to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. Para 181 states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.
- 11.7 Policy GN3 of the Local Plan also requires that developments should retain or create reasonable levels of amenity for occupiers of neighbouring properties, minimise any reduction in air quality and minimise the risks from all type of pollution.
- 11.8 The nearest residential properties to the application site are to the eastern and western boundaries on the frontage of Southport Road. I note the letters of objections from local residents in relation to the impacts upon surrounding residential properties including air pollution, odours, noise and smoke, and human health risks. I have consulted with the Environmental Health Officer in relation to any potential environmental impacts.

Noise

- 11.9 The proposed incinerator would be used for animal by-products only and would be in operation for a limited number of hours per week between 9am to 5pm Monday to Friday. The incinerator would be fuelled by mains gas and comprise 2 burners with air fans built into the burners. The main source of noise from the incinerator is from the two fans which will be operation whilst the incinerator is in use. The incinerator would be located inside within a vented shelter and the Environmental Health Officer has studied in detail the type of incinerator to be used and the details supplied in the accompanying noise report.
- 11.10 The Environmental Health Officer has advised that they have no objections to the development having reviewed the noise assessment, which indicates that noise from the incinerator would not be above guideline noise levels in residential gardens. Conditions are recommended to ensure this remains the case.
- 11.11 Subject to the conditions to limit noise levels, restrict hours of use and ensure that the incinerator is operated in accordance with the manufacturer's instructions I am satisfied that the proposal would not cause unacceptable levels of noise disturbance and accords with the requirements of Policy GN3 of the WLLP.

Odours/fumes/air quality

- 11.12 The incinerator would comply with Department for Environment, Food and Rural Affairs-DEFRA regulations for animal health and the model proposed for this project is also listed as 'type approved' on the DEFRA website. The operations of the incinerator in respect of odours/fumes is inspected annually by the Animal & Plant Health Agency - APHA (an executive agency of the DEFRA) who will inspect the electronic recordings for each burn which are automatically recorded in the secure integral software. Services are mandatory and monitored by APHA.
- 11.13 The Council's Environmental Health Officer has reviewed the application and is of the view that there will be no unacceptable pollution impacts subject to the flue being 6.6 metres in height, as shown on the submitted plans.
- 11.14 The National Planning Policy Framework paragraph 183 advises that the focus of planning decisions should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions, where these are subject to separate pollution control regimes. Furthermore the Planning Policy Guidance; Use of planning conditions states that: Conditions requiring compliance with other regulatory regimes (e.g. Building Regulations, Environmental Protection Act) will not meet the test of necessity and may not be relevant to planning. In this regard I am satisfied that the Animal & Plant Health Agency have suitable powers to monitor and control any emissions of odour or fumes. Given the level of use of the incinerator and these controls I do not consider that the development would a significant impact on air quality and thereby meets the requirement of the NPPF and Policy GN3 of the WLLP.
- 11.15 I note concerns from adjoining residents that the proposed incinerator will have a significant impact on their residential amenity. The impact of the noise, and fumes have been carefully considered and found to be acceptable. Having assessed the siting of the proposed development in relation to the nearby residential properties, I do not find that the proposed development would be overbearing to surrounding properties, given the slimline nature of the flue. I am therefore of the view that the development, subject to restrictive conditions, would not result in harm to the amenities of nearby residents sufficient to warrant a refusal of planning permission.

Impact on parking and highway safety

- 11.16 Policy GN3 in the Local Plan indicates that development should generally provide a level of on-site car parking commensurate with the proposed use and the Council's car parking standards in Appendix F of the Local Plan. The application site has a mixed use as residential accommodation for members of practice staff, an animal hospital and veterinary practice. There are no specific car parking standards attributable to a mixed use of this nature.
- 11.17 The site provides parking at the front (largely for resident veterinary staff) and staff and visitor parking to the side and rear. The proposed development affects 2 staff parking spaces but can be reconfigured so that only one space is lost. The Ormskirk site is the hub of the veterinary practice and some staff who work in the other surgeries live at the Ormskirk site. Staff travel to the branch practices at 8.30 in the morning and return at 6pm so their vehicles are not on the Ormskirk premises during the working day when the Ormskirk surgery is open. The applicant indicates that this frees up on site parking spaces for customers. The practice operates on an appointment basis and the applicant indicates that even with the loss of a small proportion of the available on site parking, there would still be space on site for both customer and staff parking.

- 11.18 The applicant also indicates that the development would reduce the number of vehicular movements to the site because at present carcasses are collected on a daily basis for off-site disposal. This would cease if the application were approved. Whilst material from across the practices would be incinerated on site, this would not result in an increase in vehicular movements as waste would be brought to site in the vehicles which are traveling back to Ormskirk at the end of each working day.
- 11.19 I have sought the advice of LCC Highways who have raised no objections to the proposed development. They consider that the proposed development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the application site. The proposed development would result in the loss of one vehicle parking space, given the operation of the practice, I am satisfied that adequate parking for visitors and staff can be achieved within the confines of the application site given the level of vehicular use and activity. I therefore consider that the proposal meets with the requirements of Policies GN3 and IF2 of the WLLP.

Ecology

- 11.20 Policy EN2 of the WLLP states that where there is reason to suspect that there may be a priority species, or their habitat, on or close to a proposed development site, planning applications should be accompanied by a survey assessing the presence of such species and, where appropriate, making provision for their needs. This allows the LPA to screen the project against the Habitats Regulations and relevant national and local policy.
- 11.21 Noting the nature of the site, which is a hard-surfaced yard to the rear of a commercial area, I do not consider that ecology surveys are required as there would be no tree or vegetation loss as a result of the proposed development. Whilst local residents have indicated that there may be bat activity in the vicinity of the site, it is unlikely that the species will be significantly impacted by the proposed development, particularly given the restricted hours of operation of the proposed incinerator.

12.0 CONCLUSION

- 12.1 Overall I consider that the installation of an incinerator to the rear of the existing veterinary practice building would satisfactorily meets the requirements of Policies SP1, GN1, GN3, IF2 and EN2 of the West Lancashire Local Plan 2012-2027 DPD and should be recommended for approval.

13.0 RECOMMENDATION

- 13.1 That planning permission be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference plans (elevation drawings);
received by the Local Planning Authority on 01.06.2020.
Plan reference site location plan;

received by the Local Planning Authority on 22.11.2019.

Make and model of incinerator: i8-55A shown on INCINER8 brochure received by the Local Planning Authority on 07.10.2019

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

3. The incinerator shall be used by Barn Lodge Veterinary Group Practice only and shall not be used by other veterinary practices or to offer private pet cremations to the public.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
4. The incinerator shall only be used between the hours of 0800 and 1800 hours Monday to Fridays, 0800 to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. The incinerator shall be used for a maximum 6 hours per calendar week. A record detailing the times of incinerator use shall be kept and be made available for inspection at any time by the Local Planning Authority.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The level of noise emitted from the operation of the incinerator shall not exceed 55 dB LAeq, 1hr between (08:00) and (18:00) Monday to Fridays, and between (08:00) to (13:00) on Saturdays, as measured in free-field conditions within the residential gardens of properties on Southport Road.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
7. The chimney height of the incinerator shall be 6.6m in height from the ground level.
Reason: To ensure that the external appearance of the incinerator and chimney is acceptable and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
8. The incinerator shall be operated as per the manufacturer's operating instructions (Make and model of incinerator: i8-55A shown on INCINER8 brochure received: 07.10.2019) to ensure that emissions from combustion processes in normal operation shall be free from visible smoke and ensure controlled air distribution for a clean odourless emission.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
9. The incinerator shall be housed in a container as shown on INCINER8 brochure received: 07.10.2019. Any doors to such container shall be kept closed at all times whilst the incinerator is in operation.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
10. Prior to the incinerator being installed plans showing details of the revised areas for the movement, loading, unloading and parking of staff and visitor vehicles shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until such areas have been provided, constructed and surfaced in complete accordance with the approved plans. These areas shall be retained at all times thereafter.

Reason: These details are required prior to the installation of the incinerator to ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:

SP1 - A Sustainable Development Framework for West Lancashire

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

IF2 - Enhancing Sustainable Transport Choices

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

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

No.2	APPLICATION NO.	2020/0263/OUT
	LOCATION	Former Hunter And Sons Warehouse Moorgate Ormskirk Lancashire L39 4RT
	PROPOSAL	Outline Planning Permission for the erection of 2 no. blocks (part two, part two and a half storey and three storey development with parking), so as to provide up to 31 No. units of residential accommodation (C3) including details of access, layout and scale. (all other matters reserved).
	APPLICANT	Mr Adam Mitty
	WARD	Knowsley
	PARISH	Unparished - Ormskirk
	TARGET DATE	14th August 2020

1.0 REFERRAL

- 1.1 This application was to be determined under the Councils delegation scheme, however, Councillor Mitchell has requested that it be referred to Planning Committee to consider the height of the development and landscaping.

2.0 SUMMARY

- 2.1 The site relates to a former builders yard, currently used for leisure uses, on the east site of Moorgate at its junction with Bridge Street. The proposal is an outline application for residential development with details of access, layout and scale submitted for approval. Residential development is acceptable in this part of Ormskirk subject to the provision of 35% affordable housing. I consider that, in this location, a residential development to be a more appropriate long term use of the site than a commercial activity. In respect of the specific circumstances of the application I consider the benefits of developing the land for housing to outweigh any concerns over the loss of employment use. The number of apartments and the height of the developments has been amended so I now consider scale and layout for 31 apartments to be acceptable. I am satisfied that a residential development is capable of being designed in accordance with the requirements of Policy GN3 so as not to cause significant harm to visual or residential amenity and to provide acceptable access and parking arrangements.

3.0 RECOMMENDATION: APPROVE subject to conditions and a S106 Agreement.

4.0 THE SITE

- 4.1 The site relates to a former builders yard and part single storey commercial building on the northern part of the site which is attached to a two storey building formerly used as a builders merchants and bathroom/kitchen showroom on the southern part of the site. The buildings are currently under used for a variety of A2/D1/D2 uses incorporating a gym, exercise rooms and beauty salon and until recently an unauthorised A4 bar.
- 4.2 The two adjoined buildings have a combined floor area of 1486sqm. There is a car parking area to the north and south of the buildings which can each accommodate 18 and 14 car parking spaces respectively. There are an additional 21 car parking spaces at the front of the buildings. Moorgate is a one-way street and there are on-street

parking restrictions that permit parking for one-hour only during the hours of 8am to 6pm Monday to Friday.

- 4.3 The site lies approximately 30 metres to the south of Ormskirk Town Centre. To the north of the site is a village hall/guide hut, to the east is a railway line, to the west is West Lancs Wellbeing Centre (Age UK) and residential units on Moorgate and Bridge Avenue, and, to the south are residential properties and Moorgate Nursery School and Early Years Centre.

5.0 PROPOSAL

- 5.1 The proposal is an outline application for residential development with details of access, layout and scale submitted for approval with appearance and landscaping reserved for future determination. The plans were originally for a four storey development of 40 apartments. The application now seeks to establish whether 31 apartments can be developed on the site.
- 5.2 Revised access is created from Moorgate with 33 on site car parking spaces and cycle stands.
- 5.3 The amended plans now show 2 no. blocks of accommodation fronting Moorgate which are part two storey rising to two and a half storey and three storey at the junction and return to Bridge Street frontage.

6.0 SUPPORTING INFORMATION

- 6.1 The application has the following accompanying documents:

Planning Design and Access Statement
Commercial Condition and Feasibility Study
Ecological Appraisal
An Affordable Housing statement

7.0 CONSULTEE RESPONSE

- 7.1 LANCASHIRE CC (Highways) – (25/06/20) and (14/07/20) No objections in principle subject to conditions. The applicant has now provided a 6m radius at the proposed entrance and sight lines of 2.4 x 25m have been indicated in both directions from the centre of the new site access / drive onto Moorgate as requested.
- 7.2 United Utilities (14/02/19) No objections subject to conditions that the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
- 7.3 Network Rail (09/06/20) and (27/06/20) - Network Rail requests that the developer ensures there is a minimum 3m gap between the proposed building and the Network Rail land. The minimum gap is to allow for all construction works on site and any future maintenance to be carried out wholly within the applicant's own land ownership.
- 7.4 LANCASHIRE CC (School Planning Team) – (28/05/20) An education contribution is not required at this stage in regards to this development.

7.5 LANCASHIRE CONSTABUARY (19.05.20) – Crime and security issues should be integrated as early as possible into the design process. Recommend that this development is designed and built to Secured by Design standards.

8.0 OTHER REPRESENTATIONS

8.1 Objections received from neighbouring residential properties and uses raising the following concerns:

Scale and Appearance

- 4 storey out of keeping when Bridge House opposite is 3 storey at maximum;
- 2 storey more appropriate to character of area;
- 4 storey over dominant and incongruous;
- Plans for Bridge House were amended to reduce their height at application stage.

Traffic and parking

- Parking problematic and inadequate already on Moorgate;
- Inadequate parking for residents and visitors does not meet standards in Policy IF2;
- People already block drives and park on pavements on Moorgate;
- Concerns about safety for children using guide hut and senior citizens;
- Traffic speeds down Moorgate and drivers ignore one way signs;
- Proposed access arrangements will increase problems.

Residential amenity

- Required interface distances not achieved;
- Overlooking from too high building;
- Lighting and CCTV;
- Noise and pollution.

Consultation Process

- Inadequate number of local residents consulted.

Student accommodation

- Request controls/condition that future development is not allowed to be converted into student accommodation;
- Object to student accommodation as they cause noise disturbance at anti-social hours, and would therefore not be acceptable in this location.

9.0 RECENT RELEVANT PLANNING HISTORY

9.1 2020/0234/FUL Retention/installation of a generator WITHDRAWN

9.2 2019/0111/OUT Outline - Residential development consisting of apartments following demolition and site clearance including details of access (all other matters reserved).WITHDRAWN

- 9.3 2018/1006/FUL REFUSED (Jan 2019) Change of use to flexible use consisting of use classes A2, D1, D2 and A4 and alteration/extension of building to provide bar lounge and outdoor seating area.
- 9.4 E/2017/0210/UAU – Enforcement Authorised (8 October 2018) Without planning permission the change of use of land and building to a drinking establishment (A4 Use) and the erection of a building extension.
- 9.5 2015/0810/COU GRANTED (14.12.2015) Change of use from child's soft play centre to gym with beauty salon and separate building with flexible mixed usage of A2 / D1 & D2 (part retrospective).

10.0 RELEVANT PLANNING POLICIES

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

10.2 The site is located within a Key Service Centre (Settlement area) as designated in the West Lancashire Local Plan.

10.3 National Planning Policy Framework policies:

Building a strong, competitive economy

Achieving well-designed places

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

10.4 West Lancashire Local Plan (2012-2027) policies:

SP1 – A Sustainable Development framework for West Lancashire

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

GN4 – Demonstrating Viability

EC1 – The Economy and Employment Land

RS1 – Residential Development

RS2 – Affordable and Specialist Housing

IF1 – Maintaining Vibrant Town and Local Centres

IF2 – Enhancing Sustainable Transport Choice

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

10.5 Supplementary Planning Documents:

Design Guide (Jan 2008)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

11.1 The main material planning considerations for this application are:

Principle of Development – Residential Development

Principle of Development – Loss of Employment

Affordable housing and provision of accommodation for the elderly

Impact on visual amenity, layout, scale and character of the area

Implications for surrounding residents and adjoining land uses

Highways, Access and Parking

Ecology
Drainage
Contamination

Principle of Development – Residential Development

- 11.2 The site is located in a mixed use area on the edge of Ormskirk Town Centre with largely residential properties to the south, west and east of the site. Subject to meeting the requirements for affordable housing set out in Policy RS2, residential development would be an appropriate use in the Key Service Centre of Ormskirk.

Principle of Development – Loss of Employment

- 11.3 The main policy concern in relation to this proposed development is the loss of land in a commercial / industrial use. Policy EC1 of the WLLP states that *The redevelopment of existing individual employment sites (B1,B2 and B8) for other uses will be considered where a viability case can be put forward (in line with Policy GN4).*

- 11.4 Policy GN4 sets out what is expected from applicants who propose a change of use away from commercial / industrial uses to demonstrate that the loss of this use is acceptable. The Policy requires applicants to demonstrate that one of the following tests has been met:

a) the continued use of the site/premises for its existing use is no longer viable in terms of its operation of the existing use, building age and format and that it is not commercially viable to redevelop the land or refurbish the premises for its existing use. In these circumstances, and where appropriate, it will also need to be demonstrated that there is no realistic prospect of a mixed-use scheme for the existing use and a compatible use; or

b) the land/premises is no longer suitable for the existing use when taking into account access/highway issues (including public transport), site location infrastructure, physical constraints, environmental considerations and amenity issues. The compatibility of the existing use with adjacent uses may also be a consideration; or

c) marketing of the land/property indicates that there is no demand for the land/property in its existing use.

- 11.5 It is considered that an overall shortage of employment land in West Lancashire provides a suitably strong economic reason why an application for the change of use of a commercial / industrial site such as this to residential should only be permitted once viability and marketing evidence has been provided by the applicant to show that the continued use of the site for employment uses would not be a viable option. In addition, the Local Plan does make available sufficient land in the Borough to meet the housing needs of West Lancashire.

- 11.6 The applicants have produced a Building Conditions Survey and Feasibility Report and an Employment Statement which puts forward the following case for residential development:

due to the age and condition of the building, its internal configuration and remedial works required, it would not be commercially viable to refurbish the existing premises for commercial use;

the need for housing in West Lancashire;
a precedent already being set – flats replacing a Council employment building opposite;
the non-viability of secure employment on a long-term permanent basis as demonstrated by previous and current tenants' inability to continuously pay market rent;
the non-renewal of lease in 2020 due to continuous breaches;
the costs of repair outweighs viable need of this building.

- 11.7 The site has had a mix of uses since the builders merchants/bathroom showroom closed in 2009. The two storey building was granted permission for a children's play centre in part of the building. This operated until late 2014 when it closed and the building was left vacant. Retrospective permission was granted in 2015 for a mixture of A2/D1/D2 uses incorporating a gym, exercise rooms and beauty salon. The yard and part of the single storey commercial building to the north operated as an unauthorised bar which has been refused planning permission and enforcement action authorised.
- 11.8 The applicants have produced a Building Conditions Survey which largely demonstrates that it would not be commercially viable to refurbish the existing premises for commercial use as required by part a) of GN4. However the applicants have not looked at whether it is commercially viable to redevelop the land for commercial/employment use. The buildings are currently under used, albeit with some employment use, for a variety of A2/D1/D2 uses and they do not appear to have been used for commercial B1, B2 and B8 uses for over 10 years. The site is located on the edge of the Town Centre but it adjoins a residential area and lies opposite residential properties. A successful B1, B2 and B8 use may generate amenity concerns within the wider residential area. It is in this context that I consider that, in this location, a residential development to be a more appropriate long term use of the site than a commercial activity. In respect of these particular circumstances I consider the benefits of developing the land for housing to outweigh any concerns over the loss of employment use.

Affordable housing and provision of accommodation for the elderly

- 11.9 Provision of 35% affordable housing is required on the site under the terms of Policy RS2 of the Local Plan. The applicants have confirmed that they are happy to enter into a S106 legal agreement to provide 35% of the number of apartments for affordable housing and have exchanged contracts with Jigsaw Housing Group, a Social Housing provider.
- 11.10 Policies RS1 and RS2 require that 20% of new residential units should be suitable for the elderly. Supporting documentation for this application indicates that 10% of units would be wheelchair accessible. The accompanying Design and Access Statement indicates that: "all of the new apartments within the scheme will be designed and equipped to "Lifetime Homes" standards. The standards employed for both design and construction of the dwellings will allow for the flexible needs of the occupants enabling residents that develop challenges caused by disability to remain within the community".
- 11.11 There are 9 ground floor apartments proposed which would potentially be suitable for elderly provision. I am satisfied given the applicant's commitment that this could be dealt with in the legal agreement and would satisfy the requirements of RS1 part e) in respect of 20% elderly housing provision.
- 11.12 I consider subject to a legal agreement that the proposed development meets the requirements of Policy RS2 in relation to affordable housing and provision of accommodation for the elderly.

Layout, scale and character of the area

- 11.13 Policy GN3 of the West Lancashire Local Plan (2012-2027) states that all development should be of high quality design in keeping with the West Lancashire Design Guide SPD and have regard to visual amenity and compliment or enhance attractive attributes and local distinctiveness through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatments.
- 11.14 The plans were originally for a four storey development of 40 apartments. The application, in outline form, now seeks to establish whether 31 apartments can be developed on the site. The plans have been amended in relation to scale and layout. The revised plans now show 2 no. blocks of accommodation fronting Moorgate which are part two storey rising to two and a half storey and three storey at the junction and return to Bridge Street frontage. The buildings have also been set further off Bridge Street to provide an enhanced landscape strip which is similar to that provided on Bridge House opposite. Whilst there is a mixture of heights and development types on Moorgate the buildings are more generally of 2 storeys. However on the opposite corner of Moorgate, Bridge House is essentially of a 3 storey design at its corner with Bridge Street. I consider therefore that part of the proposed development rising to this 3 storey height is appropriate and not out of character with the surrounding area. Whilst appearance is a reserved matter I am now satisfied that the site can be developed for 31 apartments in compliance with requirements of Policy GN3.

Implications for surrounding residents and adjoining land uses

- 11.15 Paragraph 180 of the NPPF states that planning decisions should aim to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. Policy GN3 of the Local Plan states that developments should ‘retain reasonable levels of privacy and amenity for occupiers of the neighbouring and proposed properties.’
- 11.16 There are residential properties opposite the site on Moorgate and along Bridge Street, on Bridge Ave to the northwest and on Moss View on the eastern side of the railway line. The existing use incorporating a gym, exercise rooms and beauty salon has given rise to complaints in respect of noise and out of hours activity and a successful reuse for a B1, B2 and B8 use may generate amenity concerns within the wider residential area. Whilst appearance and landscape are reserved matters it is possible to design an acceptable residential scheme without detriment to surrounding uses. The applicant has demonstrated that acceptable windowed spatial separation of 21.5m can be provided across Moorgate.
- 11.17 Whilst concerns have been raised by nearby residents that the development may be occupied by students there is no indication that the accommodation is to be for students. It would not be reasonable without seeing any detailed design to restrict by condition occupation by any particular client group.
- 11.18 The premises adjoin on its eastern boundary the Ormskirk to Liverpool Rail line which is in cutting at this point. Any residential scheme will need to be designed to ensure adequate noise protection measures to protect the amenities of future residents and this can be controlled by condition.

11.19 I am satisfied a residential development is capable of being designed in accordance with the requirements of Policy GN3 so as not to cause significant harm to the residential amenities of neighbouring and proposed properties.

Highways, access and parking

11.20 Policy GN3 of the Local Plan requires proposals for development to incorporate suitable and safe access and road layout design and ensure that parking provision is made in line with the standards set out in Policy IF2.

11.21 The site is located on the middle section of Moorgate, a link road and one way street (north) which has been separated into 3 sections by Park Road and Bridge Street. Moorgate has a 20mph speed limit fronting the site. There are parking restrictions (No Waiting at any time) on both sides of the carriageway with 35m of limited parking (1hr no return within 4hrs Mon-Sat 8am-6pm) fronting the site.

11.22 The site access layout now demonstrates that sight lines of 2.4 x 25m can be provided in both directions from the centre of the new site access / drive onto Moorgate and that the access into the site allows appropriate access for cars and twin axel refuse vehicles.

11.23 LCC Highway Development Support has no objection in principle to the proposed residential development subject to conditions and is of the opinion that the proposed development should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

11.24 The layout plan show that there is parking for 33 cars plus extensive cycle provision and bin storage. Whilst I note the concerns from residents that this does not meet the parking standards set out in Policy IF2 the policy allows some flexibility subject to local circumstances. The site is located on the edge of Ormskirk Town Centre and is within easy walking distance of local amenities and transport facilities (bus and train station). Under these circumstances I consider the level of parking to be acceptable.

11.25 I consider that the proposed development has demonstrated that access and parking is acceptable and is considered to be in accordance with the requirements of Policy GN3 and IF2 of the Local Plan.

Ecology

11.26 Policy EN2 seeks to avoid impacts on significant ecological assets and protect and improve the biodiversity value of sites. If significant impacts on biodiversity are unavoidable, then mitigation or as a last resort, compensation, are required to fully offset impacts.

11.27 The applicants have undertaken a Bat Survey – Preliminary Roost Assessment which identified that the buildings have a negligible likelihood of supporting roosting bats. I consider that there are likely to be no impacts on protected species as a result of the proposed development and it complies with Policy EN2 in the Local Plan.

Drainage

- 11.28 It is a requirement of Policy GN3 that new development does not result in unacceptable flood risk or drainage problems. The information from the Environment Agency Maps has determined that the site is located within Flood Zone 1.
- 11.29 The foul sewerage for the proposed houses is capable of being disposed of via the main sewer and the applicant has indicated that surface water will be disposed of by a sustainable drainage system. Whilst no details of either system have been submitted the proposed drainage arrangements are capable of being the subject of pre-commencement conditions which will require the submission of further details.

Contamination

- 11.30 It is a requirement of the NPPF under paragraphs 178-179 that the applicant demonstrates to the satisfaction of the Council that the application site is safe, stable and suitable for development
- 11.31 The site may be contaminated by virtue of its past use as former railway sidings and therefore a condition relating to land contamination requiring investigation and remediation could be attached if any consent was to be granted.

12.0 CONCLUSIONS AND SUMMARY

- 12.1 The proposal is an outline application for residential development with details of access, layout and scale submitted for approval. The access arrangements and parking arrangements are acceptable and the proposed development would have a negligible impact on highway safety and highway capacity. The principle of residential development is also acceptable in this part of Ormskirk subject to the provision of 35% affordable housing required by Policy RS2. Whilst appearance is a reserved matter I am now satisfied that the site can be designed for 31 apartments to a scale and layout which is in character with the local area.
- 12.2 I am also satisfied that a residential development is capable of being designed in accordance with the requirements of Policy GN3 so as not to cause significant harm to the residential amenities of neighbouring and proposed properties. I consider that, in this location, a residential development to be a more appropriate long term use of the site than a commercial activity. In respect of the specific circumstances of the application I consider the benefits of developing the land for housing to outweigh any concerns over the loss of employment use and is therefore acceptable in relation to Policy GN4

13.0 RECOMMENDATION

- 13.1 That the decision to grant planning permission be delegated to the Corporate Director of Place and Community in consultation with the Chairman or Vice Chairman of the Planning Committee subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 to secure:

Delivery, terms and conditions of the affordable housing units
Provision of specialist housing for the elderly

- 13.2 That any planning permission granted by the Corporate Director of Place and Community pursuant to recommendation above be subject to the following conditions:

Conditions

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. Before any part of the development hereby granted permission is commenced, approval shall be obtained from the Local Planning Authority with respect to the reserved matters, namely (the appearance and landscaping including details of landscape management and maintenance** (hereinafter called "the reserved matters").
Reason: The application is in outline form only and the matters referred to in the condition are reserved for subsequent approval by the Local Planning Authority.
3. The development hereby approved shall be carried out in accordance with details shown on the following plans:
 - Plan reference 252_050_019
 - Site location Plan 000
 - Existing Site Plan 500
 - Proposed Site layout 003b
 - Proposed Scale and Massing Elevations 004b
 - Proposed Elevations 352breceived by the Local Planning Authority on 31 July 2020
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. Prior to any part of the development hereby permitted taking place a scheme showing the areas for a site compound including the siting of office, storage of plant and materials and measures to prevent the transfer of mud out of the site shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be implemented while any demolition/construction works are in operation.
Reason: These details are required prior to the commencement of development in order to protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document
5. No development on the construction phase shall commence until details of the design of the surface water drainage system, based on sustainable drainage principles, have been submitted to and approved in writing by the Local Planning Authority. Those details shall be submitted as part of any reserved matters approval and should include:
 - a) A drainage strategy confirming the proposed means of surface water disposal together with a SuDS management and maintenance plan, if applicable;
 - b) Evidence of the existing site topography to include any existing surface water flow routes, drains, sewers and watercourses in a readable 3D Autocad .drawing format;

- c) Evidence of site investigation, test results to confirm soil infiltrations rates and calculations to indicate existing SW runoff rates and volumes;
- d) Demonstration that SW run-off will not exceed pre-development run-off rates and volumes and, for formerly developed land, that the requisite reduction in runoff will be achieved;
- e) Demonstration that existing natural land drainage water (e.g. spring water, ground water or surface runoff) from surrounding areas that enters the site is managed in such a way to have no material impact by leaving the site in terms of nuisance (e.g. exacerbation of existing flooding) or damage;
- f) Design calculations using relevant storm periods and intensities (e.g. 1 in 30 and 1 in 100 year + agreed allowance for climate change), runoff discharge rates and volumes (both pre and post development), facilities for temporary storage, the methods employed to delay and control SW 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 metres AOD;
- g) Evidence that flood flows will be effectively managed within the site during the lifetime of the development including the construction period, will have no material impact by leaving the site in terms of nuisance or damage, or increase watercourse flows during periods of river flooding;
- h) In addition to the normal printed input/output files supporting calculations for existing discharge rates (if applicable) and drainage proposals are to be submitted in an electronic format suitable for use in MicroDrainage software (e.g. mdx file format). Any flow control details should be modelled using the Depth/Flow Relationship for the Control Type for MicroDrainage version 2015 or earlier;
- i) Existing and proposed 3D level data submitted in a suitable format i.e. CSV or Autocad .drawing; and
- j) Existing and proposed catchment areas in a suitable format i.e. Autocad drawing.

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

Before any dwelling is occupied / the building is first brought into use, a validation report (that demonstrates that the drainage scheme has been carried out in accordance with the approved plan) must be submitted to the Local Planning Authority.

The approved drainage system shall be retained, managed and maintained in accordance with the approved details at all times for the duration of the development.

Reason: These details are required prior to the commencement of development to ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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. The reserved matters submission in respect of the siting of the proposed (buildings) (dwellings) shall include sections across the site. The sections shall indicate existing and proposed ground levels together with finished floor levels of any (dwellings) (buildings) through which the sections run and shall extend beyond the site boundaries to include any surrounding adjacent properties. The development shall thereafter be implemented in accordance with the approved details and method of construction.

Reason: To ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No development approved by this permission shall be commenced until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to and agreed in writing by the Local Planning Authority:
- a. The contaminated land assessment shall include a desk study to be submitted to and approved in writing by the Local Planning Authority. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.
 - b. The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with current guidance and best practice. The identity of the person shall be notified to and be approved by the Local Planning Authority prior to the site investigations commencing.
 - c. A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any remediation works taking place. The Local Authority must have approved such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless any identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
 - d. Any approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance in accordance with a detail to be first agreed in writing by the Local Planning Authority. A suitably qualified person as first agreed in writing by the Local Planning Authority shall be present on site to supervise investigation and remediation works when such works are taking place. If during the works contamination is encountered which has not previously been identified then the Local Planning Authority shall be notified immediately and all works shall cease pending the submission of additional information on the nature of the contamination and proposals as to how the contamination shall be fully dealt with and an appropriate remediation scheme shall be agreed in writing with the Local Planning Authority and carried in accordance with agreed timescales.
 - e. Prior to the first occupation of the building on site a closure and validation report shall be submitted to and approved in writing by the Local Planning Authority.

The closure and validation report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: These details are required prior to the commencement of development to prevent harm to public health, to prevent pollution of the water environment

and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

8. The development hereby approved shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans drawing number Proposed Site layout 003b received by the Local Planning Authority on 31 July 2020.
Reason: 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 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
9. The development hereby approved shall not be occupied until the access drive for the first 5m from the highway is surfaced in bituminous or cement bound materials, or otherwise bound.
Reason: In the interests of highway safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
10. No part of the development shall be occupied until all the highway works including the closure and reinstatement of footpath of existing two access points on Moorgate and additional "One Way" signage within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority.
Reason: In the interests of public & highway safety and the appearance & character of the streetscape and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
11. The development hereby permitted shall not be brought into use until the areas for the movement, loading, unloading and parking of vehicles have been provided, constructed and surfaced in complete accordance with the plans ref Proposed Site layout 003b received by the Local Planning Authority on 31 July 2020
These areas shall be retained at all times thereafter for the parking, turning and manoeuvring of vehicles.
Reason: To ensure that adequate on site vehicle parking/manoeuvring facilities are provided in the interests of highway safety and amenity, and to comply with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
12. Notwithstanding the details submitted no part of the development hereby permitted shall be occupied until a scheme for the provision of cycle and motorcycle parking, in accordance with the Council's current standards, has been submitted to and approved in writing by the Local Planning Authority.
The approved scheme shall be implemented for each plot/dwelling before any part of that development is brought into use and shall be retained as such thereafter.
Reason: To ensure that adequate provision is made for parking cycles and motorcycles on the site in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

13. Prior to the occupation of the building/use hereby approved at least 10% of the approved car parking spaces shall be marked out for use by electric vehicles, together with an adequate charging infrastructure and cabling for each marked bay, the details of which shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be implemented and thereafter retained in situ throughout the duration of the development.
Reason: In the interests of sustainability and air quality in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
14. A scheme for the protection of the proposed dwellings and gardens from noise from the adjoining rail line shall be submitted for the Local Planning Authority's approval with the reserved matters submission in respect of the external appearance of the dwellings/apartments. All habitable rooms shall be fitted with glazing and ventilation sufficient to achieve internal noise levels of 30 dB LAeq, 8hrs in bedrooms at night and 35 dB LAeq, 16hrs for living spaces during the day. Individual noise events should not exceed 45 dB LAFmax in bedrooms at night.
Works which form part of the approved scheme shall be completed for each affected dwelling before the dwelling is occupied.
Reason: To safeguard local residents from noise and disturbance, and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders ,specifically PART 20 Construction of New Dwellinghouses Class A - New dwellinghouses on detached blocks of flats, no works shall be carried out above the height of the existing roof unless on application to the Local Planning Authority, planning permission for such development has been granted.
Reason: The height of the proposed development has been reduced in scale and height during the application process. The character and location of the property are such that the Local Planning Authority wish to exercise control over the future development in respect of scale and height in order to protect residential and visual amenity, and to ensure an appropriate level of car parking to comply with the provisions of Policies GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
16. Notwithstanding the details shown on the approved drawings, no part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.
The details shall relate to all land surfaces not built upon and shall include:
- Land-levels and gradients resulting in the formation of any banks, terraces or other earthworks
- hard surfaced areas and materials,
- planting plans, specifications and schedules, planting size, species and numbers/densities, trees to be retained and a scheme for the timing / phasing of work.
- existing plants / trees to be retained
- A detailed regime for the ongoing and longer term maintenance of all soft landscaping is also required to be submitted for approval.

The approved landscaping works shall be implemented and completed prior to the occupation of the dwelling to which it relates unless otherwise agreed in writing by the Local Planning Authority.

Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 7 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 and EN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Notes

1. 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.
2. The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. 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 Highways and Transport Directorate for further information and advice by telephoning the Development Support Section on 0300 123 6780, or email lhscustomerservice@lancashire.gov.uk

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

GN4 - Demonstrating Viability

EC1 - The Economy and Employment Land

RS1 - Residential Development

RS2 - Affordable and Specialist Housing

IF1 - Maintaining Vibrant Town and Local Centres

IF2 - Enhancing Sustainable Transport Choice

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

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

No.3	APPLICATION NO.	2020/0158/OUT
	LOCATION	52A New Cut Lane Halsall Southport Lancashire PR8 3DW
	PROPOSAL	Outline - Three detached dwellings including details of access, layout and scale (all other matters reserved).
	APPLICANT	Mr Ray Barton
	WARD	Halsall
	PARISH	Halsall
	TARGET DATE	12th May 2020

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Mills has requested it be referred to Committee to consider the impact of cumulative effect of backland developments off New Cut Lane; loss of amenity to residents; highway safety/traffic generation; lack of infrastructure; and drainage/flood risk issues.

2.0 SUMMARY

- 2.1 I consider the principle of the proposed residential development is acceptable due to the designation of the land for housing under Policy RS1 of the WLLP. I consider that the proposed backland development is also acceptable in the context of the character of the local area. Although I am satisfied that the proposal would not cause significant harm to highway safety, ecology/biodiversity and drainage, I do have concerns in relation the impact upon the amenities of neighbouring properties as a result of the intensified use of the access track and future location of windows at Plot 1 resulting in overlooking implications. For this reason it is considered the development fails to comply with Policy GN3 of the WLLP.

3.0 RECOMMENDATION: REFUSE

4.0 THE SITE

- 4.1 The proposed development is on land to the rear of 52a New Cut Lane, Halsall. The land currently consists of a dwelling house (no. 52a) and associated amenity and hardstanding areas. There is an access road serving the existing dwelling which will be utilised to facilitate the development.

5.0 THE PROPOSAL

- 5.1 This application seeks outline planning permission for three detached dwellings including details of access, layout and scale (all other matters are reserved including appearance and landscaping).

6.0 PREVIOUS RELEVANT DECISIONS

- 6.1 None.

7.0 CONSULTEE RESPONSES

- 7.1 Environmental Health (07/04/2020) – No objections.

- 7.2 United Utilities (08/04/2020) – Recommends planning conditions.
- 7.3 Cadent Gas (19/03/2020) - Have identified apparatus in the vicinity of the proposed works. Lists requirements before works commence.
- 7.4 Highways Lancashire County Council (20/07/2020) – Recommends planning conditions.

8.0 OTHER REPRESENTATIONS

- 8.1 Objections have been received from neighbouring properties on the grounds of:

Impact of use of track on the adjoining properties, deflecting fences, water run off and potentially bridging of damp proof course;
Speed of vehicles using track road;
Errors in traffic report;
Bins only collected from New Cut Lane and impact of bins lined up on New Cut Lane;
The width of the access road/track is too narrow to provide access to the proposed properties and does not allow two vehicles to pass;
Impact of noise, vibration and pollution as a result of increased use of the access track;
Loss of privacy due to increased use of the track;
How will larger vehicles manoeuvre;
Further stress on water disposal;
Concerns about the impact that heavy piling will have on the surrounding properties;
Drainage concerns.

- 8.2 Halsall Parish Council (30/04/2020) and (03/07/2020) – Object on the grounds of:

Drainage;
Amenity;
Transport links;
Access, poor visibility and splay angles prevent safe vision on egress;
Fails to meet planning policies;
Excessive construction and dwellings in small settlement;
Change in character of the area;
Loss of privacy;
Loss of environment supporting wildlife;
Visibility splays;
Traffic safety;
No green space / play area.

9.0 SUPPORTING INFORMATION

- 9.1 Design & Access Statement and Planning Support Document
- 9.2 Ecology Survey and Assessment
- 9.3 Highways Technical Note
- 9.4 Noise Assessment

10.0 RELEVANT PLANNING POLICIES

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

The majority of this site is allocated under Policy RS1 (a) (viii) of the WLLP as being a Housing Allocation site (Land at New Cut Lane, Halsall).

Approximately 45m of the access track to the site and a small element of the proposed 'additional parking' area is located within the settlement area of Halsall, which is designated as a Rural Sustainable Village in the WLLP.

10.2 ***National Planning Policy Framework***

Delivering a sufficient supply of homes

Promoting sustainable transport

Achieving well-designed places

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Relevant West Lancashire Local Plan 2012-2026 (WLLP) policies:

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy RS1 – Residential Development

Policy IF2 – Enhancing Sustainable Transport Choice

Policy IF4 – Developer Contributions

Policy EN1 – Low Carbon Development and Energy Infrastructure

Policy EN2 – Preserving and Enhancing West Lancashire's Natural Environment

Supplementary Planning Document, Design Guide (Jan 2008)

11.0 **OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

11.1 The main areas of consideration in determining this application are:

Principle of Development;

Design and appearance of the development;

Impact upon neighbouring properties;

Highways;

Ecological considerations;

Drainage.

Principle of Development

11.2 The majority of this site is allocated under Policy RS1 (a) (viii) of the WLLP as being a 'Housing Allocation site' (Land at New Cut Lane, Halsall). Approximately 45m of the access track to the site and a small element of the proposed 'additional parking' area is located within the settlement area of Halsall, designated as a 'Rural Sustainable Village' in the WLLP.

11.3 Policy GN1 in the Local Plan confirms that the development proposals on greenfield sites within settlement boundaries will be assessed against all relevant Local Plan policies applying to the site, including, but not limited to, policies on settlements' development targets, infrastructure, open and recreational space and nature conservation, as well as any land designations or allocations. Policy RS1 confirms that residential development will be permitted within Rural Sustainable Villages on greenfield sites not protected by other policies, subject to the proposals conforming with all other planning policy. As mentioned above, the land to the north east of the application site is within the settlement boundaries so development on this land for residential purposes would be acceptable in principle.

- 11.4 With respect to the development to the rear of the site on land designated as a 'Housing Allocation site', Policy RS1 confirms that this site is specifically allocated for residential development and has the capacity for up to 150 dwellings. I am satisfied that the proposed development for three dwellings would not prejudice the delivery of this allocation on the wider site nor given the scale of development significantly impact on infrastructure/services in the area.
- 11.5 Therefore, the principle of development is acceptable subject to the proposals conforming to all other planning policy, as discussed below.

Design and external appearance of the development

- 11.6 Policy GN3 of the West Lancashire Local Plan DPD (2012-2027) states that new development should add to the distinctive character and visual amenity of the area. Proposals should consider the scale of new development and ensure that the height and massing is appropriate in relation to the neighbouring properties and the surrounding environment, and that the importance of spaces between buildings is recognised.
- 11.7 Backland development is not uncommon in this area - particularly given that the land to the rear of the New Cut Lane is allocated for housing within the Local Plan. Backland schemes have also been granted planning permission at 14a and 72 New Cut Lane.
- 11.8 The local area comprises of a mix of two-storey dwellings, dormer bungalows and true bungalows. Either side of the access entrance on the New Cut Lane frontage are bungalows. Abutting the northern corner of the proposed site are a row of two storey semi-detached dwellings and to the south west, within the application site, no. 52a is a two storey detached property. The applicant has produced street scene and massing drawings to demonstrate that the development will have a lower ridge height than the existing property, no.52a by approx. 950mm. Whilst I acknowledge that the dwellings are greater in height than the properties to the immediate frontage which are a bungalow / dormer bungalow (no. 52 and no.54), the proposed dwellings are also seen in the context of two storey properties within close proximity to the site including that of no. 52a (in the application boundaries) and that of no. 42 – 48 New Cut Lane (which are set back approx. 30m from the road) and 62 – 64 New Cut Lane.
- 11.9 Being mindful of the existence of other two storey development in the area and that the proposed development would be set back a minimum of approx 80m from the road, in this context I consider the scale of the development will be acceptable in the streetscape when viewed from New Cut Lane and respect the character of the area.
- 11.10 The size of the plots is considered to be acceptable. Plots 2, 3 and the existing property, no. 52a comply with residential space standards. Although Plot 1 falls short of the minimum garden length, measuring at approx. 8m – the width is generous at 15m. I consider the level of amenity space to be provided would be acceptable.
- 11.11 As this application is in outline format, no detail of design / appearance is required at this stage and an assessment is kept for a later reserved matters application. Interface distances within the site appear satisfactory however the location of any windows would be an important consideration which would be assessed during a reserved matters application. However although Plot 1 would not appear deficient in terms of external amenity space, I am concerned about the impact of its siting on the amenities of adjoining residential properties.

Impact upon neighbouring properties

- 11.12 Policy GN3 of the Local Plan states that new development must retain or create reasonable levels of privacy and amenity for occupiers of the proposed and neighbouring properties.
- 11.13 With respect to neighbouring dwellings the closest properties to the development are no.48 – 56 New Cut Lane, with no. 52 and no. 54 being adjacent to the site access. I note objections from neighbouring properties that have been received in relation to the proposals.
- 11.14 In terms of the siting / location of the dwellings, proposed Plot 1 is closest to frontage residential development along New Cut Lane. The distance of Plot 1 is approx. 40m from the nearest built residential property outside of the application boundaries – this significantly exceeds the Council's minimum interface distance of 21m for properties facing back to back. However, at this site as properties on New Cut Lane adjacent to this site have long gardens I consider that it is also important to consider any amenity implications on neighbouring property's garden space.
- 11.15 At this stage, as this application is outline only, it has not been confirmed where the windows will be sited on Plot 1. However an indicative floor plan has been provided with the planning application which can be considered, which shows that Plot 1 (house type 'B') will have no windows to either side (facing Plot 2 to the south west side or facing no. 52 to the north east side). Windows will be concentrated to the front and rear of Plot 1.
- 11.16 The garden length to Plot 1 is approx. 8m. The garden area adjoins the garden area of no 48 New Cut Lane. The Council's Design Guide recommends that the minimum rear garden depth will be generally 10m to avoid any overlooking to neighbouring properties. As this distance falls short by 2m I consider that the development would result in direct overlooking to the rear garden area of no. 48.
- 11.17 The south east front elevation is approx. 6m from the common boundary and rear garden area of no. 56. This area of garden facing Plot 1 is well manicured and features a pond therefore an area which appears to be used regularly by the occupants of no. 56. In my view the short interface distance and low boundary treatment would result in an impact of overlooking to a used garden space to the detriment of the occupants of no. 56 New Cut Lane.
- 11.18 Concerns have also been raised by local residents in relation to the intensified use of the access track as a result of the development. No. 54 is approx. 4m from the access track and is separated by low level fencing to the front and higher boarded fencing to the garden area. Given these site conditions I do not consider the development would result in significant amenity impacts to the occupants of no.54 by virtue of vehicles and pedestrians using the access track.
- 11.19 No. 52 bounds the access track to the north-west and has habitable windows immediately adjacent to the access road. Fencing at no. 52 bounds the rear garden with the access track. A Noise Assessment has been submitted with the planning application which focuses on the potential noise impact from vehicles associated with the proposals on no. 52 New Cut Lane, the nearest existing dwelling to the access road.
- 11.20 The Noise Assessment concludes noise attributable to the future proposed use of the access road will not exceed British Standard and World Health Organisation guidelines and found intermittent peaks of noise in bedrooms from a very small number of cars on the access road would occur but would be of a lower magnitude than the significantly more regular noise from the existing road traffic. It is considered that the proposals should not result in an adverse noise effect on the amenity of existing dwellings provided the

access road has a macadam (or similar) surface. The Council's Environmental Health Officer has assessed the report and raises no objection and considers the noise assessment to be acceptable and the results to be plausible.

- 11.21 However Policy GN3 of WLLP highlights the importance that new development must retain or create reasonable levels of privacy and amenity for occupiers of the neighbouring properties. Although the use of the access is unlikely to impact significantly in terms of noise, I do have concerns that the intensified use of the access road will have impacts on the amenity of residents of no. 52 New Cut Lane. This property has three side windows on the boundary immediately adjoining the access track. One of these windows serves the bathroom and is obscure glazed. The middle window is the only window to the third bedroom/dining room and the rear window serves the kitchen/breakfast room.
- 11.22 The passing of cars so close to these windows at no.52 in my view would result in a level of disturbance to the occupants of no. 52 which would interfere significantly with the enjoyment of their home. The passing of vehicles and pedestrians is likely to result in a loss of privacy to the occupants of no. 52 due to siting of main habitable room windows immediately on the boundary. Although I acknowledge that vehicles already use the track for access to no. 52, the addition of three additional dwelling houses would in my opinion significantly increase the number of vehicle and pedestrian movements that will pass these windows on a daily basis.
- 11.23 On balance it is my view that the development would be harmful to the amenities of the occupants of neighbouring properties through overlooking, loss of privacy and disturbance and would not comply with Policy GN3 in the WLLP in respect of its impact on residential amenity.

Highways

- 11.24 The site will be accessed via an existing dropped kerb vehicular crossing off New Cut Lane. New Cut Lane is a classified road which has been categorised as a Secondary Distributor Road with a speed limit of 30mph fronting the site.
- 11.25 Lancashire County Council have been consulted on the development and consider that the visibility splays and parking provision are acceptable. Amendments have been made to the road layout during the consideration of the application which removed a footpath adjacent to the visitor parking spaces to allow an increased width of the access road to allow vehicles more room to pass.
- 11.26 The Highway Authority have indicated that due to the restricted nature of the turning areas within the site it is unlikely that refuse collection vehicles would collect refuse directly from the outside of the properties. Amended plans show that a central refuse collection point has been allocated to the north eastern boundary of the site close to the additional parking areas. Although I consider that this is not an ideal situation, the Council's refuse team have indicated that they do have a smaller fleet of refuse collection vehicles which would be able to pick up refuse from this point.

Ecological considerations

- 11.27 Policy EN2 in the Local Plan confirms that the need to take account of any potential impact on priority species or their habitat and to pay particular attention to the Habitat Regulations. This follows the advice provided at national level. It is a requirement of both local and national policy that appropriate surveys are submitted to address any impact or potential impact.

- 11.28 An Ecological Survey and Assessment accompanies the planning application. This concludes that the development proposals can be achieved with no direct adverse effect on designated sites for nature conservation. Appropriate and proportionate mitigation for the avoidance of significant adverse indirect effects on designated sites as a result of the recreational pressures and construction / site preparation related disturbance is feasible and could be secured through a planning condition.
- 11.29 Measures for the protection and long term conservation of nesting birds and foraging bats at the site could also be secured by condition.
- 11.30 Therefore it is considered the development complies with Policy EN2 of the WLLP.

Drainage

- 11.31 The proposal to connect the foul drainage system to the public foul sewer in New Cut Lane is acceptable, as is the proposal to use separate foul and surface water systems. However, given the site is lower than the highway a foul pumping station may be required. The applicant has indicated that a sustainable drainage system will be employed to deal with the removal of surface water, which should prove feasible due the presence of a land drain should infiltration prove unacceptable.
- 11.32 On consultation with the Council's Drainage Engineer no objections are raised. As limited information has been provided at this stage planning conditions would be required to secure the submission of a strategy for the separate foul and surface water drainage of the development.

Conclusion

- 11.33 The proposal for housing development on this site is considered acceptable in principle. Although the scheme would not be detrimental to highway conditions, drainage or ecology, concerns are raised in terms of residential amenity in particular overlooking implications due to the potential location of windows on Plot 1 and the intensified impact of the use of the access track upon the occupants of no. 52 New Cut Lane. For this reason the development would fail to comply with Policy GN3 of the WLLP.

12.0 RECOMMENDATION

- 12.1 That planning permission be REFUSED for the following reasons:

Reasons for Refusal

1. The proposed development conflicts with Policy GN3 of the West Lancashire Local Plan and adopted Supplementary Planning Document, Design Guide (Jan 2008) in that the intensified use of the access road to the development would result in unreasonable disturbance and loss of privacy to the occupants of no. 52 New Cut Lane.
2. The proposed development conflicts with Policy GN3 of the West Lancashire Local Plan in that the layout of plot 1 would detrimentally impact upon the amenity of adjacent occupiers residing at no.48 and 56 New Cut Lane by reason of overlooking to their rear garden areas.
3. NOTE
Despite the requirements of Paras 38-46 of the National Planning Policy Framework it has not been possible to reach a positive agreed solution through the Council's adopted and

published procedures. The development proposed shows insufficient regard to the policy requirements as detailed in the reasons above.

No.4	APPLICATION NO.	2020/0606/FUL
	LOCATION	72 New Cut Lane Halsall Southport Lancashire PR8 3DW
	PROPOSAL	Variation of condition Nos 2, 12 and 15 imposed on planning permission 2019/1257/FUL relating to design and layout, boundary treatments and electric vehicle charging points.
	APPLICANT	Broadley Developments Ltd
	WARD	Halsall
	PARISH	Halsall
	TARGET DATE	10th September 2020

1.0 **REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Mills has requested that it be referred to Planning Committee to consider whether the amended design for plot 8 results in loss of amenity to residents adjoining the site.

2.0 **SUMMARY**

- 2.1 I consider the amended design of Plot 8, including a new garage, to be acceptable as I do not consider that the proposal would over dominate or result in any significant loss of light to the neighbouring property or garden and the application complies with Policy GN3 in the Council's Local Plan. The other minor alterations to the scheme and position of electric vehicle charging points are considered to be acceptable in principle.

3.0 **RECOMMENDATION:** **Approve with conditions**

4.0 **THE SITE**

- 4.1 The site comprises a residential development under construction, by virtue of planning permission granted under application 2019/1257/FUL, to the rear of the former No.72 New Cut Lane.
- 4.2 The land to the rear (including part of the application site) is allocated under Policy RS1 in the Local Plan as a Housing Allocation site- Land at New Cut Lane, Halsall capacity 150 units.

5.0 **PROPOSAL**

- 5.1 The application is for a variation to the permission granted in respect of application 2019/1257/FUL for 8 dwellings. The applicant seeks to vary conditions (2) Plans- design and layout, (12) boundary treatment and (15) electric vehicle charging points.
- 5.2. The main change relates to a new garage to the side of Plot 8, a dormer bungalow close to the boundary of the garden of No 70 New Cut Lane.
- 5.3 Other changes proposed include amendments to the design of the rear first floor windows to the master bedrooms of Plots 1-5, to be the same as to rear of Plots 6-7. Minor changes to the approved site boundaries are proposed as a result of the redesign of plot 8.

Details in discharge of Condition 15 (Electric Vehicle Charging Points) are also provided for approval- drawing of charging point positions and data sheet included. The charging units are to be fixed externally, to the sides of dwellings.

6.0 SUPPORTING INFORMATION

6.1 The applicant has submitted the following accompanying documents:

Summary of Variations and Revised Drawings

7.0 CONSULTEE RESPONSE

7.1 LCC Highways (18/08/20) No objections.

8.0 OTHER REPRESENTATIONS

8.1 Letters of objection from an adjoining property on New Cut Lane have been received in respect of the addition of a garage, which is only 1 m away from the party boundary. The garage height and high pitch of the roof, which the developers say will be reduced to 37.5 degree pitch is still overshadowing our back garden reducing light. The bungalow and garage cover three quarters the width of our back garden and is very imposing.

9.0 RECENT RELEVANT PLANNING HISTORY

9.1 2020/0205/CON - Approval of Details Reserved by Condition No. 5 of planning permission 2019/1257/FUL relating to the construction phase.

9.2 2020/0219/CON - Approval of Details Reserved by Condition Nos. 4 and 10 of planning permission 2019/1257/FUL relating to a scheme for the construction of the site access and material details.

9.3 2019/1257/FUL- Erection 8 dwellings etc. following demolition of No. 72. GRANTED

9.4 2001/0559 - REFUSED Erection of 6 dwellings; land to the rear of 70 New Cut Lane

10.0 RELEVANT PLANNING POLICIES

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

10.2 The land to the rear (including part of the application site) is allocated under Policy RS1 (a) (viii) of the West Lancashire Local Plan 2012-2027 DPD as being a Housing Allocation site (Land at New Cut Lane, Halsall).

10.3 National Planning Policy Framework

Delivering a sufficient supply of homes

Promoting sustainable transport

Achieving well-designed places

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

10.4 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
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 - Provision of Green Infrastructure and Open Recreation Space

- 10.5 **Supplementary Planning Documents:** Design Guide (Jan 2008)
Supplementary Planning Document – Provision of Open Space in New Residential Developments (July 2014)

11.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

- 11.1 The application is a variation to the permission granted in respect of application 2019/1257/FUL for 8 dwellings by varying conditions relating to (2) Plans - design and layout, (12) boundary treatment and (15) electric vehicle charging points.
- 11.2 The main change relates to a new garage to the side of Plot 8, a dormer bungalow, close to the boundary of the garden of No 70 New Cut Lane.
- 11.3 The main issue raised by the variations is the impact on neighbouring properties.

Impact upon Neighbouring properties

- 11.4 Policy GN3 of the Local Plan states that new development must retain or create reasonable levels of privacy and amenity for occupiers of the proposed and neighbouring properties.
- 11.5 With respect to neighbouring dwellings the closest is no 70 New Cult Lane with its relatively short 10.5m garden. In granting the original permission permitted development rights were removed from Plot 8 in relation to any roof alterations specifically to allow a detailed assessment of any proposed extensions on neighbours. The addition of a garage to the side of Plot 8 has resulted in the main bulk of the dormer bungalow being moved 1.1m further away from the boundary of no70 so this is some 15.3 m away from its windowed elevations. This would improve the amenity for neighbours.
- 11.6 The proposed side garage measures 3.3 in width by 6.7m in length and is set back some 5.2 m from the front of the house and projects 3.8m past its rear. It is 1.2m off the boundary with no 70 and 12m from the rear elevation of no 70. The original garage design comprised a pitched roof to match that of the angle of the main roof resulting in it being at its apex 5.6 m high. Building works are well advanced and the developer acknowledges that these works are being carried out without consent. The developer has had discussions with the neighbours and amended plans have now been received showing a flat roof to a maximum height of 3m. The boundary fence is approximately 1.7m high.
- 11.7 Whilst I have some sympathy for the neighbours and regret the actions of the developer in commencing work in advance of securing permission, the works are being carried out at the developer's risk. Whilst the proposals are different to those originally approved, I still consider them acceptable as I do not consider them as a whole to over dominate or result in any significant loss of light to the neighbouring property or garden. I have had specific regard to the spatial separation standards set out in the Council's Design Guide SPD which state that the minimum distance between main (windowed) elevations and those

that do not contain primary windows of habitable rooms is 12m. This policy in effect allows 2 storey developments 12m from windowed elevations.

- 11.8 On the basis of the above I am satisfied that the development complies with Policy GN3 in the WLLP in respect of its impact on neighbouring properties.

Other Matters

- 11.9 The rear first floor windows to the master bedrooms of Plots 1-5 have been redesigned, to be the same as to rear of Plots 6-7. I consider the design to be acceptable in principle.
- 11.10 The minor changes to Plot 8 boundaries are considered to be acceptable.
- 11.11 The external fixing of Electric Vehicle Charging Point to the sides of dwellings is also acceptable.
- 11.12 As this is a s73 application many of the original conditions need to be re imposed/updated as well as variations to conditions 2, 12 and 15.

12.0 SUMMARY

- 12.1 The addition of a garage to the side of Plot 8 has resulted in the main bulk of the dormer bungalow being moved 1.1m further away from the boundary of no70 New Cut Lane, providing some betterment and although a flat roofed garage is now proposed along the boundary this will have limited impact. Whilst the proposals are different to those originally approved, I consider the amended design acceptable, as I do not consider that the garage would over dominate or result in any significant loss of light to the neighbouring property or garden. The proposal complies with Policy GN3 in the Local Plan and will not have a significant impact on the amenities of nearby residents.

13.0 RECOMMENDATION

- 13.1 That Planning Permission be GRANTED subject to the following conditions:

Conditions

1. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Proposed Location Plan Drwg No 928 501
received by the Local Planning Authority on 5 December 2019
Proposed Plots 6, 7 GA Plans and Elevations Drwg No 928 507 A
received by the Local Planning Authority on 29 January 2020
Landscape Proposal Drwg No 6243.01
received by the Local Planning Authority on 21 January 2020
Drainage Strategy Drwg No 19188/04/1
received by the Local Planning Authority on 22 January 2020
Proposed Site Plan Drwg No 928 503 C
Proposed 1st Floor Interfaces Drwg No 928 504 A
Proposed Boundary Treatments Drwg No 928 505 B
Proposed Plots 1-5 GA Plans and Elevations Drwg No 928 506 B
Existing and Proposed Street Scenes I Drwg No 928 509 B
received by the Local Planning Authority on 16 July 2020
Proposed Plot 8 GA Plans and Elevations Drwg No 928 508 D
Existing and Proposed Street Scenes II Drwg No 928 510 D
Existing and Proposed Street Scenes III Drwg No 928 511 D

received by the Local Planning Authority on 17 August 2020

2. The finished floor levels, ground levels and ridge heights of the proposed dwellings, shall be as shown on Existing and Proposed Street Scenes I -III Drwgs No 928 509A, Drwgs No 928 510A and Drwgs No 928 511A received by the Local Planning Authority on 29 January 2020.
For the avoidance of doubt the maximum ridge height of the proposed dwellings shall be 11.85 AOD
Reason: To ensure the satisfactory visual appearance of the site and in the interests of protecting the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
3. All fencing and boundary treatments, excluding external boundary hedging, shall be carried out in accordance with the approved details shown on Proposed Boundary Treatments Drwg No 928 505 B received by the Local Planning Authority on 16 July 2020. The works shall be carried out before any part of the development is occupied
4. The site access, including visibility splays together with the relocation of the lighting column and the telegraph pole, shall be constructed in accordance with the s278 Works Drwg No 19188/05/1A and Proposed Lighting Column Drwg No 928-503 A received on 02 July 2020 approved under 2020/0219/CON
The site access shall be maintained as approved during all stages of construction.
Reason: To safeguard the safety and interests of the users of the highway and to ensure that the development complies with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. Construction works shall be carried out in accordance with the details in the approved Construction Phase Health and Safety Plan by Broadley Developments received on 2 March 2019 (in relation to areas for site compound including the siting of office, storage of plant and materials and measures to prevent the transfer of mud out of the site)
For the avoidance of doubt the development must be implemented in accordance with these approved details whilst any demolition/construction works are in operation.
Reason: To protect the amenity of neighbouring occupiers and to comply with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The access road, footways and vehicular turning areas shall be laid out as shown on the approved Proposed Site Plan Drwg No 928 503 prior to any occupation of the dwellings hereby approved or to a timetable agreed in writing by the local planning authority.
Reason: In the interests of highway and pedestrian safety and to ensure that the development complies with the provisions of Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
7. The development shall not be occupied until the surface water and foul sewage disposal works have been completed on site in accordance with the approved Drainage Strategy Drwg No 19188/04/1 received by the Local Planning Authority on 22 January 2020. No surface water shall discharge to public sewer either directly or indirectly.
Before any dwelling is occupied / the building is first brought into use, a validation report (that demonstrates that the drainage scheme has been carried out in accordance with the approved plan) must be submitted to the Local Planning Authority.
The approved works shall be retained as such thereafter.
Reason: To ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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.

8. No dwelling shall be occupied until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted to and agreed in writing with the Local Planning Authority and which, as a minimum, shall include:
- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a 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 system shall be implemented and thereafter managed and maintained in accordance with the approved sustainable drainage details / plan.
- Reason: To ensure adequate drainage for the proposed development and to ensure that there is no flood risk on- or off-the site resulting from the proposed development 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. Foul and surface water shall be drained on separate systems.
- Reason: To secure proper drainage and to manage the risk of flooding and pollution 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. The materials to be used on the external surfaces of the development (brickwork, cladding and roofing materials along with materials used in any hard surface) shall be as outlined in the letter from Broadley Developments dated 6 March 2020 received on 6 March 2020 and approved by 2020/0219/CON
- Reason: To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
11. All hard and soft landscape works, including external boundary hedging, shall be carried out in accordance with the approved details shown on Landscape Proposal Drwg No 6243.01 received by the Local Planning Authority on 21 January 2020. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within 7 years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.
- Reason: To ensure that the site is satisfactorily landscaped having regard to the character of the area and the nature of the proposed development and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document
12. The development shall be implemented in accordance with the mitigation strategy/precautionary measures described in Section 9 Conclusions and Recommendations of the Preliminary Ecological Appraisal and Tree Appraisal supplement prepared by Tyrer Ecological Consultants Ltd; and received by the Local Planning Authority on 5 December 2019

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders) specifically Schedule 2, Parts 1, Class AA- enlargements of a dwellinghouse by construction of additional storeys and Class B - additions etc to the roof of a dwellinghouse, no alterations to the roof of the main dwelling or garage shall be made to Proposed Plot 8. Any submission to alter the roof should show the positioning, size and design which should be submitted to and approved in writing by the Local Planning Authority.

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

14. All electric vehicle charging points (minimum 1no. per dwelling), shall be carried out in accordance with the approved details shown on Electric Vehicle Charging Points Drwg No 928 520 and product data sheet received by the Local Planning Authority on 16 July 2020. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.

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.5	APPLICATION NO.	2020/0317/FUL
	LOCATION	56 Granville Park West Aughton Ormskirk Lancashire L39 5HS
	PROPOSAL	Demolition of existing conservatory and erection of two storey and single storey side and rear extensions including dormers to side elevation. Front porch. Ground floor window to western elevation. Rooflight windows to east and west elevations.
	APPLICANT	Mr & Mrs S Sankson
	WARD	Aughton And Downholland
	PARISH	Aughton
	TARGET DATE	10th June 2020

1.0 **REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme, however Councillor O'Toole has requested it be referred to Committee to consider the impact of the development upon the neighbouring property and the character and appearance of the Conservation Area.

2.0 **SUMMARY**

- 2.1 This application seeks to extend no. 56 Granville Park West. Initial officer concerns have resulted in amendments to the scheme since original submission, with a reduction in the number of dormer windows proposed and confirmation that proposed roof lights will be above head height. I am now satisfied that the design and appearance of the proposal is acceptable and in keeping with the character and appearance of the building and wider Conservation Area. Satisfactory interface distances have been achieved in order to protect neighbouring residential amenity. I consider the proposal complies with the relevant policies of the Local Plan and is acceptable in principle.

3.0 **RECOMMENDATION: APPROVE subject to conditions.**

4.0 **THE SITE**

- 4.1 The application site relates to no. 56 Granville Park West, a former coach house to 54 Granville Park West which is a substantial 3 storey semi-detached Victorian Villa. The property is now in residential use having been granted planning permission for conversion in 1998. The site is set back from the residential road of Granville Park West, behind number 54. The driveway is a shared access with number 54. The site is within the Granville Park Conservation Area.

5.0 **THE PROPOSAL**

- 5.1 Planning permission is sought to:

- Erect single storey extension to side to create a larger kitchen / diner;
- Demolish rear conservatory and erection of two storey extension to create larger bedrooms;
- Two dormer windows to side;
- Front porch;
- Ground floor and first floor rooflights to western side elevation;
- Rooflight to eastern elevation.

6.0 **PREVIOUS RELEVANT DECISIONS**

- 6.1 2013/0643/FUL - Retention of 1 no. window and insertion of additional window to ground floor west elevation. Granted 29.08.2013
- 6.2 2013/0335/FUL - Single storey rear extension including installation of patio doors to the east elevation. Granted 30.05.2013
- 6.3 1997/1069 - Conversion of residential care home to 4 flats with new entrance & car parking to flats. Extension to existing coach-house to form single detached dwelling. Altered access and landscaping of site. GRANTED 05.02.1998

7.0 **CONSULTEE RESPONSES**

- 7.1 None.

8.0 **OTHER REPRESENTATIONS**

- 8.1 Aughton Parish Council (14/05/2020) - Members raised concerns about overdevelopment of this Conservation Area site - it is important to maintain the appearance and character of the Coach House which sits alongside a Victorian Villa. The original permission for conversion of the Coach House had conditions imposed removing Permitted Development Rights to ensure any conversion was sympathetic to the adjacent main building. Also, the proposal to include a window in the West elevation could impact on the residential amenity of Number 1 Granville Close, resulting in loss of privacy and overlooking.
- 8.2 A letter of objection has been received from the neighbouring property. Objects on the grounds of:

Windows to the west elevation overlook;
Impact upon privacy and residential amenity;
Overdevelopment;
Changes character of Coach House;
Materials are pvc windows which is in appropriate.

9.0 **SUPPORTING INFORMATION**

- 9.1 BS5837 Arboricultural Survey and recommendations
- 9.2 Design and Access Statement / Heritage Statement
- 9.3 Supporting letter from applicant

10.0 **RELEVANT PLANNING POLICIES**

- 10.1 National Planning Policy Framework (NPPF) and the West Lancashire Local Plan DPD (2012-2027) provide the policy framework against which the development proposals will be assessed.
- 10.2 The site is located within a Key Service Centre (settlement) of Aughton as designated within the West Lancashire Local Plan. The site is also located within the Granville Park Conservation Area.
- 10.3 **National Planning Policy Framework (NPPF) (February 2019)**
Promoting sustainable transport
Delivering a sufficient supply of homes

Achieving well designed places
Promoting healthy and safe communities
Meeting the challenge of climate change, flooding and coastal change
Conserving and enhancing the natural environment
Conserving and enhancing the historic environment

10.4 **West Lancashire Local Plan DPD (2012-2027)**

SP1 A Sustainable development framework for West Lancashire
GN1 Settlement boundaries
GN3 Criteria for sustainable development
IF2 Enhancing sustainable transport choice
EN2 Preserving and enhancing West Lancashire's natural environment
EN4 - Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Document Design Guide (Jan 2008)

11.0 **OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY**

11.1 The main areas for consideration in the assessment of this application are:

Design and External appearance and impact upon Conservation Area;
Impact upon neighbouring properties;
Impact upon existing trees;
Highways.

Design and External appearance / Impact upon Conservation Area

11.2 The principle statutory duty under the Planning (LBCA) Act 1990 is to preserve the special character of heritage assets, including their setting. LPA's should in coming to decisions refer to the principle act in their decisions and/or assessments. Section 72(1) relates to Conservation Areas and requires that with respect to any buildings or other land in a conservation area, special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.

Decision makers should consider the impacts on the character and appearance of a conservation area (which includes its setting) separately and development proposals need to satisfy both aspects (to preserve or enhance) to be acceptable.

11.3 In terms of design and the external appearance of the development, Policy GN3 'Criteria for Sustainable Development' of the WLLP together with the Council's SPD Design Guide states that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that buildings do not disrupt the visual amenities of the street scene because of their height, scale or roofline.

11.4 Policy EN4 'Preserving and Enhancing West Lancashire's Cultural and Heritage Assets' of the WLLP states that all development affecting the historic environment should seek to preserve and enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest.

11.5 The former coach house sits behind the main late Victorian Villa and is served off a separate drive. The site is considered to make a positive contribution to the special character and appearance of the Conservation Area through its historic interest and association.

- 11.6 The front of the property can only be glimpsed from the public frontage. The two storey extension given its location would not be seen from the public viewing points of the Conservation Area. The single storey extensions would be subservient to the dwelling.
- 11.7 On the initial submission of plans, the proposals sought permission for three dormers to the eastern side elevation. Concerns were raised that the number of dormers proposed would give a top heavy appearance to the property. Amendments to the drawings have now reduced the number of dormers to two including a rooflight which in my view is more aesthetically pleasing to the character of the building.
- 11.8 On balance it is considered that the proposal to extend the property is visually only glimpsed from the public highway and would still be seen as being an ancillary building in the context of the larger late Victorian Villa which characterises the Granville Park Conservation Area. For this reason I do not consider that the extensions and alterations would harm either the character or appearance of the Granville Park Conservation Area and would comply with Policy EN4 of the WLLP in this respect.
- 11.9 In terms of the general design and external appearance of the extensions it is my view the scheme is acceptable and would comply with Policy GN3.
- 11.10 Materials have been confirmed to match the existing dwelling. Due to initial concerns with regards to the use of upvc window frames the applicant has now confirmed the use of timber which is a more appropriate material in terms of the character and location of the property. Adequate amenity area will also remain on the site as a result of the development.
- 11.11 I am therefore satisfied that the proposed development complies with the Council's statutory duty to preserve the character and appearance of the Conservation Area and the relevant policies in the Local Plan.

Impact upon neighbouring properties

- 11.12 Policy GN3 (criterion iii) of the West Lancashire Local Plan (2012-2027) DPD states that any development should retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.
- 11.13 The nearest residential properties to the development are to the south east, no. 54 Granville Park West and to the south west no. 1 Granville Close.
- 11.14 No. 54 Granville Park West is set forward of the application site, however its garden area is to the immediate south east side of the application property. To the rear of the application property is an area of woodland. The dormers proposed to the eastern elevation are a minimum of 10m from the common boundary. This together with the siting of the dormer windows in my view would not result in an overlooking impact which would warrant refusal of the planning application.
- 11.15 The other neighbouring property is no. 1 Granville Park. I note comments from the occupants of the neighbouring property in relation to the proposals at no. 56. Since first submission of the planning application, alterations to the scheme have been made to the fenestration detail to the western elevation of no. 56 which faces in the direction of the rear garden area of no. 1.
- 11.16 I do not consider the insertion of ground floor windows on the western elevation would result in any overlooking concerns due to the siting of existing boundary treatment. In terms of first floor fenestration, initially, low level roof lights were proposed. The applicant

has now altered the siting of the rooflights to ensure that they will not be located at a height lower than 1.8m from the floor of the room in which they are installed. This in my view would prevent any direct overlooking into the garden area of no.1 Granville Park. A planning condition will ensure that the windows are sited as shown on section drawing (1644.14) for the duration of the development.

11.17 Overall I consider that the development complies with Policy GN3 of the WLLP in terms of the development's impact upon the amenity of neighbouring properties.

Impact upon trees

11.18 To the north of the boundary wall is an area of mature woodland subject to a Tree Preservation Order (TPO No 53, 2004). A BS5837 Arboricultural Survey and recommendations report (arboricultural impact assessment) accompanies the planning application.

11.19 The Council's Arboricultural Officer has considered the proposed development with regard to the neighbouring trees and woodland which is subject to the above TPO.

11.20 The extensions would notionally encroach into the root protection areas of two Sycamores situated on the boundary of the neighbouring woodland. These Sycamores have been graded as low value trees in accordance with BS5837:2012 categories. The potential to impact on the roots of these trees is very low due to a limited encroachment into the calculated root protection area, the existing hard surfacing and a boundary wall.

11.21 Therefore it is considered by the Council's Arboricultural Officer that the proposals would not unduly threaten the health of the trees and on that basis he raises no objections to the proposals. A planning condition for tree protection will be placed on any planning approval notice.

11.22 The development would therefore comply with Policy EN2 of the WLLP in terms of the development's impact upon trees.

Highways

11.23 The number of bedrooms internally will not be altered by the proposals. The property will remain a four bed dwelling house. Therefore I consider that the existing parking area which is to the front of the dwelling to be acceptable.

Summary

11.24 The proposed development is overall considered to be acceptable. The scheme is considered compliant with Local Plan policy and the proposal would not result in significant detriment to residential amenity, heritage assets, trees or to highway conditions. I therefore recommend that planning permission be granted.

12.0 RECOMMENDATION

12.1 That planning permission be GRANTED subject to the following conditions.

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference 1644.07; 1644.08; 1644.09; 1644.11; 1644.10 received by the Local Planning Authority on 20/07/2020
Plan reference 1644.14 received by the Local Planning Authority on 26/08/2020
Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. Notwithstanding any description of materials in the application, no extension works shall take place until a full specification of materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority.
The development shall be carried out using only the agreed materials and shall be retained at all times thereafter.
Reason: To preserve the character and appearance of the building which is located within the Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
4. Unless otherwise agreed in writing with the Local Planning Authority all windows and doors shall be painted timber
Reason: To preserve the character and appearance of the building and Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. All rooflights shall be of a 'conservation' grade flush slim line fitting type only.
The development shall be carried out using only the agreed materials and method of construction and shall be retained at all times thereafter.
Reason: To preserve the character and appearance of the building that is located within the Conservation Area and to comply with Policy EN4 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The development hereby permitted shall be implemented in accordance with the submitted Arboricultural Method Statement and Recommendations (SMN, Tree and Landscape Management) received by the Local Planning Authority on 30/03/2020; unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the proper protection of trees has been carried out in the interests of visual amenity and to comply with Policies GN3 and EN2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
 - SP1 A Sustainable development framework for West Lancashire
 - GN1 Settlement boundaries
 - GN3 Criteria for sustainable development
 - IF2 Enhancing sustainable transport choice
 - EN2 Preserving and enhancing West Lancashire's natural environment
 - 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.



AGENDA ITEM:

CABINET: 8 September 2020

PLANNING COMMITTEE: 10 September 2020

Report of: Corporate Director of Place and Community

Relevant Portfolio Holder: Councillor D Evans

**Contact for further information: Stephen Benge (Extn. 5274)
(Email: stephen.benge@westlancs.gov.uk)**

SUBJECT: ADOPTION OF THE WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT 2020

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek Cabinet's approval for the adoption of the West Lancashire Statement of Community Involvement 2020 ('SCI') and the Addendum to the West Lancashire SCI 2020.

2.0 RECOMMENDATIONS TO CABINET

2.1 That, following consideration of the Consultation Report at Appendix B and the Adoption Statement at Appendix C, the West Lancashire Statement of Community Involvement 2020 ('SCI') and its Addendum at Appendix A be adopted subject to any amendments made by the Corporate Director of Place and Community in consultation with the Portfolio Holder (and with the tracked changes accepted), following consideration of the West Lancashire SCI 2020 and its Addendum by Planning Committee, as per recommendation 2.2 below.

2.2 That the Corporate Director of Place and Community be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the West Lancashire SCI 2020 and its Addendum in the light of agreed comments from Planning Committee, before the document is published.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

3.1 That the content of this report, the SCI and its Addendum attached at Appendix A, and the Consultation Report at Appendix B be considered, and that agreed comments be referred to the Corporate Director of Place and Community for consideration, in consultation with the Portfolio Holder.

4.0 BACKGROUND

- 4.1 Section 18 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce an SCI. The SCI explains how the authority will engage local communities and other interested parties in producing their planning policy documents and in determining planning applications. The SCI has legal status in that its minimum standards, once adopted, need to be adhered to at all times. For example, one of the 'Tests of Legal Compliance' against which local plans are assessed at examination is whether the consultation undertaken on the local plan has complied with the SCI.
- 4.2 The first West Lancashire SCI was adopted by the Council in July 2007. In January 2009, an Addendum to the SCI was published, reflecting updated (2008) government Regulations which made significant changes to the planning process.
- 4.3 In the light of further significant changes to planning legislation, for example the concept of neighbourhood plans, the introduction in West Lancashire in 2014 of the Community Infrastructure Levy (which requires periodic consultation), and the evolution of technology since 2007 (for example, the increasingly widespread use of social media and 'smartphones', both of which offer new opportunities in terms of consultation), a new West Lancashire SCI was adopted in 2016, to replace the 2007 SCI and its 2009 Addendum.
- 4.4 Since 2016, there have been more changes to planning procedure, and to the resources available to the Council to carry out its various consultations. Social media and electronic communications continue to evolve, both in their functionality and in the extent of their use. Furthermore, the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) now require that SCIs be updated every 5 years.
- 4.5 Consequently, a revised SCI was prepared in 2019/2020 – the draft West Lancashire SCI 2020, reflecting the above changes. In January 2020, Cabinet authorised a six week public consultation on this document, running from 27 February to 9 April 2020.
- 4.6 COVID-19 restrictions took effect during March 2020, meaning that places such as libraries (where paper copies of the 2020 SCI were available for inspection) were closed, and bodies such as Parish Councils and residents' groups were unable to meet together to consider and agree responses to the SCI. In the light of these unforeseen difficulties, the consultation deadline was extended to 31 May 2020.
- 4.7 18 consultation responses were received on the draft 2020 SCI as follows:
- Parish Councils 4
 - National government agencies 4 (two making 'no comments')
 - Local organisations / pressure groups 3
 - Neighbouring local authorities 2
 - Other national bodies 2
 - Individuals 2
 - Local landowner 1

- 4.8 A very brief outline of the comments made is as follows:
- The use of plain English in the draft document and the extension to the consultation period were both welcomed.
 - Views were expressed that the Council is more in touch with developers than with the local community, reinforced by the 2018 Local Plan Review consultation process.
 - Increased and / or ongoing consultation with Parish Councils was requested
 - Where the draft 2020 SCI had proposed relaxing some of the commitments to consultation (e.g. on non-statutory stages of preparing local plans), it was asked that the higher standards in the 2016 SCI be reinstated, e.g. by committing to consult at non-statutory stages of local plans, and providing feedback reports from consultations.
 - It was requested that planning policy documents be placed on deposit at a wider range of locations, e.g. post offices.
 - The Council should allow for consultation responses to be submitted by email, and by (paper) letter.
 - There should be greater publication of pre-application advice, in particular to Parish Councils, when planning applications are subsequently submitted.
 - Neighbour notification of planning applications should be wider than just properties immediately adjoining the application site.
 - It was requested that additional categories of people / organisations should be allowed to address Planning Committee, and that they should be allowed to speak for longer than three minutes.
 - The dissolution of the Conservation Area Advisory Panel was criticised, and it was asked that the Panel be reinstated.
 - It was recommended that the SCI cover additional matters, e.g. enforcement (including of Tree Preservation Orders), Buildings at Risk, and hedgerows.
- 4.9 The Consultation Report at Appendix B contains a full listing (ordered by SCI paragraph) of the comments submitted during the consultation and the Council's response to these.

COVID-19

- 4.10 Since the consultation on the draft 2020 SCI opened, the COVID-19 lockdown has had significant implications, not just in terms of the length of the SCI consultation period, but for consultation in general. For example, face-to-face and public meetings have been proscribed or at least have been subject to tight constraints, and libraries – where policy documents being consulted upon are traditionally placed on deposit – have been closed. Since March 2020, it has not been possible to undertake consultation on local plans and other documents in accordance with the SCI.
- 4.11 Central government has made changes to legislation and to national planning practice guidance ('PPG') in response to the COVID-19 crisis and its effects on planning and local government. These include the following:
- (i) The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and

Wales) (Amendment) Regulations 2020 came into force on 1 August 2020, and allow for 'virtual' (online) Council meetings (e.g. Cabinet and Planning Committee)

- (ii) The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020, came into force on 16 July / 12 August 2020, and temporarily remove the requirement for a local planning authority to make documents available for public inspection at the authority's principal office and at such other places as the authority considers appropriate, and also temporarily remove the requirement on the local planning authority to provide hard copies of documents.

4.12 On 13 May 2020, the government added three new paragraphs to national Planning Practice Guidance ('PPG'; reference nos. 61-078-201200513 to 61-078-201200513), advising that Councils review their SCIs immediately and that they consider:

- making temporary amendments to SCIs to allow plan-making to progress;
- promoting effective community engagement by means which are reasonably practicable. They are strongly encouraged to use online engagement methods to their full potential, for example virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website;
- taking reasonable alternative and creative steps to ensure those without internet access are still involved, for example consulting through representative groups rather than directly, targeting only people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf;
- consulting by telephone or in writing where this is feasible, and the only option; and
- combining different public consultations so that offline methods can be made more cost effective.

4.13 Paragraph 78 advises that there is no legal requirement for local planning authorities to consult when reviewing and updating their SCI, although it is good practice for authorities to inform the public of their intentions to update the document and of the changes that have been made.

5.0 PROPOSALS

5.1 In the light of comments made during the public consultation on the Draft 2020 SCI, and in order to improve the clarity of the document in places, changes have been made to the SCI. The changes made, and the reasons for making them, are set out in the schedule in Appendix C – Adoption Statement.

5.2 In the light of COVID-19 and its implications, the most effective way to proceed would be to prepare an Addendum to the SCI which would have effect whilst COVID-19 restrictions were in place, and / or whilst amendments to national Regulations and / or planning policy were in force, and which would cease to have effect once the restrictions were lifted. Thus the Addendum would apply for a temporary period, but could be 'reinstated' if COVID-19 restrictions, or any similar restrictions, were implemented again in future. Such an approach would mean

that wholesale changes would not need to be made to the SCI itself, and that the SCI should be less complex in that it would not need one set of consultation standards to apply in 'normal circumstances' and another set of standards to apply when restrictions are in place.

- 5.3 The Addendum to the 2020 SCI is at Appendix A to this report, and would be adopted alongside the 2020 SCI.

6.0 SUSTAINABILITY IMPLICATIONS

- 6.1 The principle of sustainable development is a 'golden thread' running through plan making and decision taking on planning matters. By setting out procedures and standards for community engagement in preparing planning documents and in determining planning applications, the SCI provides stakeholders with greater clarity on how they may make representations on sustainability (and other) matters, in order that these be taken into account.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no significant financial or resource implications arising from this report. All public consultation in relation to planning documents, planning applications and other planning services that is carried out by the Council is funded through the Growth and Development Service's revenue budget.

8.0 RISK ASSESSMENT

- 8.1 Updating the current SCI to take into account changes to government legislation, changes to consultation methods, and changes to resource availability will help to ensure that local communities and other interested parties can remain engaged with the Council as new planning policy documents emerge and as planning applications are determined. This will assist in ensuring that the Council continues to adopt sound planning policies and reach robust planning decisions, and remains legally compliant when carrying out these aspects of its planning function.

9.0 HEALTH AND WELLBEING IMPLICATIONS

- 9.1 There are no direct implications for health and wellbeing from the recommendations in this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as Appendix D to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

Appendix A – West Lancashire Statement of Community Involvement 2020 (including Addendum)

Appendix B – West Lancashire SCI 2020 – Consultation Report

Appendix C – West Lancashire SCI 2020 – Adoption Statement

Appendix D – Equality Impact Assessment



West Lancashire Statement of Community Involvement

September 2020

Deleted: Draft - January

Ian Gill, MA, MRTPI
Head of Growth and Development
West Lancashire Borough Council



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Addendum

The Addendum to the West Lancashire SCI 2020 has been prepared in the light of COVID-19 and its associated restrictions on public life. It reflects [temporary or otherwise] changes to legislation and national planning practice guidance, and will apply for a temporary period whilst the COVID-19 related restrictions and changes are in place. As such, the provisions of the 2020 SCI Addendum take precedence over the provisions of the 2020 SCI during the temporary period that the Addendum is in force.

1.0 INTRODUCTION

1.0.1 What is a Statement of Community Involvement?

A Statement of Community Involvement (SCI) is a document which sets out how the local planning authority (LPA) will consult with the community, businesses, and other organisations or 'stakeholders' about the development of their area. It also explains how these people can get involved with the planning system.

1.0.2 What does it do / cover?

West Lancashire Borough Council, as the LPA for the area, is responsible for producing planning policy documents (including the Local Plan) and making a decision on most types of planning applications (excluding minerals and waste applications, which are dealt with by Lancashire County Council).

West Lancashire Borough Council, as the charging authority for the Community Infrastructure Levy (CIL) for the area, is also responsible for preparing a CIL charging schedule.

This document will describe the background and context for the SCI, and will set out:

- **what** will be consulted upon
- **who** could be consulted
- **how** we might carry out consultation, and
- **when** we will consult.

1.0.3 Why do we need a new SCI?

The Council published its original SCI in 2007, with an addendum produced to update it in 2009. From 2009 to 2015, there were several significant changes made to planning laws, as well as to ways that consultation could be carried out (for example, the use of social media). Consequently, we prepared a new SCI and adopted it in 2016.

Since 2016, more changes have taken place in Planning, which would benefit from being reflected in an updated SCI. One of these changes is a requirement for LPAs to update their SCIs at least every five years¹. In addition, preparing a new SCI gives the Council the opportunity to review and improve its approaches to consultation, based on experience and best practice.

¹ [Regulation 10A\(1\)\(b\) of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)

1.0.4 Why is consultation important?

The Council also recognises that meaningful engagement with local communities and other 'stakeholders' can help in the planning process and can help increase public acceptance of developments. In more general terms, local authorities have a legal duty to act fairly in the exercise of their functions. One aspect of fairness is to consult stakeholders on matters that may affect them. The government has placed an emphasis on localism – to empower local communities to get involved in decision making.

It is important, however, that people understand that whilst all points of view made to the Council are considered, it is not always appropriate and / or possible for the Council to accommodate every request for change, especially where two parties have opposite views. Part of the Council's role is to balance competing interests and whilst it is accepted that the Council's decisions on planning matters will directly affect people's lives, it should also be remembered that feedback from public consultation is one of several factors that the Council takes into account when making its decisions. Sometimes decisions may be made contrary to the views of people who have responded to consultation because other factors weigh more heavily in the overall planning balance. It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived at, taking into account relevant planning-related points made, including those received during consultation.

One final comment to make is that when consulting on planning matters, it is not the number of comments registered but the relevance of the planning-related arguments contained within them that is most important. As an LPA, the Council needs to balance the views of all sides, as well as relevant law and policy, in forming its decisions.

1.0.5 What are the legal requirements?

- The **Planning and Compulsory Purchase Act 2004, Section 18 (Part 1)**, sets the requirement for LPAs to produce a Statement of Community Involvement;
- The **Town and County Planning (Local Planning) (England) Regulations 2012** (as amended) set out the minimum requirements for consultation on planning policy documents;
- The **Town and Country Planning (Development Management Procedure) (England) Order 2015** sets out the minimum requirements for consultation on planning applications;

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- The **Localism Act 2011**, Section 110 (also: *Planning and Compulsory Purchase Act 2004*, Section 33A), sets out a 'Duty to Co-operate' between public bodies on planning issues that cross administrative boundaries;
- The **Neighbourhood Planning (General) Regulations 2012** set out the requirements for consultation on Neighbourhood Plans;
- The **National Planning Policy Framework (NPPF) 2019** sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of co-operation across local authority boundaries;
- The **Community Infrastructure Levy Regulations 2010** (as amended) set out the minimum requirements for consultation on the Community Infrastructure Levy;
- The **Planning (Listed Building and Conservation Areas) Act 1990**, Section 69, sets out the need to periodically review Conservation Area designations in consultation with the community;
- The **Town and Country Planning Act 1990**, Section 199, sets out the need to consult persons and consider representations and objections in relation to Tree Preservation Orders (TPOs).

This SCI addresses the above legal consultation requirements. Once the SCI is adopted, West Lancashire Borough Council will need to follow the procedures for consultation and engagement set out in this document.

1.0.6 The Duty to co-operate

The Localism Act 2011 requires LPAs to engage with neighbouring authorities and other statutory bodies to consider joint approaches to plan-making. This 'Duty to Co-operate' is reiterated in the NPPF, which requires LPAs to work collaboratively with other bodies to ensure that strategic priorities across local authority boundaries are properly co-ordinated and clearly reflected in individual local plans, and to enable delivery of sustainable development.

West Lancashire Borough Council is committed to fulfilling this Duty and, as a matter of practice, works closely with neighbouring authorities and other partner organisations and stakeholders. Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 lists the bodies we are required to work with under the Duty to Co-operate. These bodies are listed in Appendix A of this SCI.

2.0 PREPARING PLANNING POLICY DOCUMENTS

The Council is responsible for producing local planning policy which, along with national policy, is used to inform decisions as it carries out its Development Management functions. There are different types of policy documents, each carrying different weight, and each requiring a different level and / or nature of engagement with the local community and other stakeholders. The most common policy documents which involve public consultation are development plan documents (DPDs²), (including the Local Plan), and supplementary planning documents (SPDs). The processes for producing DPD and SPDs vary, and, consequently, so do consultation arrangements / procedures.

When Council-produced DPDs are examined by independent Inspectors appointed by the Secretary of State, the documents will be tested for “soundness”³ and for “legal compliance”, i.e. to ensure that legal requirements have been met. One of the legal requirements is to verify that the consultation on the DPD at its various stages of preparation has been carried out in accordance with the Statement of Community Involvement.

2.0.1 Who do we consult?

The Council is required to consult certain organisations and bodies, and is advised to consult others, depending on the type of policy document. This is in accordance with the regulations of the **Town and Country Planning (Local Planning) (England) Regulations 2012** (referred to from now on as 'the 2012 Regulations').

The 2012 Regulations set out who must be consulted at the defined stages of plan production. These organisations / companies are known as specific consultation bodies, or **statutory consultees**, and are listed in Appendix B of this SCI.

The LPA can also identify a number of other bodies it may wish to consult at key stages. These are known as general consultation bodies, or **general consultees**, and are listed in Appendix C.

The lists of statutory and general consultees may change as a result of amendments to the 2012 Regulations or organisational changes, which happen from time to time.

² The term “development plan document” and the term “local plan” are used interchangeably. The Town and Country Planning (Local Planning) (England) Regulations 2012 define the term “local plan”, and states that “local plans” are prescribed as “development plan documents” for the purposes of Section 17(7)(a) of the Planning and Compulsory Purchase Act 2004.

³ A straightforward interpretation of the word 'sound' is that it 'shows good judgement' and 'is able to be trusted'. To be considered 'sound' a document should be 'positively prepared, justified, effective and consistent with national policy'.

The Council is also committed to involving a wide range of other individuals and organisations, including the local community and 'hard to reach' groups. These '**other consultees**' are also identified by the Council.

The Council will maintain a **database** (the Strategic Planning Consultation Database) containing the contact details of individuals, groups and other bodies that wish to be kept informed of consultations relating to planning policy documents. Consultees are able to specify which subjects are of interest to them. Individuals and organisations on this database will be contacted by email or post when the Council consults on relevant planning policy documents and / or subjects. The database will be administered strictly in accordance with the provisions of the General Data Protection Regulation, and will be regularly updated.

If you wish to be added to, or removed from, the Strategic Planning Consultation Database, please contact the Strategic Planning and Implementation Team on 01695 585194, by email at: Localplan@westlancs.gov.uk, or you can register / opt out directly online by following the links from:
<http://www.westlancs.gov.uk/planningpolicy>.

2.0.2 When do we consult?

The Council's Local Development Scheme (LDS) gives an indication of the timescales for the preparation of DPDs and SPDs in West Lancashire. This should enable people to broadly know when to expect consultation. Each formal consultation stage will be publicised by the Council.

You can find out more about the LDS on the Council's website:

<https://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/the-local-plan-2038.aspx>

The section below explains how to get involved.

Deleted: <https://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/local-plan-review/local-development-scheme-lds.aspx>

2.1 Development Plan Documents

Development Plan Documents (DPDs) are planning documents that set out the planning strategy, policies and proposals for a local planning authority area. At the time of preparing this 2020 Statement of Community Involvement, the principal DPD is the adopted Borough-wide West Lancashire Local Plan 2012-2027⁴. This Local Plan is the primary consideration in the determination of planning applications.

The 2012 Regulations set out three formal stages of DPD production where consultation and / or publicity is required, and specify who should be consulted. These stages are listed as Stages 2, 5 and 8 in Table 2.1 on the following page.

However, the statutory consultation stages may not always provide adequate opportunity for the views of the community to feed into preparation of the DPD, or the accompanying Sustainability Appraisal. Therefore, in the interests of best practice and positive public engagement, the Council may sometimes consult on an informal stage of the DPD's preparation, for example the Options and Preferred Options stages.

2.1.1 When do we consult?

Table 2.1 below sets out the stages of the DPD's production and whether consultation and / or publicity is required.

In accordance with the 2012 Regulations, each formal stage of consultation should include a 'Statement of Representations Procedure' which is a document setting out what is being consulted upon, where the consultation documents can be found, and how comments can be made on them. The Council may produce a Statement of Representations Procedure for informal stages as well, where consultation is being undertaken at these stages.

Under Regulation 22, before the LPA can submit a DPD for examination, it must prepare a 'Statement of Consultation' which sets out who was consulted at each formal stage of the DPD's preparation, what issues were raised by consultees and how those issues have been addressed in the final DPD. The Council must publish that statement, along with a copy of the DPD, the Sustainability Appraisal report (see Section 2.1.2), copies of representations made under Regulation 20 (see Table 2.1), and any relevant supporting documents. The Council must also provide a statement setting out how it has met its requirements in relation to the 'Duty to Co-operate'.

⁴ The terms 'DPD' and 'Local Plan' are used interchangeably in this section.

Table 2.1 Consultation during preparation of a Development Plan Document

Stage	DPD Preparation Stage	Regulation number ⁵	Purpose	Consultation required?	Publicity required?
1	Evidence gathering	-	To gather evidence in order to identify the issues and opportunities for development in the Borough	Only if required for any specific study ⁶	Only if required for any specific study.
2	Scoping	Reg. 18	To notify persons / groups of the subject of the DPD and invite them to make representations about what the DPD should contain. <u>Comments received will be taken into account in preparing the DPD.</u>	Yes	Yes
3	Issues and Options	-	To gather evidence on the issues affecting the area, and to prepare options (policy / strategy) to address the issues; to undertake initial work on the Sustainability Appraisal. To notify persons / groups of the issues / options and to invite them to make representations on the issues and options. If consulted upon, <u>comments received will be taken into account in preparing the DPD.</u>	Optional (i.e. not required by 2012 Regulations, but the Council may choose to consult at this stage)	Optional (i.e. not required by 2012 Regulations, but the Council may choose to publicise at this stage)
4	Preferred Options	-	To prepare a draft DPD taking into account any comments made at the Scoping stage and the Issues and Options stage (if consulted upon) and to produce a Sustainability Appraisal. If consulted upon, <u>comments received will be taken into account in preparing the DPD.</u>	Optional (as above)	Optional (as above)
5	Publication	Reg. 19 Reg. 20	To prepare a final draft document taking into account any comments made at previous stages, along with a Sustainability Appraisal report. To make the document available for public viewing and comments.	Yes	Yes
6	Submission of a Local Plan to the Secretary of State	Reg. 22	To collate, summarise and forward all representations received at Publication stage to the government, who will appoint an independent Planning Inspector to examine the DPD.	No	Yes
7	Independent examination by a Planning Inspector (formal)	Reg. 24	To examine the 'soundness' of the DPD in a public forum. This includes an assessment of whether the LPA has considered the views of the community and met the requirements of the SCI.	No	Yes

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Comments received will inform the preparation of the next stage

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⁵ Town and Country Planning (Local Planning) (England) Regulations 2012

⁶ For example, the Sustainability Appraisal forms part of the evidence base, and the Regulations require that the SA be published for consultation alongside the local plan at the Publication stage.

Stage	DPD Preparation Stage	Regulation number ⁵	Purpose	Consultation required?	Publicity required?
8	Main Modifications		To make specific necessary changes to the DPD in order to make it sound. Where these are major in nature, we will consult with those who made representations at the Publication stage. Any comments received will be considered by the Planning Inspector.	Yes	Yes
9	Publication of Inspector's Report Adoption of the DPD	Reg. 25 Reg. 26	To inform participants in the DPD preparation process and any other interested parties of the recommendations of the Planning Inspector. To adopt the DPD document for use by the Council in its development management function. We will notify consultees of the publication of the Inspector's Report and the adoption of the Plan as soon as is reasonably practical.	No	Yes
10	Monitoring & review		To track the performance of policies and to advise on any necessary adjustments. Monitoring will usually be undertaken on an annual basis.	No	No

2.1.2 Sustainability Appraisal

Under the Environmental Assessment of Plans and Programmes Regulations 2001, and the European Directive 2001/42/EC ('the SEA Directive'), all DPDs require a Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA). These appraisals are produced in tandem with the DPDs to assess their environmental, social and economic impacts, and to guide the choice of policies / allocations, etc. We normally consult on the SA alongside the DPD at each significant stage ([i.e. Regulation 18, Regulation 19](#)) of the DPD's preparation.

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Three statutory consultees are consulted as a matter of course when preparing SAs and / or SEAs; these are Natural England, Historic England, and the Environment Agency. The Regulations require that consultation take place on the Sustainability Appraisal reports alongside the DPD to which they relate.

2.1.3 How do we consult?

Consultation methods for each stage of DPD production will vary. Each stage will involve a number of set methods and, in addition, may involve one or more of the optional methods. Table 2.2 sets out the methods that could be used at each stage of consultation on the DPD.

Table 2.2 Consultation on emerging DPDs

Method	Stage of preparation of DPD			
	Pre-Draft Consultation (Scoping) (Reg.18)	Draft Consultation (Options / Preferred Options) NB: Optional	Publication & Submission (Regs.19,20,22)	Inspector's Report & Adoption (Regs. 25,26)
Website	✓	(✓) ⁷	✓	✓
Email out (database)	✓	(✓)	✓	✓
Mail out (database)	✓	(✓)	✓	✓
On deposit	✓	(✓)	✓	✓
Press release	✓	(✓)	✓	✓
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	N/A
Leaflets	Optional	Optional	Optional	N/A
Neighbour letters	No	No	No	No
Exhibitions	Optional	Optional	Optional	N/A
Forums	Optional	Optional	Optional	N/A
Drop-in sessions	Optional	Optional	Optional	N/A
Social media	Optional	Optional	Optional	N/A
Groups consulted / notified	Statutory and general consultees ⁸ .	Statutory and general consultees. Any representors from previous stage.	Statutory and general consultees. Any representors from Reg. 18 stage.	Statutory and general consultees. Anyone who has asked to be notified.
Duration	Minimum 4 weeks	Minimum 6 weeks	Minimum 6 weeks	-
Consultation Statement produced?	Yes	Optional	Yes	No

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2.1.4 How will we report the results?

Following public consultation on emerging DPDs, the Council will prepare a Feedback Report (or Consultation Statement), summarising the issues and main points raised through the representations. It may also set out how the Council has responded to the points raised, and what has been changed in the DPD as a result of the comments. The Feedback Report will be shared with Members to inform their decisions on the next stage of the DPD's preparation, and may be published on the Council's website. The Council is not bound to respond to each individual submission / representation to consultation on DPDs.

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⁷ i.e. undertaking consultation is optional; if undertaken, it will be published on the Council's website.

⁸ The term 'general consultees' includes the general public (via the WLBC Strategic Planning Consultation Database).

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2.2 Supplementary Planning Documents

Supplementary planning documents (SPDs) are planning documents that provide greater detail in relation to the policies in the Local Plan or other DPDs. SPDs can be topic- or area-based. They do not have the same status as DPDs, and do not form part of the statutory development plan, but are material considerations in planning decisions.

The 2012 Regulations set out two stages of SPD production where consultation and / or publicity is required. They are:

- Public participation stage (Regulations 12 and 13) and
- Adoption (Regulation 14).

On occasions where the regulatory stages do not provide adequate opportunity for the views of the community to contribute towards preparation of the SPD, the Council may sometimes consider carrying out an extra stage of consultation, for example if there are fundamental changes proposed to the SPD following one round of consultation.

2.2.1 When do we consult?

Table 2.3 below sets out the stages of an SPD's production and whether consultation and / or publicity is required.

Table 2.3 Preparation Stages for SPDs

Stage	Preparation Stage	Regulation number	Purpose	Consultation required?	Publicity required?
1	Evidence gathering	-	To gather evidence to inform the preparation of the SPD	No	No
2	Scoping / Issues	Reg. 12(a)	To set the scope of the SPD, and to identify issues the SPD will cover. Comments received at this stage will inform the preparation of the draft SPD. A Consultation Statement will be produced (Reg. 12(a)).	Informal / limited consultation required (i.e. to specific bodies)	Optional
3	Public participation on draft SPD	Reg.12(b) Reg.13	To prepare the draft SPD. To publish the Consultation Statement (Reg. 12(a)) and draft SPD, and to invite representations on the draft SPD. Comments received at this stage will inform the preparation of the final SPD.	Yes	Yes

Stage	Preparation Stage	Regulation number	Purpose	Consultation required?	Publicity required?
4	Final SPD	-	To produce the final SPD.	No	No
5	Adoption of the SPD	Reg.14	To adopt the SPD for use by the Council in its development management function.	No	Yes
6	Monitoring & review	(Optional)	To track the performance of policies and recommend adjustments if deemed necessary. Monitoring, if carried out, is usually on an annual basis.	No	No

2.2.2 Sustainability Appraisal of SPDs

The requirement to carry out a Sustainability Appraisal (SA) (which includes Strategic Environmental Assessment) applies to all DPDs. However amendments to the Town and Country Planning Regulations in 2009 removed the automatic need to undertake SA for supplementary planning documents.

The Council is, however, required to determine whether an SPD requires SA, i.e. there is a need to 'screen'. The screening process in this instance essentially involves asking the question: 'Are there likely to be significant effects as a result of the SPD, recognising that the role of the SPD is only to amplify adopted policy?'

If SA is undertaken for an SPD, this process would take place in tandem with the preparation of the SPD, and the SA report would normally be consulted upon at the same time as the SPD.

2.2.3 How do we consult?

The methods for consultation at each stage of the SPD production will vary. Each stage may involve a number of set methods and, possibly, one or more of the optional methods. Table 2.4 below sets out the methods to be used at each stage of consultation on the SPD.

Table 2.4 Consultation on emerging SPDs

Method	SPD Preparation Stage			
	Pre-Draft (Scoping / Issues) (Reg. 12(a))	Draft SPD (Reg. 12(b) & 13)	Revised SPD NB: Optional stage	Adoption (Reg.14)
Website	Optional	✓	Optional	✓
Email out (database)	Optional	✓	Optional	✓
Mail out (database)	Optional	✓	Optional	✓
On deposit	Optional	✓	Optional	✓
Press release	Optional	Optional	Optional	Optional
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	Optional
Leaflets	Optional	Optional	Optional	–
Neighbour letters	Optional	Optional	Optional	–
Staffed exhibitions	Optional	Optional	Optional	–
Unstaffed exhibitions	Optional	Optional	Optional	–
Forums	Optional	Optional	Optional	–
Social media	Optional	Optional	Optional	–
Groups consulted / notified	Limited specific consultees with an interest in the subject matter.	Statutory and general consultees ⁹ . Respondents from previous stage.	Statutory and general consultees. Respondents from previous stage.	Statutory and general consultees. Anyone who has asked to be notified.
Consultation Statement produced	Yes	Optional	Optional	No
Duration	Minimum 4 weeks	Minimum 6 weeks	Minimum 4 weeks	-

2.2.4 How will we report the results?

Following the 'Scoping' (Reg. 12(a)) consultation, the Council will prepare a feedback report, or Consultation Statement, which will summarise the issues raised through the representations, how the Council has responded to them and what has been changed in the SPD as a result of the comments.

⁹ The term 'general consultees' includes the general public (via the WLBC Strategic Planning Consultation Database)

2.3 Development Briefs

Development Briefs provide guidance and a framework for the development of a specific site. Usually, these are prepared for larger sites that have been allocated for development within the Borough-wide Local Plan. As with SPDs, Development Briefs are not subject to independent examination and their purpose is simply to provide supporting guidance in relation to the policies for the site in question. Development Briefs are not part of the statutory planning framework, but can have weight as a consideration in planning decisions.

Consultation on Development Briefs will usually be similar in nature to consultation on SPDs in that the Council will publish a draft Development Brief for consultation, and the comments received will inform preparation of the final Development Brief.

Due to the localised nature of most Development Briefs, extensive consultation is not usually considered to be appropriate. The table below sets out the methods considered appropriate for Development Briefs. Where possible, the Council will run Development Brief consultation in tandem with DPD / SPD consultation in order to maximise publicity and use resources efficiently.

2.3.1 When do we consult?

Table 2.5 Development Brief preparation stages and consultation

Stage	Preparation Stage	2012 Regulation	Purpose	Will we consult?	Will we publicise?
1	Evidence gathering	–	To identify the issues, and the opportunities for development	Optional	Optional
2	Identification of issues NB: Optional consultation stage	–	To identify issues for the Brief If consultation is undertaken, comments received will inform the preparation of the draft development brief.	Optional	Optional
3	Draft Development Brief	–	To prepare the draft development brief, and to invite representations on it. Comments received at this stage will inform the preparation of the final development brief.	Yes	Yes
4	Final Development Brief	–	To produce the final Development Brief, taking into account feedback from consultation on draft Brief.	No	No
5	Adoption	–	Adoption of the Development Brief by Council.	No	Yes

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2.3.2 How do we consult?

Table 2.6 Consultation on Development Briefs

Method	Development Brief			
	Identification of Issues NB: Optional stage	Draft Development Brief	Final Development Brief	Adoption
Website	Optional	✓	Optional	✓
Email out (database)	Optional	✓	Optional	✓
Mail out (database)	Optional	✓	Optional	✓
On deposit	Optional	✓	Optional	✓
Press release	Optional	Optional	Optional	Optional
Press notice	Optional	Optional	Optional	Optional
Press advertisement	Optional	Optional	Optional	Optional
Leaflets	Optional	Optional	Optional	Optional
Neighbour letters	Optional	Optional	Optional	Optional
Exhibitions	Optional	Optional	Optional	No
Drop-in sessions	Optional	Optional	Optional	No
Social media	Optional	Optional	Optional	Optional
Groups consulted / notified	Statutory and general consultees ¹⁰ .	Statutory and general consultees. Representatives from previous stage, if consultation was undertaken.	Statutory and general consultees. Representatives from previous stage.	Statutory and general consultees. Representatives from previous stage.
Feedback Report produced	Optional	Yes	Yes	No
Duration	Minimum 4 weeks	Minimum 4 weeks	Minimum 4 weeks	-

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¹⁰ The term 'general consultees' includes the general public (via the WLBC Strategic Planning Consultation Database)

2.4 **Publicity and consultation**

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Consultation on planning policy documents will be undertaken using a variety of methods. For compulsory consultations (i.e. those required by the 2012 Regulations), the Council will use a small number of set methods as a minimum. Additional methods may also be used, dependent on the type of document and / or the nature of the document's subject matter.

2.4.1 **Methods for publicity and consultation**

Methods to be used as a minimum¹¹:

- **Website.** The Council's website will contain a consultation page to provide information on recent, current and future consultations. For current consultations, the website will show all the relevant documents, guidance on how to comment and comments forms.
- **Email.** People will be able to register onto the 'Strategic Planning Consultation Database' to receive the latest news and updates on consultation and the preparation of policy documents. To help minimise costs, the Council will encourage people to register using their email address. This method will be used as a default unless consultees indicate they require communication by letter. Registration can be done online through the Planning Consultation pages of the Council's website (www.westlancs.gov.uk/planningpolicy)
The database will be administered in compliance with the General Data Protection Regulation.
- **Letter.** People who wish to receive notification by letter rather than by email may register onto the Council's planning consultation database to receive news and updates on consultation and preparation of policy documents via post. To register for notification by letter, please contact the Strategic Planning and Implementation team by telephone (01695 585171) or by post (West Lancashire Borough Council, Planning Policy, 52 Derby Street, Ormskirk, Lancashire, L39 2DF).
- **Availability of documents 'on deposit' at libraries and Council offices.** The Council will make all documents and guidance available at public libraries within West Lancashire Borough, at the Council offices at Derby Street, Ormskirk, and at the Customer Service Point, Skelmersdale Concourse. Should library or office facilities no longer be available in future, alternative venues around the Borough will be considered.

¹¹ Please see [Addendum to 2020 SCI for temporary amendments to these methods for publicity and consultation, to apply whilst restrictions on public movement / meeting, etc. are in place.](#)

Additional methods may include one or more of the following:

- **Press release.** Press releases may be issued to local newspapers to draw attention to policy documents. However, where releases are issued, the Council has no control over what the paper chooses to publish.
- **Press notice.** Press notices are [paid for] public notices posted in the local press (normally the 'Champion Group' newspapers).
- **Press advertisement.** The Council may publish advertisements in the local press to promote planning consultation. Due to their cost, they will usually only be used for significant policy documents which have an impact on a wider area, such as those affecting the whole Borough or for strategic development sites. Alternatively, a 'newspaper wrap' may be produced.
- **Leaflets.** Leaflets can often be a good way of informing local residents and businesses about planning policy documents. However they can also be costly and time consuming. Leaflets may be used for significant policy documents which have an implication on a wider area, such as those affecting the whole Borough or for strategic development sites.
- **Neighbour letters.** Letters may be sent to properties neighbouring (adjacent to¹²) a development site to notify them about the preparation of a planning document. Due to cost, if a decision is made to send out neighbour letters, these will only be used for those policy documents which have an impact on a more localised area, such as a Development Brief for an allocated site.
- **Staffed Exhibitions.** Exhibitions help display information on policy proposals and give local people access to information. They also enable the public to speak directly to planning staff. Where staffed exhibitions are used, the Council will endeavour to arrange them during the earlier part of the consultation period in order to provide sufficient time for people to formulate and submit comments after having visited the exhibition.
- **Unstaffed Exhibition.** Exhibitions help display information on policy proposals and give local access to information. Where unstaffed exhibitions are used, they will normally be available throughout the consultation period in a publicly accessible location.
- **Forums.** Public forums and workshops can be used to support discussions. As forums are often restricted in terms of capacity (both as a result of venue size, and the workable ratio of attendees to Council officers), attendance will usually be required to be registered in advance. Such forums will be advertised via some of the media set out above, so that interested individuals may register to attend.
- **Drop-in sessions.** Drop-in sessions enable members of the public to 'drop-in' to organised sessions at advertised venues, and to ask planning officers any questions they may have.

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¹² e.g. sharing a boundary, and / or across a footpath or road, and / or on the access to the site

- **Social media (e.g. Facebook, Twitter).** Consultations will be publicised through social media where feasible; updated technologies may be used in future.

It should be noted that all consultations are public and that means they must be open to everyone, subject to limitations on numbers due to Health and Safety considerations or officer resources. We cannot restrict attendance at public events to certain specific societal groups, nor can we exclude certain individuals / groups from attending, unless they are aggressive towards other members of the public or Council officers. Where numbers are restricted, registration will be required for an event; this will be advertised and registration will be on a first-come first-served basis. Where demand is high and events are over-subscribed, the Council may seek to arrange additional events.

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We will try to ensure that events are held in accessible locations which can be reached using public transport. We will also try to ensure that events are held at convenient times to as wide a range of people as possible, including weekdays, weekday evenings and, where appropriate, Saturdays.

Methods of consultation will vary depending on the type of document being consulted upon.

2.4.2 How we will accept representations

The Council will strongly encourage the use of electronic-based modes (bespoke web-based software, etc.) to submit and receive representations, in order to keep administrative costs and time to a minimum. The Council may accept some representations on paper from those without access to the internet.

- **Electronic based**
 - **Website:** It is our intention to run consultations online using methods such as electronic forms and surveys which will be placed on, or linked to from, the Council website.
- **Paper based**
 - **Forms:** For those who cannot access the internet, paper based forms (and, where applicable, questionnaires and surveys) can be made available to be collected from Council offices and public libraries¹³ and posted to the Council.

¹³ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make documents available.

2.5 Neighbourhood Plans

2.5.1 What is a Neighbourhood Plan?

The Localism Act 2011 introduced the opportunity for communities to produce 'Neighbourhood Plans'. A Neighbourhood Plan is a community-led framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and may contain a vision, aims, planning policies, proposals for improving the area or providing new facilities, or the allocation of key sites for specific kinds of development.¹⁴

A Neighbourhood Plan can add detail and locally-set objectives to support and complement the Borough-wide Local Plan. It must be in conformity with the Borough-wide Local Plan, and with national planning policy (the National Planning Policy Framework), and cannot be used to block or veto development.

If successful at public referendum, a Neighbourhood Plan will become part of the statutory development plan for the area.

2.5.2 How will the Council be involved?

The Council has a statutory "Duty to Support" local groups in the preparation of Neighbourhood Plans. The amount of assistance will be dependent upon the level of resources available to the Council at the time of the request.

The Council will support those neighbourhoods who wish to prepare a Neighbourhood Plan, but the preparation of such plans is required to be led by community organisations such as the Parish Council or a Neighbourhood Forum (a group designated by the Local Authority in non-parished areas). While a Neighbourhood Plan is being prepared, consultation on it will be the responsibility of the individual Parish Council or Neighbourhood Forum and is therefore outside the scope of this SCI.

However, once a Neighbourhood Plan has been drawn up and submitted to the local planning authority, the local planning authority must carry out a statutory consultation on the proposed Neighbourhood Plan before it is examined by an independent and suitably qualified person.

Where appropriate, the Council will publish copies of any Neighbourhood Plans and updates on the progress of Plan preparation on its website.

¹⁴ Neighbourhood Plans Road Map Guide:
<http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

Table 2.7 below sets out the different stages of consultation involved in producing a Neighbourhood Plan and whose responsibility it is to carry out this consultation.

Table 2.7 Neighbourhood Plan consultation responsibilities

Stage	Responsibility
Designating the 'neighbourhood area' - consultation on the area to be subject to the Neighbourhood Plan	Local Planning Authority
Preparing a Draft Neighbourhood Plan - engagement and consultation with those living and working in the neighbourhood area and those with an interest in, or affected by, the proposals	Parish Council / Neighbourhood Forum
Pre-submission consultation – on Draft Neighbourhood Plan	Parish Council / Neighbourhood Forum
Consultation to satisfy requirements in relation to European directives, if and where they apply to a Draft Neighbourhood Plan	Parish Council / Neighbourhood Forum
Statutory consultation on a submitted Neighbourhood Plan	Local Planning Authority
Examination of Neighbourhood Plan	Local Planning Authority
Neighbourhood Planning referendum	Local Planning Authority

3.0 COMMUNITY INFRASTRUCTURE LEVY

The Community Infrastructure Levy (CIL) allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. The money raised is used to pay for infrastructure required to support the new development. CIL must be administered in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). The CIL Regulations set out when and how the Council must consult at specific stages of the CIL preparation process.

3.1 Preparation of a Charging Schedule

In preparing a Charging Schedule, the Council must follow a series of stages as set out in, and required by, Part 3 of the CIL Regulations. Some of the stages require consultation and/or publicity and include:

- Publication of a Draft Charging Schedule (Regulation 16)
- Representations relating to a draft charging schedule (Regulation 17)
- Submission of documents and information to the examiner (Regulation 19)
- CIL examination: right to be heard (Regulation 21)
- Publication of the examiner's recommendations (Regulation 23)
- Approval and publication of a charging schedule (Regulation 25)

3.1.1 Who do we consult?

At most stages the Council, as the Charging Authority, must notify the consultation bodies which comprise adjoining local planning authorities, the County Council and Parish Councils or neighbourhood forums. The Council must also invite representations from residents and businesses in the Borough, voluntary bodies and other bodies that represent businesses in the area.

3.1.2 When do we consult?

Table 3.1 below sets out the stages of preparation of the Charging Schedule and whether consultation and / or publicity is required.

Table 3.1 Preparation of CIL Charging Schedule and consultation

Stage	Charging Schedule Preparation Stage	CIL Regulation number	Purpose	Consultation required?	Publicity required?
1	Evidence gathering	-	To gather evidence to inform CIL	No	No
2	Draft Charging Schedule	Reg.16	Publish and invite representations on Draft Charging Schedule. Comments received at this stage will be considered by the examiner.	Yes	Yes
3	Submission	Reg.19 Reg.21	Submission of Draft Charging Schedule and accompanying documents and representations to the examiner. Publication of matters	No	Yes
4	Publication of the Examiner's recommendations	Reg.23	Publication of the examiner's recommendations	No	Yes
5	Adoption	Reg.25	Approval and publication of CIL Charging Schedule by Council.	No	Yes

3.1.3 How do we consult?

Consultation and publicity methods vary slightly with each stage of CIL preparation. Table 3.2 below outlines the methods that are required at each stage, although further consultation or publicity methods may also be used. An explanation of the methods can be found in the preceding chapter.

For the stage covered by Regulation 16, the Council will prepare a Statement of Representations setting out the availability of documents and how comments can be submitted.

Table 3.2 CIL preparation – consultation methods

Method	Stage of CIL preparation					
	(Reg.15)	Draft Charging Schedule (Reg.16)	Submission (Reg.19)	Right to be heard (Reg.21)	Examiner's Report (Reg.23)	Adoption (Reg.25)
Website	✓	✓	✓	✓	✓	✓
Mail out	✓	✓	✓	✓	✓	✓
On deposit	✓	✓	✓		✓	✓
Feedback Report produced	✓	✓	✓			
Duration	–	Min. 6 weeks	Min. 6 weeks	–	–	–

It is expected that consultation on significant changes should be undertaken for at least 4 weeks and so the Council periods exceed this requirement. However, where minor changes are proposed a shorter consultation may be considered appropriate.

3.1.4 How will we report the results?

Following the key round of consultation on the Draft Charging Schedule, the Council will prepare a Consultation Statement, or Feedback Report, which will summarise the issues raised through the representations, how the Council has responded to them, and what has been changed to the Charging Schedule as a result of the comments.

3.1.5 Review of a Charging Schedule

Regulations 26 and 27 govern the correction of errors in a Charging Schedule. The Council will follow the requirements of the CIL Regulations in the case of any necessary changes to the Charging Schedule, and subsequent notification or consultation.

Where appropriate, a review of the charging schedule will be aligned with preparation of the Local Plan, although it is not necessary to wait for changes to a plan before bringing forward new or amended charging schedules.

3.2 Consulting on how Council CIL money should be spent

3.2.1 Projects costing less than £100,000

Whilst the Council is keen to use CIL funding to deliver infrastructure projects in the short-term, the Council also wishes to ensure that CIL is allowed to accumulate so as to provide larger funds to support the delivery of larger, costlier projects in the medium to long-term timescales.

Annual CIL Funding Programmes will consider how we spend some of our CIL monies on 'small' schemes. Each year we will allocate up to £200,000 of CIL monies to smaller scale projects that individually require £100,000 of CIL funding or less.

This enables the vast majority of 'strategic' monies to be saved and allocated towards larger-scale projects, requiring more than £100,000 of CIL funding, whilst still allowing smaller infrastructure projects to have CIL funding allocated to them and be taken forward annually through the usual decision making process.

Deleted: therefore focus on smaller scale projects requiring £100,000 of CIL funding or less, and limit expenditure of CIL on those projects to £1200,000 each year

In any year where the £200,000 cap is not reached, the remaining balance will be moved into the larger-scale schemes fund.

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The Council is keen to ensure that local residents and businesses can have a say on these small-scale infrastructure projects. Subsequently, each year, officers will assess infrastructure projects and draw up a shortlist of schemes that meet the funding criteria (in accordance with our CIL Governance and Expenditure Framework). This shortlist will be put out to public consultation in autumn of each year through the draft CIL Funding Programme (CFP).

Publicity and consultation

We will publicise the consultation through selection of a range of methods, including

- Dedicated pages on the Council's website (www.westlancs.gov.uk/cfp)
- Press advert in the free press (Champion paper, or equivalent)
- The Council's social media
- Mail-out to those registered for electronic and paper updates on consultations
- Placing all materials on deposit at West Lancashire Council Offices and libraries

We will accept comments via:

- Online through a dedicated portal

Following the close of consultation, officers will consider all comments received and prepare a final CIL Funding Programme report with recommendations to Members. Members will then be responsible for deciding which schemes receive CIL funding in the following financial year.

3.2.2 Projects costing less than £100,000

Projects costing more than £100,000 of CIL will be funded through the saved strategic CIL funds that the Council holds. As such, they will not be included in the CIL Funding Programme consultation process but will be considered by Cabinet separately at a later date, in accordance with the Council's Governance and Expenditure Protocol. However, any shortlisted projects costing more than £100,000 will be identified alongside those projects costing less than £100,000, and so people may provide comments in support or otherwise of any proposals through the public consultation.

3.3 Consultation on how local CIL monies in non-Parished areas should be spent

The Council must pass a proportion of the CIL receipts it collects to local councils to ensure that some CIL monies are spent in the areas which development originated in. In West Lancashire, Parish Councils receive 15% of the receipts collected in their area, rising to 25% in areas which have a Neighbourhood Plan. In those areas without a local, or parish, council (Ormskirk and Skelmersdale), the Council must retain the 15% and spend it in consultation with the local community in that unparished area.

As a result of these requirements, consultations on the use of CIL monies in unparished areas are only available to the local community in that area. Respondents will be required to provide their residential or business address so that we can ensure that respondents have a direct connection to that area as only their responses will be taken into consideration.

Appropriate schemes in non-Parished areas will be identified as part of the wider assessment and shortlisting for strategic projects, with those projects in non-parished areas, and with available neighbourhood CIL receipts, taken forward for consultation. Consultation on non-Parished monies will be undertaken alongside that for strategic projects.

Publicity and consultation

We will publicise the consultation through selection of a range of methods, including

- Dedicated pages on the Council's website (www.westlancs.gov.uk/cfp)
- Press advert in the free press (Champion paper, or equivalent)
- The Council's social media
- Mail-out to those registered for electronic and paper updates on consultations
- Placing all materials on deposit at West Lancashire Council Offices and libraries

We will accept comments via:

- Online through a dedicated portal

Following the close of consultation, officers will consider all comments received and prepare a final CIL Funding Programme report with recommendations to Members. Members will then be responsible for deciding which schemes receive CIL funding in the following financial year.

4.0 COMMUNITY INVOLVEMENT IN DEVELOPMENT MANAGEMENT

This section explains how planning and related applications are dealt with and outlines the Council's consultation arrangements. In total the Council receives approximately 1,250 planning and related applications per year. The main purpose of the planning process is to regulate the development and use of land in the public interest. This also includes matters of enforcement where there has been a breach of planning rules (public consultation is not carried out on enforcement matters).

4.1 The Planning Application Process

The planning application process involves the making, consideration and determination of applications for 'development'. Development can be either building works or a material change in the use of land. There are also other types of planning applications that do not involve 'development' as such, but fall under Planning Regulations. 'Planning-related applications' can also be made for:

- Approval of reserved matters;
- Permission in principle;
- Discharge of conditions;
- Listed building consent;
- Amending proposals that have planning permission;
- Amending planning obligations;
- Lawful development certificates;
- Prior approval for some permitted development rights; and
- Non-planning consents (such as advertisement consent, consent required under a Tree Preservation Order, and hazardous substances consent).

4.1.1 Timescales

The government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major¹⁵ applications and 8 weeks for all others. If an Environmental Impact Assessment is required as a result of the scale of development, the period will extend to 16 weeks. Some of the timescales for dealing with 'planning-related applications' are shorter than the standard 8 week period.

¹⁵ The government's definition of a Major application is development involving any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where -
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

4.2 Permitted Development

However, not all 'development' requires an application for planning permission. For some works, planning permission is automatically granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 so these works can be carried out as 'Permitted Development'. For example, you can make certain minor changes to your house without needing to apply for planning permission. These are called "permitted development rights". Other examples of permitted development include certain changes of use, for example from a shop to a travel agent. [In some cases, for example in conservation areas, the Council may remove permitted development rights. This is done through a legal tool called an Article 4 Direction.](#)

If you are unsure whether or not you need planning permission or other planning-related consents for the development you are contemplating, you should visit the Council's website:

<http://www.westlancs.gov.uk/planning/planning-applications-enforcement/do-i-need-planning-permission.aspx>.

In most cases, where you need to know whether or not an application for planning permission is required, you may be advised to submit a request (in the form of an application) for a 'Certificate of Lawfulness for Proposed Use or Development'. A fee is charged for this process, 50% of the planning application fee for the same development. Pre-application planning advice may also be sought (see section 4.3 below).

For up-to-date information on how to make a planning application, guidance notes and other useful advice are available on the planning pages of the Council's website: www.westlancs.gov.uk/planning.

These pages include a link to the government's Planning Portal website <http://www.planningportal.gov.uk/permission/>. The Planning Portal provides a wealth of guidance, including an 'interactive house', a useful resource if you are considering works to your house.

4.3 Pre-Application Advice

4.3.1 Why should I seek pre-application advice?

The Council welcomes and encourages applicants and developers to seek pre-application advice from the Council prior to the submission of a formal planning application. There are a number of benefits in seeking advice before making an application, including:

- It provides early guidance on the planning policies relevant to your development and helps you to understand how these policies apply to your proposal;
- It can identify at an early stage whether there is a need for specialist information such as a tree survey, flood risk assessment, or ecological assessment;
- It will ensure you know what information you need to submit with the application, thereby making sure it can be registered and validated without undue delay;
- It can give a greater degree of certainty of whether your application is likely to be successful;
- It enables proposals to be changed and potential problems overcome before an application is submitted, saving time during the application process and reducing the risk of planning permission being refused;
- By identifying and addressing issues at pre-application stage, this can save time when an application is submitted and may result in a quicker decision.

In summary, pre-application discussions can help to achieve a better standard of application, improving the chance of a quicker decision and successful outcome.

4.3.2 What is required when submitting a pre-application enquiry?

Normally pre-application enquiries involve the submission of sketch drawings and other relevant detail, and applicants are asked to fill in forms available on the Council's website. Generally, the more information you submit, the more detailed the Council's response will be, and the advice given. We aim to provide a response within 28 days wherever possible, or if a meeting is required, within 14 days of the meeting being held. We will advise on the likelihood of gaining an approval on an informal basis.

The schedule of charges for pre-application advice as well as the procedures for gaining pre-application advice is available on the Council's website at:

<http://www.westlancs.gov.uk/planning/planning-applications-enforcement/pre-application-advice.aspx>

4.3.3 How will the Council consult on pre-application enquiries?

For major pre-application enquiries the Council may seek advice from internal and external consultees. However many of these external agencies offer their own direct pre-application advice service e.g. Lancashire County Council as highway authority, [Highways England¹⁶](#), [the Canal & River Trust](#), the Environment Agency and Merseyside Environmental Advisory Service.

During pre-application discussions officers will also advise developers on whether or not we feel the proposals would benefit from a process of community involvement before the application is submitted. National Planning Practice Guidance advises that 'pre application engagement with the community is encouraged where it will add value to the process and the outcome.' The Council understands that different developments will require public consultation to be tailored to suit the individual circumstances but on significant schemes a public meeting, exhibition and / or leaflet drop in the local area may be required. At pre-application stage, the Planning Officer will be able to agree an appropriate consultation plan for major development proposals.

For wind energy development, pre-application consultation with the local community is mandatory for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres¹⁷.

The community consultation measures outlined above are not necessary for small scale applications e.g. house extensions or single dwellings. However, we emphasise to applicants / developers the benefits to be gained by discussing proposals with neighbours who may be affected by the development¹⁸, and taking account of their comments when drawing up the formal planning application.

¹⁶ [Highways England advises applicants to view their document, 'The Strategic Road Network: Planning for the Future – a guide to working with Highways England on planning matters', available online.](#)

¹⁷ Town and Country Planning (Development Management) Procedure / Section 62A Applications (England) (Amendment) Order 2013 (SI 2932).

¹⁸ ['Neighbours' can include a neighbouring Council for certain types or sizes of development where the proposed site is adjacent or close to the authority boundary.](#)

4.4 Managing Development

4.4.1 Who will we consult?

The Council exercises its development management functions in the public interest and is committed to publicising and consulting widely on planning proposals. Upon receipt of a planning application the Council will undertake a period of formal consultation.

Depending on the type of planning application being considered, the Council is also required to consult various organisations and bodies and to invite them to make representations, as set out in the Town and Country Planning (Development Management Procedure Order) (England) (2015).

The main type of consultation groups include:

- The Public – including consultation with neighbouring residents and Parish Councils;
- Statutory Consultees – this is where there is a requirement in law to consult a specific body who in turn are under a duty to respond, for example, the Environment Agency, The Coal Authority, United Utilities, the Canal & River Trust and Lancashire County Council (as highway authority and Lead Local Flood Authority);
- Non-Statutory Consultees – these are not required by law but advice is sought where non statutory bodies are likely to have an interest in the proposed development, for example the Health and Safety Executive, or the Merseyside Environmental Advisory Service.

Deleted: and

4.4.2 How will we consult?

The level of consultation carried out for planning applications will be proportionate to the type and scale of planning application being determined. In all cases, publicity will meet legal requirements and in some cases, additional publicity may be carried out.

The regulations set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015, The Planning (Listed Building and Conservation Areas) Regulations and The Planning (Listed Buildings and Conservation Areas) Act 1990, state how planning applications need to be publicised, either by site notice or individual neighbour notification.

Neighbour notification by letter is the principal method of consultation on most planning applications – in such cases, letters are sent to all owners / occupiers of properties that immediately adjoin the boundary of the application site. Where the Council is unsure of the owner of an adjoining site, for example where the application site adjoins open land, a site notice will be displayed.

In addition, a press notice and site notice is also required for the following types of applications:

- Major developments
- An application accompanied by an Environmental Impact Statement
- A departure from the Local Plan
- A development that would affect a public right of way, under Part III of the Wildlife and Countryside Act 1981
- Development affecting the character or appearance of a Conservation Area
- Development affecting a Listed Building or its setting.

Neighbours / interested parties are given 21 days to respond in writing to the consultation.

A weekly list of all planning applications is sent to Councillors, Parish Councils, the local press, the Borough's libraries¹⁹, the Citizens' Advice Bureau and local amenity groups. A copy of the list is also made available on the Council's website.

We consult neighbouring Councils where appropriate and also consult directly any properties in other boroughs which directly adjoin an application site.

There are various types of planning and related applications that are commonly submitted to the Council for determination. These are listed in Table 4.1 below, along with details of whom and how we will usually consult on different types of applications, depending on the particular circumstances.

¹⁹ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available.

Table 4.1 Consultation procedure for planning applications by type

Type of application	Characteristics	Publicity and Consultation
Small scale planning applications	These may include householder applications involving proposals to alter or enlarge a single house, including works within the garden, or minor proposals for non-residential development like small commercial extensions.	Notify immediate neighbours adjoining the site; Post site notice where the site adjoins open land Consult relevant statutory and non-statutory consultees; Publish on weekly list.
Major planning applications	These may be proposals for: <ul style="list-style-type: none"> • Housing development of 10 or more dwellings, or a site area of 0.5 hectares or more. • Other development where the floor space to be built is 1,000 sq m or more, or where the site area is 1 hectare or more. 	Notify neighbours, site and press notices; Consult relevant statutory and non-statutory consultees; Publish on weekly list.
Applications affecting a listed building or conservation area or the setting of either	These may involve proposals for alterations, extensions or demolition of a listed building or any works to be carried out within or adjacent to a conservation area.	Notify neighbours, site and press notices; Consult relevant statutory and non-statutory consultees; Publish on weekly list.
Advertisement consent	Certain adverts require express consent from the Council to be displayed and will typically include adverts on shops and other commercial buildings.	Notify neighbours and highway authority if public safety impact and / or site notice Publish on weekly list.
Outline planning applications	This type of application is designed to establish the principle of a particular scheme. The full details are often not given at this stage, for example the full design details of the houses on a residential scheme. The full details are usually considered at the "reserved matters" stage.	Notify immediate neighbours and / or site notice Consult relevant statutory and non-statutory consultees; For major developments produce site and press notice; Publish on weekly list.
Reserved matters applications	This type of application follows on from an outline planning permission and considers the full details of the scheme, for example the house design and landscaping.	Notify immediate neighbours and / or site notice; Consult relevant statutory and non-statutory consultees; For major developments produce site and press notice; Publish on weekly list.
Change of use applications	This type of application considers an alternative use for a building or land, for example a change of use from grocers shop to a hot food takeaway.	Publish on weekly list; and / or site notice Notify immediate neighbours; Consult relevant statutory and non-statutory consultees; For major developments produce site and press notice.

Type of application	Characteristics	Publicity and Consultation
Tree Preservation Order applications	This type of application considers works to protected trees	Discretionary neighbour notification/consultation.
Notification of works to trees in a Conservation Area	This type of application is a technical assessment of the work by a tree specialist that is not protected by a Tree Preservation Order.	Discretionary neighbour notification/consultation.
Non material amendments	This type of application involves a minor amendment to the approved scheme that does not require the submission of a new application.	No notifications carried out.
Prior approval applications	There are several types of proposal where the applicant must submit a prior approval application to the Council e.g. for demolition of certain buildings, for some forms of telecommunications development, for agricultural buildings, for larger home extensions and also change of use of certain buildings (e.g. offices and agricultural buildings to dwellings).	Publish on weekly list; Notify neighbours if appropriate and when timescales allow; Display site notice if required; Notify consultees if appropriate.
Lawful development certificates (existing)	This type of application is made where a change of use or development has already been carried out and the applicant wants to confirm that it is lawful	Notify immediate neighbours and / or site notice; Publish on weekly list.
Lawful development certificates (proposed)	This type of application is made where a change of use or development has not yet been carried out and the applicant wants to confirm that it is lawful	No notification carried out.
Discharge of conditions applications	This type of application is made because planning and related applications are often approved subject to conditions which require the submission of further information e.g. details of building materials, drainage or landscaping etc.	Notify relevant consultees.
EIA screening opinion	This type of application seeks to establish whether a proposed development will require an Environmental Impact Assessment.	Notify relevant consultees.
EIA scoping opinion	This type of application seeks to establish what information will need to be provided as part of an Environmental Impact Statement.	Notify relevant consultees.
<u>Permission in Principle</u>	<u>This is an alternative way of obtaining planning permission for housing-led development. It has two stages:</u> <u>(1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and</u> <u>(2) 'technical details consent' – assessment of the detailed development proposals are assessed.</u>	<u>Stage (1)</u> <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> <u>Stage (2)</u> <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u>

The types of application listed [in Table 4.1](#) above are not intended to be exhaustive. There may be other types of planning related development for which planning permission or prior approval may be obtained and which may require consultation in line with government Regulations. In such scenarios the Council will meet [and aim to exceed](#) the minimum requirements for consultation, as set out by the relevant government Regulations.

4.4.3 Notifying you of amendments

Following submission of a planning application, negotiations between Planning Officers and developers / their agents may result in a revision to the proposed development necessitating the submission of amended plans.

If the amendments are significant, the Council will, upon receipt of amended plans, carry out a further consultation on these amendments. This consultation is likely to include re-notification of neighbours, Parish Councils and statutory consultees, depending on the nature of the changes and the likely implications. In view of the tight timescales to determine planning applications, the re-notification time may be reduced to 14 days.

4.4.4 How to comment on a planning application

Planning applications can be viewed in full on the Council's website. Alternatively, applications can be viewed online during working hours using computers at the Council's Customer Service points (52 Derby Street, Ormskirk, and 1st Floor, The Concourse, Skelmersdale).

Applications for planning permission are entered onto a register. Maintaining a planning register is a statutory obligation and the information is available on the Council's website.

Comments may be made on any planning application, by anyone, regardless of whether or not they were consulted individually. All comments must be made in writing and must contain the name and address of the author. The Council will not take into consideration any anonymous comments received. Any comments of a personal nature against an individual / group or any offensive content will be returned to the sender and will not be published on our website.

All comments received are public information and cannot legally be kept confidential. All written representations received on planning applications are published on the Council's website. Therefore comments should not include any personal information, for example phone numbers or signatures. When submitting comments by email it is recommended that they be sent as an attachment in order to avoid publication of personal email addresses.

Please note that comments should be submitted within the identified consultation period as the Council may be in a position to determine the application as soon as the neighbour consultation period expires. If this date cannot be met, consultees should contact the case officer well in advance of the consultation period ending to see whether it is possible for an extension of time to be granted for comments to be submitted.

The Council welcomes comments, whether in support of, or opposition to, an application, but the Council can only take account of material planning considerations. These include matters like the effect on traffic or parking, the appearance of the proposal, overlooking or disturbance, overshadowing, loss of privacy, and loss of ecological habitats. We cannot take into account matters such as loss of property value, private disputes between neighbours, matters covered by leases or covenants, the impact of construction work and competition between firms. A list providing examples of valid (and invalid) planning considerations is included in Appendix E.

4.4.5 How are Applications determined?

Planning Law requires that decisions be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan is currently the West Lancashire Local Plan. The views of statutory consultees and the public are important in making decisions on planning and related applications. However they are just one consideration amongst several in the overall decision making process and must be weighed alongside local planning policy set out in the West Lancashire Local Plan and related guidance, national policy set out in the National Planning Policy Framework, and other material planning considerations.

Having assessed an application, the case officer will prepare a report summarising the comments received from consultees and other interested parties. Taking account of development plan policy and other material considerations, he or she will assess the planning issues and recommend whether the application should be approved or refused. The application will then be determined under delegated powers by authorised officers of the Council. Some 90% of planning applications are determined in this way, under the delegated powers of the Corporate Director of Place and Community.

However, most major and / or controversial applications are reported to the Planning Committee for decision by Members of the Council. If the application is to be decided by Planning Committee, comments received from consultees or the public will be set out in the case officer's report. Committee agendas are published 5 clear working days in advance of the meeting and are available on the Council website.

4.4.6 Applications referred to Planning Committee

Planning Committee meetings are held in public and if an application is to be determined in this way, we will inform the applicant / agent, the Parish Council and anyone who was directly notified in writing by the Council and who submitted comments on a particular application, of the date of the meeting.

The Council allows public speaking at Planning Committee meetings, subject to prior notification to the Council (at least 3 working days) before the Committee meeting. The following people may address the Planning Committee:

- Anyone objecting to an application who has been notified under the neighbour notification process by the Council, or his / her representative
- The clerk of a Parish Council or his / her representative
- The applicant or his / her representative, but only where it has been agreed that a third party objecting to the proposal may speak.

Planning Committee agendas are often long and complex, and meetings can last for several hours. In order to ensure that Planning Committee meetings are effectively managed, requests to speak are to be put before the Committee Chairperson. If there is more than one speaker in any category then the Chairperson will decide how many can speak; this will be done the day before the meeting. Groups (e.g. of residents) are asked to nominate one person to speak on their behalf. In the case of large and complex schemes if two objectors are heard they should avoid duplicating points made by other speakers. Each speaker has no more than three minutes²⁰.

If you feel unable to address the Planning Committee, a Ward Councillor may be willing to put your view to the Committee. Details of Ward Councillors are available on the Council website at:

<http://www.westlancs.gov.uk/about-the-council/councillors.aspx>

4.4.7 Finding out about a decision

A list of planning decisions is available on the Council's website. A copy of the case officer's report setting out the reasons for the decision will be available on the website. The Council advises that interested parties check the status of the application on the website as people who have commented on an application are not notified that a decision has been made.

²⁰ A service review of the Development Management section is to take place after the adoption of this 2020 SCI. The Service Review will cover the matter of public speaking at Planning Committee, including who can speak, how long for, and in what order speakers appear.

4.4.8 Planning Appeals

If an application for planning permission is refused by the local planning authority, or if it is granted with conditions that are unacceptable to the applicant, an appeal can be made to the Secretary of State against the refusal of permission or against the conditions attached. There is also a right of appeal if an application is not determined within a specific time, and a right of appeal against the issuing of an Enforcement Notice.

Only applicants have a right of Appeal. There is currently no third party right of appeal in respect of planning decisions.

Appeals are examined by an independent Planning Inspector appointed by the government. We will notify in writing all those who made written comments upon the original application. Copies of their comments will be forwarded to the Planning Inspectorate and the Council will inform people how to make further representations to the Planning Inspectorate.

Further advice on the appeal process is available at:

<http://www.planningportal.gov.uk/planning/planninginspectorate>

5.0 WORKS TO TREES

Tree Preservation Orders (TPOs) provide protection to trees, either as individual trees, groups of trees, or as woodlands, to prevent or control the cutting down, uprooting, topping, lopping, wilful damage or destruction of the trees or woodlands.

Trees in Conservation Areas have a level of protection whereby proposed tree works are notified to the Council to consider if the works are appropriate. If the works are not considered to be appropriate or reasonable then the Council has the option to make a TPO.

Any new TPO is open to a period for objections and representations, before the Council decides to confirm the Order or not. Any persons that may be affected or have an interest in the new Order will be served a copy.

To undertake work on a protected tree, permission must be obtained from the Council, unless the proposed works are exempt.

5.1 When will we consult?

The Council is not under an obligation to undertake a consultation, but will seek to consult on any applications for work on trees that are considered to be of particular interest to the wider public.

The standard timescale for allowing people to make representations is 14 days. However, if proposed works are of significant interest to the wider public, the period for making representations can be extended.

5.2 Who will we consult?

The Council will consult anyone who is considered to have an interest in the proposed tree works, including neighbours, the Parish Council, tree wardens and residents groups. There is also the option to take proposed works to Planning Committee for determination by Council Members.

Where a neighbour or any other party submits an application, the Council will endeavour to make sure the owner or occupier of the land on which the tree stands is informed and given a chance to comment.

5.3 How will we consult?

Where we consult, we will use one or more of the following methods: letters, site notices, email, telephone, and occasionally press advertisements. The Council will keep a register of all applications for consent under a TPO. This register will be available for inspection by the public during office hours and on the Council's website via the public portal.

5.4 Hedgerow Removal Applications

Hedge works do not require any permissions other than those relating to [The Hedgerow Regulations 1997](#). Under [these Regulations](#), the LPA is required to consult the local Parish Council upon receipt of a 'Hedgerow Removal Notice'. The time given for a response is a minimum of 42 days.

Deleted: the [Hedgerow Regulations 1997](#)

5.5 High Hedges Complaints

Where complaints are made in relation to high hedges between residential properties, most cases are unlikely to raise wider neighbourhood issues and the Council will not normally publicise these complaints. An exception might be where the trees in the hedge are protected by a TPO, or the hedge is situated in a Conservation Area.

The Council may occasionally seek views from the occupiers of properties, other than the complainant's, that might be affected by the hedge and so could potentially be affected by the Council's decision on the complaint. This may include properties that lie between the complainant's and the land with the hedge, or where a single hedge borders several adjoining properties. Otherwise, the Council will not normally take into account representations from people not directly involved in the dispute.

When consulting upon high hedges disputes, the Council will confine its consultations to those specialist organisations or individuals whose expert input will help inform the decision on the complaint, for example, [Historic England](#) in the case of a hedge associated with a listed building.

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6.0 CONSERVATION OF THE HISTORIC ENVIRONMENT

6.1 Conservation Projects

The Council is involved in supporting various heritage and conservation projects from time to time. Work which affects a heritage asset – whether a listed building, conservation area, or historic park – is rarely undertaken in isolation and very often involves the need to work in partnership with others, after consultation. The Council may use a number of methods to consult communities for this purpose. These include publishing details on the Council's website, writing to residents directly affected by proposals, and issuing press releases

6.2 Conservation Area Appraisals

The Council has an obligation under Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990 to review, from time to time, its conservation area designations, and under Section 71 of this Act to formulate and publish proposals for the preservation and enhancement of these areas. The outcome of such a review might result in a change to the boundary of the conservation area.

Whilst the Council does not have to directly consult with communities, unless there are proposed amendments to the designated boundary of the conservation area or changes to permitted development rights, best practice guidance (published by Historic England) identifies a need to consult with residents and community organisations over Conservation Area Appraisal proposals.

When new documents related to West Lancashire's heritage are produced, designations revised, or planning controls amended, the Council will use a variety of methods to consult or inform people. These are set out in Table 6.1 on the following page.

Table 6.1 Consultation methods in relation to changes within Conservation Areas

	Website	Letters to residents affected	Notice in newspapers	Press Release
Conservation Area Appraisal update	✓	✓	—	✓
Proposed changes to Conservation Area boundary	✓	✓	✓	—
Withdrawal of Permitted Development Rights through an Article 4 Direction	✓	✓	✓	—

7.0 GENERAL CONSIDERATIONS

7.1 Equality & Diversity

All our consultation methods are in accordance with the Equality Act 2010, the Human Rights Act 1998 and the Freedom of Information Act 2000.

We will try to tackle difficulties with consultation in the following ways:

I have literacy problems	Upon request, we can make our information available in different formats, including other languages and braille. We may be able to arrange for a planning officer to meet with you and explain policies and proposals and help you fill in relevant forms.
English is not my first language	
My vision is impaired	
I find it difficult to understand technical planning documents	Planning is often quite complex with technical words (jargon). These are often required because of the technical and legal nature of planning. However, we do try to make sure that all our communication, consultation and publicity materials can be understood so people feel they can get involved in shaping their area.
I do not have access to private transport	We try to plan meetings in convenient and local locations which can be accessed by public transport. Consultation documents will be placed 'on deposit' at accessible libraries ²¹ and Council offices across the Borough. Information will also be available on the Council website.
I find it difficult to attend meetings as I have children and no child minder	Children are welcome at many of our events. We try to arrange meetings in the daytime, in the evenings and sometimes at weekends to make sure that people can attend. We encourage older children to get involved in planning too!
I do not have any spare time to attend events	You can contact the Council by email or online to give us your views. Information is available on the Council website and can be accessed at any time.
Planning documents are too expensive for me to buy and get involved	All our documents are available on our website; many can be viewed at local libraries and at the Council's Customer Service Points (52 Derby Street, or the Concourse, Skelmersdale).

²¹ If, in future, library facilities are no longer available, consideration will be given to finding suitable alternative venues in which to make information available.

I live in a remote, rural area and do not usually receive consultation documents	We try to make sure that publicity materials reach residents even in the most rural areas of the Borough. However, all information can be found on the website. You can subscribe to our consultation database to make sure you receive notifications by email.
I do not have internet access	The internet and email tend to be the quickest form of communication. However, the Council is aware that not everyone has access to the internet and will still use traditional methods to support consultation and publicity. If people are able to use the internet to engage with consultation, this will be strongly encouraged by the Council as it should be the easiest way to engage effectively. The Council's Customer Engagement Team can help support customers to get online if they wish to gain these skills. The internet can be accessed for free at libraries and at Council offices.
I feel my views are ignored	The views of the community are important. Even if the eventual decision made by the Council on a planning matter is not what you requested or recommended, this does not mean your views were not taken into account. A range of factors are taken into account in making planning decisions, the views of the public being one such factor 'weighed in the balance'.
I don't like speaking in public	You can put your views in writing to us during any consultation. If you don't wish to speak, you may be able to nominate someone to do it for you.
I want to remain anonymous	Planning is a public process, and it is usually the case that we have to make publicly available the names of those providing comments. We cannot accept anonymous comments. We will always comply with the General Data Protection Regulation and not display personal details such as signatures, address, emails or telephone numbers.
I receive too much consultation material	Our consultation database enables you to refine your details, so you can opt in or out of certain consultation topics.

In keeping with Council policies, consultation pro-formas and surveys will usually be accompanied by a non-compulsory 'Equality and Diversity' questionnaire. The Council requests that these be completed and returned along with any planning representations made. This information will be kept confidential at an individual level, but collectively will enable the Council to gain a better understanding of the diversity of the population with which it is dealing, and should help make sure that

the Council targets its services appropriately. If necessary, we can review our consultation methods to make sure that various equality groups are being reached.

7.2 How we will safeguard the information

Personal information supplied to the Council must be held securely in accordance with the provisions of the General Data Protection Regulation.

7.3 Freedom of Information Act 2000

The Council is required under the Freedom of Information Act 2000 to pass on certain information if requested by third parties or government departments unless the Act allows us to withhold that information. Examples of when this might occur are if the information requested is held in confidence, or if the information requested is commercially sensitive. If information is passed on in response to a Freedom of Information request, any personal data would be removed from the said information before being passed on. [The Local Government \(Access to Information\) Act 1985 sets out what local authority information should be available to the public, how it can be obtained, and the rights of the public with regard to witnessing Council meetings.](#)

7.4 Purdah

The pre-election period (or 'purdah') is the term used to describe the period between the time an election is announced and the date the election is held. During this time, there are restrictions on certain activities that officers and Members of the Council undertake. It is unusual that public consultation on major, or potentially controversial, matters would take place during purdah, although there is not necessarily a complete cessation of consultation at this time.

APPENDICES

Please note: the lists within the following appendices are not exhaustive and will be updated as necessary.

Appendix A: Duty to Co-Operate Bodies

The Localism Act 2011 and the 2012 Regulations prescribe the following bodies who are subject to the Duty to Co-operate in relation to the local development documents where they relate to a strategic matter. These duties also apply to the Local Planning Authorities and County Councils.

- Lancashire County Council (as County Council, transport authority, highway authority, education authority and as minerals and waste authority)
- Sefton Metropolitan Borough Council (MBC) (as neighbouring authority and neighbouring highway authority)
- Knowsley MBC (as neighbouring local planning authority (LPA) and neighbouring highway authority)
- St Helens MBC (as neighbouring LPA and neighbouring highway authority)
- Wigan MBC (as neighbouring LPA and neighbouring highway authority)
- Chorley Borough Council (neighbouring LPA)
- South Ribble Borough Council (neighbouring LPA)
- Fylde Borough Council (neighbouring LPA)
- Highways England
- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- Lancashire Care NHS Foundation Trust (as the Primary Care Trust)
- Office of Rail Regulation
- Liverpool City Region Combined Authority (as a neighbouring Integrated Transport Authority)
- Greater Manchester Combined Authority (as a neighbouring Integrated Transport Authority)
- Marine Management Organisation
- Lancashire Enterprise Partnership

The 2012 Regulations also include Transport for London and the Mayor of London in the list of Duty to Co-Operate bodies.

Appendix B: Specific Consultation Bodies (Local Plans)

(These incorporate Statutory Consultees; they may be replaced by successor bodies.)

- The Coal Authority
- The Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail Infrastructure Limited
- Highways England
- Adjacent Local Planning Authorities
- Parish Councils
- Telecommunications companies
- Utilities companies (electricity, gas, sewerage, water)
 - United Utilities
 - National Grid
 - Electricity North West
 - Scottish Power
- Health authority (Lancashire Care NHS Foundation Trust - as Primary Care Trust)
- Homes England
- Education authority (Lancashire County Council)
- Highways authority (Lancashire County Council)
- Lead Local Flood Authority (Lancashire County Council)
- Emergency services
 - North West Ambulance Service
 - Lancashire Police
 - Lancashire Fire & Rescue Service
- Health services
 - Southport and Ormskirk Hospital NHS Trust
 - NHS West Lancashire Clinical Commissioning Group
- Office of Rail Regulation
- Civil Aviation Authority
- Lancashire Enterprise Partnership
- Lancashire Local Nature Partnership
- Civil Aviation Authority

Deleted: and Communities Agency

Appendix C: General Consultation Bodies

- Canal & River Trust
- The National Trust
- Sport England
- West Lancashire Council for Voluntary Service (CVS)
- Liverpool City Region Authorities
- Lancashire Authorities
- Department for Environment, Food and Rural Affairs (DEFRA)
- Age UK
- Airport Operators
- Church Commissioners
- Diocesan Board of Finance
- Disability Rights Commission
- CPRE (formerly 'Campaign to Protect Rural England')
- RSPB
- Wildlife Trusts
- Friends of the Earth
- Forestry Commission
- The Theatres Trust
- Gypsy Council, other organisations representing Gypsies and Travellers
- Post Office property holdings / Post Office operators
- Rail Companies
- Voluntary bodies working in the area
- Bodies which represent the interests of different racial, ethnic or national groups in the area;
- Bodies which represent the interests of different religious groups in the area;
- Bodies which represent the interests of disabled persons in the area;
- Bodies which represent the interests of persons carrying out business in the area.
- The Council website contains a list of different equality groups that it uses for consultation:
<http://www.westlancs.gov.uk/about-the-council/how-the-council-works/equality-and-diversity/find-more-information.aspx>

Appendix D: Other Consultees

- Local business groups
- Local community groups
- Local leisure and sports groups
- Local registered social landlords
- Local resident associations
- Council developer partner(s)
- Developers and landowners
- General public

Appendix E – Valid Planning Considerations

Planning Law requires that decisions be taken in accordance with the development plan unless there are material considerations that indicate otherwise. In reaching decisions on planning applications, the Council must therefore take into account the policies of the Local Plan, any supporting guidance which is relevant and national legislation. The Council also takes into account any comments made which are in relation to 'material planning considerations'.

Material planning considerations are matters that can be taken into account when deciding a planning application or an appeal. The planning system does not exist to protect the private interest of one person against the activities of another. Therefore, it cannot make decisions in relation to any resulting financial or other loss. To make decisions on planning applications, the Council needs to ask whether the proposal would unacceptably affect amenities and existing use of land and buildings which should be protected in the public interest.

The list below provides some common examples of material planning considerations although it is not exhaustive.

- Local, strategic and national planning policies
- Other government circulars, orders, statutory instruments
- Amenity and privacy of dwellings
- Environmental qualities of the surrounding area or the visual character of a street (including the design and materials, scale and landscaping, layout and density)
- Availability of a mixed housing stock
- Road safety (in terms of dangerous access, additional traffic, car parking)
- Retention of local services
- Character of the area in terms of noise, light and other forms of pollution
- Impact on trees, especially if protected by a Tree Preservation Order
- Impact on public services, such as water supply, drainage
- Public rights of way
- Impact on character and appearance of Listed Buildings or Conservation Areas
- Need to safeguard valuable resources such as high quality agricultural land or mineral reserves
- Disabled persons access
- Previous planning decisions
- Nature conservation
- Archaeology

In some circumstances, arguments are made which do not consider planning issues and therefore are not taken into account when reaching a decision on an application. Applicants may sometimes use personal arguments in an effort to support their application. However, in many cases these will not outweigh the more general planning considerations as the use of the land and any buildings located on it will remain long after the applicants personal circumstances have ceased.

The list below provides a number of common points found in comments received by the Council which cannot be taken into consideration. Councillors will be advised that such arguments should not be taken into account when making decisions on applications. Again, this list is not exhaustive.

- The applicant has already started work on the proposed development (carrying out any work prior to receiving planning permission is done at the persons own risk; the fact work has commenced will not affect the Council's decision)
- The applicant does not own the land to which the application relates. This issue can be overcome through agreements with the landowner.
- Fear that the proposal may devalue neighbouring properties. Such market forces, and private financial matters, are outside the control of planning.
- The applicant has carried out unauthorised development in the past. Each case is considered on its own merits.
- Objections relating to concerning competition in business trading
- Moral objections – e.g. for casinos or betting shops
- Allegations that proposals may affect private rights. These are legal matters and objectors should consult their own solicitors / advisors. Planning officers are not able to provide advice on such issues.
- The loss of an individual's attractive view
- The fact that an objector may be a tenant of the land where the development is proposed. The landowner can terminate the tenancy whenever they choose and whether development takes place or not, therefore any consequences are considered to be unrelated to the application.
- The belief that the applicant has submitted the application in order to profit from the land.

It is important to understand that any considerations of relevance to a particular planning application will be considered in reaching the final decision and will each be weighted according to its relative importance in planning terms.



West Lancashire Statement of Community Involvement

Addendum

September 2020

**Ian Gill, MA, MRTPI
Head of Growth and Development
West Lancashire Borough Council**



1 Introduction

1.1 Application of the Addendum

The Addendum to the West Lancashire Statement of Community Involvement (SCI) 2020 has been prepared in the light of COVID-19 and its associated restrictions on public life. It reflects [temporary or otherwise] changes to legislation and national planning practice guidance, and other government guidance, and will apply for a temporary period whilst the COVID-19 related restrictions and changes are in place.

As such, the provisions of the 2020 SCI Addendum take precedence over the provisions of the 2020 SCI during the temporary period that the Addendum is in force. Once COVID-19 related restrictions are 'lifted', it is anticipated that the Council will revert to the 'usual' 2020 SCI principles and standards. (It is accepted, however, that some things have already changed for good as a result of COVID-19.)

This Addendum can also have effect if other similar restrictions on public life and interaction are imposed in the near future (e.g. as a result of a further wave(s) of COVID-19 / a local 'flare-up' of the disease accompanied by localised 'lockdown' / a different disease or a mutated form of the COVID-19 virus).

Similarly, if central government introduces new legislation, regulations, instructions or guidelines in the near future, these shall be borne in mind alongside the provisions of this 2020 SCI Addendum. Whilst this Addendum reflects guidance, etc. in effect at the time of writing, the continuous changes and unprecedented circumstances mean that requirements are likely to evolve. The Council will continue to ensure that we follow, and accord with, the most up to date guidance and best practice.

1.2 Principles of Consultation

The overarching principle behind consultation undertaken by West Lancashire Borough Council, whether under the 'normal' SCI, or under this Addendum, is that the Council wants to consult in a fair and equitable way, giving all people opportunities to see planning documents, to comment on them, and to influence the final documents and / or planning decisions.

Whilst the restrictions associated with COVID-19 mean that consultation methods undertaken over recent years are not presently possible (for example the placing of paper documents 'on deposit' at different venues, and face-to-face meetings), the Council will endeavour to use other methods to enable people to see and comment on documents. This Addendum highlights what we are currently unable to do, but does not limit us in terms of what we *could* do.

1.3 Effects of COVID-19 Restrictions

The effects of COVID-19 on public movement and interaction are widely known and include:

- Venues such as libraries, the Council's Customer Service Point / 52 Derby Street Reception have been shut for prolonged periods, or reopened subject to constraints;
- Even once open again, it is unlikely people would be able to come into such buildings and spend any substantial time indoors, touching and reading paper documents that others have touched / will touch. Copies of documents could perhaps be provided on a 'rotation' basis with a 72 hours 'quarantine' between views, but even this measure would only allow for a small number of people to view documents.
- Public meetings and face-to-face meetings are either not possible or are impracticable.

1.4 Responses to COVID-19

Central and local government and the public have responded to the crisis in a variety of ways:

- Legislative changes –
 - > The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (Amendment) Regulations 2020 – these allow for 'virtual' public body meetings;
 - > The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 – these temporarily remove the requirement to make paper copies of planning documents available 'on deposit'.
- Changes to national Planning Practice Guidance – new paragraphs¹ (May / July 2020) set out how local authorities can consider:
 - > making temporary amendments to SCIs to allow plan-making to progress;
 - > promoting effective community engagement by means which are reasonably practicable. They are strongly encouraged to use online engagement methods to their full potential; for example virtual exhibitions, digital consultations, video conferencing, social media and providing documents for inspection on a public website;
 - > taking reasonable alternative and creative steps to ensure those without internet access are still involved, for example consulting through representative groups rather than directly targeting only people in areas most affected by proposals, and allowing individuals to nominate an advocate to share views on their behalf;
 - > consulting by telephone or in writing where this is feasible, and the only option;

¹ Paragraphs 61-077-201200513, 61-078-201200513, 61-079-20200715

- Local authorities, including West Lancashire Borough Council, setting up 'virtual' (online) committee meetings, for example Planning Committee, Cabinet and Council, as well as extending consultation periods (e.g. on the Draft 2020 West Lancashire SCI).
- An increase in home working; it is anticipated that home working will continue to feature once COVID-19 restrictions are no longer in place.
- More people have learned to use the internet and / or have undertaken more tasks online, for example home shopping, and online meetings using such 'online conferencing' software as 'Zoom' or 'Teams', etc.

2 Changes to Planning Consultation Methods

In the light of the above, and in the context of a corporate push to greater use of 'digital means of consultation', the following changes will be made under this Addendum to planning consultation and engagements methods:

2.1 Preparation of Planning Policy Documents

During consultation periods, the Council is unlikely to be placing paper copies of planning documents on deposit for people to inspect. If this option is pursued, the documents will only be accessible to a small number of people, owing to the need to clean facilities after visits, and to 'quarantine' documents after use. Instead, the primary way of making documents available will be online. Documents may be provided by post upon request, and where appropriate explanation can be provided as to why a person cannot access the document online (although the Council is unlikely to be able to respond to 'blanket' requests for several hundred paper copies of documents).

Whilst, in theory, a small number of people could meet to discuss draft documents or proposals, Council representatives will not be able to attend multiple meetings with different groups of people. Given it would only be possible to meet a handful of people in total in this way, face-to-face meetings are not currently being pursued as an option. Similarly, events like exhibitions are not currently deemed appropriate due to the number of people that may attend with the accompanied risk of spreading the virus.

However, the Council will endeavour to engage with people in other ways, for example through such means as virtual meetings, conference / video calls, social media, and online 'chat'. The Council will be open to suggestions for innovative and practicable new ways of consultation.

2.2 Community Infrastructure Levy

Consultation on the 2021/22 CIL Funding Programme will be based online and will comprise:

- Information on the Council's CIL webpages and consultation webpages;
- Emails to all consultees registered on the Council's 'electronic' consultation database, to all Parish Councils and Members, and to all infrastructure providers;
- Press release / publicity through Council's social media;
- An electronic online response form to complete;
- An advertisement in the Champion newspaper;

2.3 Development Management

The Development Management Team is reviewing precise procedures to cope with ever changing COVID-19 circumstances.

Planning Committee has been meeting virtually. People wishing to speak at Planning Committee, if eligible to speak, will be invited to telephone into the meeting. The meetings are webcast and the link to the meetings are provided on the Committee agenda.

Meetings with officers, for example as part of planning applications or pre-application enquiries, are carried out via Skype or video conferencing, or a conference call.

With regards to consultations on planning applications, the way the Council consults with consultees or neighbours (consultees via email, and neighbours by letter) has not changed in the light of COVID-19. The Council is still accepting paper representations from neighbours in addition to electronic and online responses.

However, at the time of writing this Addendum, people have not been able to come to 52 Derby Street Reception or the Customer Service Point at Skelmersdale to view planning applications on Council computers.



West Lancashire Statement of Community Involvement Consultation Report

September 2020

Introduction

This Consultation Report (or 'Consultation Statement') has two sections:

Firstly, it sets out the comments received on the draft West Lancashire Statement of Community Involvement 2020 during the public consultation exercise held in spring 2020. It lists the representations received (sorted by SCI section order) and West Lancashire Borough Council's response to the points made – pages 3-37.

Secondly, it sets out the changes made to the SCI, both as a result of consultation responses, and for other reasons (e.g. to improve clarity) – pages 38-44.

The consultation on the draft SCI was initially scheduled for 27 February to 9 April 2020 (six weeks), but was subsequently extended to 31 May 2020 (a further seven and a half weeks) to take into account difficulties associated with COVID-19 and its associated restrictions.

An Addendum to the SCI has been prepared specifically to deal with COVID-19 and its implications. This Addendum is intended to apply whilst COVID-19 related restrictions are in force. The Addendum is not covered by this Feedback Report.

18 representations were received on the SCI from the following people / organisations:

Organisation	Abbreviation (if used in report)
Anglo International Upholland Ltd	AIUL
Aughton Parish Council	APC
Aughton Residents Group	ARG
Bickerstaffe Parish Council	BPC
Canal and River Trust	CRT
Conservation Area Advisory Panel	CAAP
CPRE	CPRE
Dalton Parish Council	DPC
Environment Agency	-
Highways England	-
Homes England	-
Lancashire County Council - School Planning Team	-
Lathom South Parish Council	LSPC
National Grid (Avison Young)	-
Natural England	-
Sefton MBC Planning	-
Two private individuals	-

Representations received during public consultation on draft SCI, 27 February – 31 May 2020 and WLBC response; sorted by SCI section

Organisation / SCI section	Comments	West Lancashire Borough Council response
General		
Aughton Residents Group (ARG) / Individual Page 249	<p>Since being formed in 2012 our Group, representing hundreds of Aughton residents have been keenly involved and interested in the various stages of the WLBC / Local Plan / Formulation and Inquiries. The Draft SCI – is considered a comprehensive document, no doubt covering all the statutory requirements under the various elements of current planning legislation. The Aughton Residents Group are however concerned that there is a danger that the document does leave the Council open to a repeat of the previous criticism that it was not robust enough in engaging with its community in a timely and informative manner.</p> <p>Our comments are made in a positive attempt to enable the SCI better reflect the needs of the local community and in particular to address the Council’s ambition to: <i>‘The Council also recognises that meaningful engagement with local communities and other ‘stakeholders’ can help in the planning process and can help increase public acceptance of developments’</i></p> <p>Summary During the development of the current Local Plan 2012 - 2027 many considered the council to be more aligned to the needs and wishes of the big developers than the local communities. This grew largely out of the failure to provide timely and informative updates to the public in the early stages. This issue, and others, reappeared during the more recent attempt to create a thirty year Local Plan. If the Borough Council really wants to get the community to help in the planning process and to increase public acceptance of developments then they need to ensure they do not repeat those mistakes. We suggest...</p> <ul style="list-style-type: none"> • Let the public know at the very earliest opportunity what it is that you are intending to do and why. • Do not hide behind the ‘Statutory requirements only say we have to do...’ excuse, it looks lame and lazy. The local press are desperate for stories and you have a great deal of influence with them. So use them. 	<p>Comments noted. The positive nature of the Respondent's comments are welcomed.</p> <p>In undertaking its planning consultation work, the Borough Council is required to meet minimum standards set by national legislation / Regulations, but where practicable and appropriate, the Council will seek to exceed these standards. However, the Council is increasingly subject to resource constraints and it would be unwise to commit to standards of consultation which it may not be able to meet in future. As such, this SCI sets minimum standards but these can always be exceeded, and often are.</p> <p>Borough Council Members make the Council's decisions. Proposals / draft documents need to be approved by Members before they are publicly consulted upon. To release details prior to approval by Members would be likely to cause unnecessary confusion, rumours and / or speculation. It is considered that the only practical way of preparing / consulting on a local plan is to release the details of the proposals at the stage that Cabinet (or Planning Committee) agendas go public. For local plan documents, this is often accompanied by a press release.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p data-bbox="76 379 255 480">Bickerstaffe Parish Council (BPC)</p> <p data-bbox="76 722 255 863">Page 250</p> <p data-bbox="76 991 255 1018">CPRE</p>	<p data-bbox="255 236 1476 336">Do not let it appear, unjustly or otherwise, that you are consulting/planning with developers, ahead of the public. After the current crisis has finally subsided the public's trust in many institutions will be fragile.</p> <p data-bbox="255 379 1476 660">Thank you to WLBC for making this document accessible in plain English and for giving stakeholders the opportunity to engage in this process. Although some of the comments made below refer to the experiences of responding to the last version Local Plan, they are put forward as positive suggestions for the future Local Planning and Reviews. The extension for responses being extended to May 31st was beneficial. The previous 6 week period ending on April 30th would have been too short a notice period for the Parish Council. Therefore longer time lengths for consultation periods would be appreciated in future.</p> <p data-bbox="255 775 1476 911">General Note: Issues of enforcement have not been described in this SCI. This would be useful information to include. For example, Subway fast food outlet was built at the Starbuck's site at Four Lane Ends, Bickerstaffe without planning permission. It took over a year to sort this out but the building work went ahead anyway, much to local consternation.</p> <p data-bbox="255 991 1476 1305">We welcome the opportunity to take part in this consultation. We welcome the clarity and use of clear, plain English in this draft. Also the tone of the document, ie <i>"acceptance of developments"</i>. Rather than <i>"support for developments."</i> We especially welcome that the end date was extended in these unusual times and apologise for the unusual format of our submission. A Sunday end date is also welcomed, as it gives extra "out of work" time to the general public. We have never understood why they usually end on a Friday only to sit un viewed over a weekend. We assume that it is to comply with the minimum statutory consultation times. We would welcome the inclusions of the weekend in future consultations. We are unaware of there being maximum times for consultations.</p>	<p data-bbox="1476 379 2134 549">It is agreed that the use of plain English is important and should be aspired to wherever possible. The positive and constructive nature of Bickerstaffe Parish Council's comments is gratefully acknowledged.</p> <p data-bbox="1476 560 2134 762">Comments noted. The extension of the consultation period for the 2020 SCI was made in the light of Covid 19-related difficulties. The relationship between WLBC consultation periods and Parish Council meeting cycles needs to be borne in mind in setting consultation periods.</p> <p data-bbox="1476 775 2134 944">It is not usual for public consultation to be undertaken on enforcement matters, which is why enforcement is not covered in the SCI, but it can be mentioned in the Development Management chapter (Chapter 4).</p> <p data-bbox="1476 991 2134 1054">Comments noted; the constructive feedback from CPRE is gratefully acknowledged.</p> <p data-bbox="1476 1098 2134 1342">WLBC-run consultations tend to end on a working day (usually a Thursday rather than a Friday) because many comments tend to be submitted during the last few hours of the consultation period, often by consultants. If problems are encountered, officers need to be on hand to take phone calls / answer emails / check software, etc.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Lancashire County Council Schools Planning Team	<p>The document has been reviewed and comprehensively sets out the way the council will communicate with its residents and stakeholders. As a two tier authority it is important that the relationship with the borough and district councils is strong. Inclusion in to all consultations continues to ensure we can engage at the earliest opportunity. The relationship with borough council is good and with communication taking place at the right point in local plan preparation, and the review of Community Infrastructure Levy CIL.</p> <p>At this point of the consultation The School Planning Team are satisfied with the level of engagement and inclusion. For information, LCC School Planning Team update pupil projections twice per year and carry out school provision scoping annually, so the team is constantly reviewing and making informed judgement about school place requirements across west Lancashire.</p>	Comments noted
Lathom South Parish Council (LSPC) Page 251	<p>This draft mixes the requirements under law and the Council's own approach to community involvement, without differentiating between the two. As the Local Plan process requires the Local Plan itself to set out the Council's policies by reference to the law but without re-iterating the contents of every national (and even County) policy, it seems appropriate to adopt the same approach. However, if it felt necessary to quote these sources verbatim, maybe that should be done through appendices which link directly to the appropriate documents, keeping the local element to a much shorter main text. That would also have the benefit of clarifying the Council's areas of direct responsibility and removing areas over which the Council has no control.</p> <p><u>Other important Concerns</u></p> <p><u>Applications by third parties</u> for planning permission or for inclusion in the Call for Sites should always be notified directly to the owner of the land and to the local Councillor and the Parish Council concerned.</p> <p><u>Local Plan Proposals</u> for development of Green Belt sites should be notified to the local Councillor and the Parish Council as a consultation prior to publication. Such arrangements have existed in theory already but they failed to reveal the true extent of proposals in our area and in Bickerstaffe. Presumably, the same truncated process applied in other areas. This is another example of Parish Councils being regarded as peripheral to the main process, rather than being involved properly.</p> <p><u>Conclusion</u></p> <p>There is a wide, and widening, gap between residents' perceptions and the Council's claims about the value of local involvement. It needs to be addressed urgently, in line with the foregoing comments.</p>	<p>To extract all references to law from the SCI and move them to an appendix is unlikely to shorten the SCI to any significant extent.</p> <p>The text of the document can be looked at, and if there is any confusion between what is 'statutory' and what is 'optional' as a result of the wording, it can be changed to improve clarity.</p> <p>Planning applications on third party land require the owner to have been notified. The Call for Sites form asks whether the owner supports the proposed use of the site.</p> <p>Members and Parish Councils are informed when the resulting document goes public, but not at the point of submission in the Call for Sites.</p> <p>WLBC Members are briefed on proposed Green Belt release prior to documents going public as Members make the decisions (e.g. on consultation). Releasing sensitive information to others (e.g. Parish Councils) before publication of documents is not considered appropriate in general but may sometimes be done.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Chapter 1	Introduction	
1.2 BPC	<p>1.2 As stated, West Lancashire Borough Council, as the Local Planning Authority for the area, is responsible for producing planning policy documents and making a decision on most types of planning applications. However this does not include Mineral and Waste Applications, which come from Lancashire County Council initially.</p> <p>Bickerstaffe Parish Council (BPC) appreciates that parishes are not legal consultees for LCC Mineral and Waste Applications, but as these types of applications can potentially affect the wellbeing of residents because they could involve environmentally sensitive matters such as incinerators, landfill, Environmental Agency permits and licences for fracking for example, if any method for keeping residents more fully informed at a local level i.e. through notification to Parish Councils (PCs) on any such applications would be possible, it would greatly be appreciated.</p>	<p>Comments noted. It is agreed that early notification to the relevant Parish Council(s) on Minerals and Waste (and other, e.g. Nationally Significant Infrastructure Projects such as Whitemoss Landfill) would be beneficial. This is not always within the control of WLBC.</p>
1.3 Aughton Parish Council (APC)	<p>1.3 The change for a requirement for LPA's to update their Statement of Community Involvement at least every 5 years was welcomed (TCP Reg.10A(1)(b) as amended.</p>	<p>Comment noted.</p>
1.3 CPRE	<p>1.3 Welcome acknowledgement of the importance of social media.....would like to see that as a consistent throughout the document (see later comments)</p>	<p>Comment noted.</p>
1.4 APC	<p>1.4 A meaningful engagement with Parish Councils and local communities is essential to ensure public awareness/involvement in decision making/understanding and 'more acceptance' of development. Parish Councils, at grass roots level, tend to 'know their area', how the community will react to 'change', whilst balancing the reason for 'change' with the relevant planning policy/framework/the planning law.</p>	<p>Comments noted; it is agreed that Parish Councils know their local area and community well and that engagement with Parish Councils is valuable.</p>
1.4 BPC	<p>1.4 When the Government acknowledged the importance of involving communities in decision-making about planning matters when it empowered local communities to become involved in the planning decision making process through The Localism Act (2011), and this demonstrated the Government's commitment to this engagement.</p> <p>This key piece of legislation is important for parishes and their councils who seek to engage in all aspects of the planning process. Therefore it is hoped that public opinion will not be denigrated. The WLBC statement: <i>"It should be remembered that feedback from public consultation is just one of</i></p>	<p>The statement referred to is not intended to denigrate public opinion or pre-empt any decisions. It was attempting to highlight that sometimes decisions are taken contrary to the majority opinion of those who have responded to consultation exercises, because other planning factors weigh more heavily. What tend to be more influential are the</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 253</p>	<p>several factors that the Council takes into account when making its decisions” could appear to seek to pre-empt any decisions which do not take public views into account.</p> <p>It is envisaged that feedback from Public Consultation - through the third tier of Local Government i.e. Parish Councils - is given the weight it deserves through the tenets of the Localism Act; and it is appreciated that WLBC strives to make decisions in the spirit of this Act.</p> <p>This Consultation states that WLBC’s role is to <i>“balance competing interests and its final decisions will inevitably disappoint some stakeholders”</i>. Planning Officers and Councillors make decisions which directly affect people’s lives, for example whether applicants can build a granny flat to accommodate an aging / infirm parent who would otherwise have to go into care or not; or for a farm which has been worked and loved by a family for generations on grade 1 greenbelt is to be demolished and for the land to be built on. So it is worth stating that the end product of any amount of documentation, plans and consultations are actions which impact residents in a very direct way. To call it “disappointing” as this consultation does, not only suggests an attitude to public consultation which could be seen to trivialise it by not acknowledging the seriousness of the consequences of its decisions and how they can deeply affect residents rather than merely “disappointing” them.</p> <p>Consequently it is felt that a commitment to, and awareness of residents and their needs at a local level should continue to be given weight it deserves when the points made are related to planning regulations and criteria found within the National Planning and Policy Framework.</p> <p>It is hoped that planning officers will have knowledge of the localities for which they are making decisions when preparing the new Local Plan. For example, the name “Bickerstaffe” was not mentioned in the last version of the Local Plan, yet there are 1,180 people residing in Bickerstaffe, living in small hamlets with strong community identities, social bonds and family ties; one area within Bickerstaffe was only mentioned as a “small rural village” and was incorrectly named in the plan as “Stanley Gate”. This was not correct and seemed to reflect a lack of local knowledge. For an area to be described without reference to its parish name in this way shows a lack of regard for the electoral districts and their communities.</p> <p>Public confidence and trust in any consultation process will depend on any plans showing knowledge and understanding of locality.</p> <p>It is appreciated that the Borough Council needs to balance views of various parties and interests as noted in 1.4 where the SCI document states: <i>“It is important, however, that people understand that whilst all points of view made to the Council are considered, it is not always appropriate and / or</i></p>	<p>planning points made by the public (and other consultees). The sentence can be amended.</p> <p>It is agreed that a stronger word than 'disappoint' would be preferable, given the examples provided. This paragraph will be amended to reflect the comments made.</p> <p>Comments noted. It is agreed that planning officers should know the localities for which they are making proposals / decisions when preparing local plans. Given the extent of the development proposed in the Bickerstaffe Parish area in the now-abandoned Local Plan Review, it is acknowledged that Bickerstaffe should have been mentioned in the document.</p> <p>Comments noted</p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 254</p> <p>1.4 CPRE</p>	<p><i>possible for the Council to accommodate every request for change, especially where two parties have opposite views!"</i></p> <p>(The exclamation mark, although only a grammatical point, does seem to denote a potential defensiveness and is therefore not helpful.) However, it is believed that views from Parish Councils should hold more weight than views from individuals or other parties e.g. landowners - as the PC's comments/requests are based on the views of the communities which they represent.</p> <p>Some criteria which Bickerstaffe Parish Council would request for consideration in this consultation process are as follows:</p> <ul style="list-style-type: none"> - to afford as much weight to a community's views as possible; and not to put WLBC's financial need over community wellbeing - which would include not changing the status of the greenbelt which affects farmers' livelihoods; - to declare pecuniary interests of any parties transparently in any planning negotiations and decisions, and that this information should be open to the public when developers and landowners are involved; - not to accept funding offered to the Borough Council from a landowner or any other source to develop any aspect of the Local Plan, as this will be questioned by public scrutiny; - confidential items on Council agendas regarding formulation of a Local Plan (where the information is not publicly available) could be investigated using Freedom of Information requests, and could arouse suspicion in light of the previous Local Plan process especially if they are stated as "economically sensitive". <p>We request that the following; <i>"The council will clearly document how decisions have been reached to demonstrate how all comments have been considered."</i> ... which is in the previous version of the SCI should be retained. Because without explanation as to why comments and suggestions have been accepted or rejected there is a lack of democratic involvement or "fairness."</p>	<p>The exclamation mark can be replaced with a full stop. It is agreed that as Parish Councils represent a body of people, their views should be given appropriate weight.</p> <p>It is important to state that the proposed change of designation and allocation of Green Belt land was not to improve WLBC's financial position; it was to meet housing needs and / or help secure infrastructure and / or attempt to increase the prosperity of the Borough as a whole.</p> <p>This information may be divulged as part of viability assessments, although individuals' pecuniary interests are not normally taken into account in planning decisions.</p> <p>'Gifts' will certainly not be accepted; contributions towards necessary infrastructure may be sought (through the Community Infrastructure Levy) although this tends to fall far short of the total infrastructure needed to support new development.</p> <p>Comments noted. Freedom of Information disclosure / confidentiality of committee reports are tied to national law and are outwith the Council's control.</p> <p>Add sentence to this section as follows: "It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived</p>

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<p>1.5 BPC</p> <p>Page 255</p>	<p>In the past members of our organisation were present at a Public Enquiry where the Inspector asked for an Officers Report appertaining to a specific decision only to be told that there was not one as the decision had been delegated. The inspector, quite firmly, told officers that this was an unacceptable interpretation of Planning procedure.</p> <p>...retention of the sentence we request, would remove any ambiguity over the decision making process for without explanation decisions may be interpreted as arbitrary or even corrupt.</p> <p>In the final paragraph of 1.4: <i>....not the number of comments registered but the relevance of planning-related arguments contained within them.....the Council needs to balance the views of all sides.....</i></p> <p>Where there is a fine balance the weight of public opinion should be acknowledged as part of that balance.</p> <p>1.5 The National Planning Policy Framework (NPPF) 2019 sets out the importance of community involvement and multi-agency consultation, and further emphasises the importance of co-operation across local authority boundaries.</p> <p>It is expected and stated that all surrounding councils would be approached by WLBC under the NPPF "Duty to Co-operate" when it comes to calculating matters such as projected housing need numbers across the region, brownfield site availability for potential development and Gypsy and Traveller sites. Documented evidence of such negotiations would be expected to be made publically available also for all the areas of South Ribble, Chorley, Wigan, St Helens, Knowsley, and Sefton, as well as Liverpool, Manchester and Fylde.</p>	<p>at, taking into account relevant planning-related points made, including those received during consultation."</p> <p>It is beyond the Council's resources to explain how every comments made has been addressed, especially where some comments are not material to the decision being made.</p> <p>Comments noted.</p> <p>Comments noted and agreed. This is done as a matter of course and Duty to Cooperate statements set out the engagement undertaken with neighbouring authorities.</p>
1.6 APC	<p>The Duty to Co-operate – whilst unpopular with many Parish Councils, the National Planning Policy Framework and TCP Regulations, Reg.4 were noted.</p>	Comments noted.
1.6 BPC	<p>1.6 We note WLBCs commitment to the duty-to-cooperate but in the spirit of disclosure, where officers undertake discussions with others parties there should be minutes taken and approved by both parties. These should form part of the DPD background files. This should also include discussions with other bodies such as Network Rail. Because where such discussions inform the direction and policies of the DPD they should be documented and transparent.</p>	Formal minutes of Duty to Cooperate meetings with statutory bodies, where taken, can be disclosed if necessary.

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Chapter 2	Preparing Planning Policy Documents	
2.0 APC 2.0.1 Individual Page 256 2.0.2 BPC 2.1 APC	<p>2.0 Preparing Planning Policy Documents – the legal requirement to verify consultation on Development Planning Documents, including the Local Plan, to be carried out in accordance with the SCI, was noted.</p> <p>The foot-note on Page 4 giving a straightforward interpretation of the word ‘SOUND’ was NOTED (to be considered ‘sound’ a document should be ‘positively prepared, justified, effective, and consistent with National Policy’).</p> <p>2.0.1 Who do we consult? Appendix B: Specific Consultation Bodies (these incorporate Statutory Consultees – they may be replaced by successor bodies) – the list which included Parish Councils was NOTED.</p> <p>2.0.1 Who do we consult? The continued inclusion of parish councils within the list of statutory consultees is welcomed and should be maintained. Parish councils are the form of local authority closest to the people they serve and as such are often the first (and sometimes only) point of contact for residents concerned about local issues.</p> <p>2.0.2 The document link showed - https://www.westlancs.gov.uk/planning/planning-policy/the-local-plan/local-planreview/local-development-scheme-lds.aspx could not be found and the link comes up with “Page Not Found”. As the principal DPD is the currently adopted West Lancashire Local Plan covering 2012-2027, this timescale for the Local Plan Review should be adhered to and the Parish Council feels strongly that it should not extended beyond 2027.</p> <p>2.1 Development Plan Documents – in the interests of best practice and positive public engagement, the Parish Council would wish to ensure consultation on an informal stage with the council, eg Options & Preferred Options Stages – Table 2.1 Stage 4. (ample time should be allowed for discussion and with cross party attendance if possible)</p> <p>2.1.3 How do we consult? – in order to ensure the public are made aware of each stage of consultation, posters should be made available for Parish Council noticeboards and websites plus Press Releases (Table 2.2)</p>	<p>Comments noted.</p> <p>Comments noted. It is agreed that Parish Councils play an important role and their input is appreciated.</p> <p>We apologise that this link did not work – the website was amended after this link was put in the SCI. A working link will be provided in the final SCI. Comments noted. It is intended to adopt a new local plan by 2023 (COVID-19 and government changes to the planning system permitting).</p> <p>At Local Plan consultation stages, it is usual practice to meet Parish Councils.</p> <p>Whilst posters are a good idea, the Borough Council is unlikely to be able to prepare these owing to resource constraints. However, Parish Councils are welcome to use BC material to make their own posters. Press releases are usually prepared.</p>

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Page 258	<p>out of step with public opinion and their own wider political parties that they run the risk of the entire process up to that point being costly, wasted and risking time delays meaning the existing plan becomes out of date. Also this leaves the Publication open to being interpreted by some as arbitrary, unjustified, none representative or even corrupt. With particular acknowledgement of the substantial public interest in the recently withdrawn Local Plan proposals. (see also comments on table 2.1)</p> <p>2.1.1 Footnote 4 “<i>the terms ‘DPD’ and Local Plan are used interchangeably....</i>” Could this be explained within the text somehow. Abbreviations and terminology can be very confusing to the layperson (we note and welcome acknowledgement of this in 7.1 Equality and Diversity). CPRE West Lancs has experience of members of the Planning Committee struggling with such terminology and confusing the Development Plan Framework DPF, which is effectively a wish list, timetable with DPD, which is a legal document. It may help to explain in the introduction that the term “Development Plan Document” (DPD) is now used in place of the previous term “Local Plan”. To the lay person the term Development Framework may be interpreted as land usage allocation within the Borough.</p> <p>Table 2.1 We would like to see the comment made in stage 3 repeated at stage 4 In the last two boxes. (<i>i.e. not required.....but the Council may choose to publicise at this stage</i>) We refer to our comments at 2.1 above.</p> <p>2.1.4 We ask that the word <i>may</i> is at all points replaced with <u>will</u>. Feedback is important to Members and officers alike. It helps them to make informed decisions and recommendations. If there is no reporting of the issues and points raised, then there is no point in consulting in the first place.</p> <p>Can we point out that responses coming forward at the last Local Plan review were published in a database format that was extremely difficult to read. There were no paragraphs, with all the text running into one long column ... we understand that officers are aware of this issue. We hope that in the future the format will be changed so that it is more readable.</p> <p>We welcome that the database was largely searchable which was very useful, with one caveat: Reports were entered into this data base as attached documents in such a way that they were not</p>	<p>necessary. The Publication stage is subject to strong scrutiny, including by central government. Please note the Local Plan Review involved both an Issues and Options, and Preferred Options stage.</p> <p>Whilst there appears to be merit in the suggestion, it makes the main text more difficult to read and understand. It is considered that it is simpler to keep the comment in a footnote and leave the paragraph as it is.</p> <p>Government legislation that refers to local plans, development plan documents, and local development documents can be confusing even to professionals!</p> <p>This change can be made as requested. Rather than writing "(... but the Council may choose to publicise at this stage)", put "(As above)".</p> <p>The point is acknowledged that it the Council undertakes public consultation, this needs to be reported to Members and / or to any other decision-makers (unless the document in question is being 'ceased' or abandoned). The paragraph can be amended to reflect this (although not every 'may' will become a 'will').</p> <p>Comments noted; it is agreed that the 'database format' was difficult to read. This was a feature of the software used and was beyond our control, but such issues can be fed back to the software supplier to seek improvements.</p>

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Individual Page 259	<p>searchable. CPRE West Lancashire commissioned their own Demographic Report which was extremely difficult to find. Indeed could only be found attached at the end of the CPREs introduction to it and then only if one knew exactly where to look for it. We hope that any future databases addresses this problem and that all submissions are equally accessible and searchable.</p> <p>The redacting of personal information was excessively employed with the names of independent experts redacted.....this was unnecessary and inappropriate. Concerns over inclusion or redaction of personal information could be covered by asking responders at the point of submission whether or not a respondent gives their permission for inclusion of their personal information and implementing their wishes.</p>	<p>The sanctions for breaches of the General Data Protection Regulation are severe for local authorities. The Council considers it better to err on the side of caution in this respect.</p>
	<p>2.1.1 When do we consult? WLBC's view that statutory consultation stages may not provide adequate opportunity for views to be fed back is sensible and pragmatic. Early informal consultation adds transparency to a process that can be regarded with suspicion and save time in the long run. In particular, adequate consultation at the issues and preferred options stages would be desirable. This is particularly the case given the unprecedented interest and ultimate withdrawal of the most recent local plan review.</p>	<p>Comments noted. It is agreed that, whilst government Regulations require consultation only at the 'Scoping' and 'Publication' stages, at least one extra stage of consultation would be valuable.</p>
	<p>2.1.3 How do we consult? The value of drop-in sessions should not be underestimated within the list of methods. Their interactive nature gives added value. The prevalence of social media among the community should ensure that this is a compulsory rather than optional method of consultation.</p> <p>2.1.4 How will we report the results? This understates the importance of feedback. The feedback report (consultation statement) should be an integral part of the consultation process if transparency and confidence in the process is to be maintained.</p>	<p>It is agreed that drop-in sessions can be valuable (e.g. as for the Local Plan Review Preferred Options consultation). It is not known that the Council will always have the resources to staff these and so they are down as optional.</p>
	<p>2.1.4 How will we report the results? This understates the importance of feedback. The feedback report (consultation statement) should be an integral part of the consultation process if transparency and confidence in the process is to be maintained.</p>	<p>Comments noted and accepted. Paragraph 2.1.4 will be changed to reflect this.</p>
2.2 APC	2.2.1 Supplementary Planning Documents – consultation stages (Table 2.4) noted.	-
CPRE	<p>2.2 We welcome acknowledgement of consultation r (<i>sic</i>) wishes above the minimum required by legislation and refer to our comments at 2.1 and Table 2.1 with particular acknowledgement of the substantial public interest in the recently withdrawn Local Plan proposals.</p> <p>Table 2.2 (Pg. 9) We would like to see this table amended to reflect the opportunities for consultation above the minimum. Ref. comments at 2.1 and 2.2.</p>	<p>Comments noted.</p> <p>Please see WLBC response to CPRE comments on 2.1 (page 11-12 above).</p>

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Individual	<p>2.2 Supplementary Planning Documents Current SPDs cover subjects which are of particular relevance to rural parishes, such as Green Belt policy. The option for consultation which may go beyond minimal requirements is therefore welcomed.</p>	Comments noted
	<p>2.2.4 How will we report the results? The importance of feedback is re-iterated.</p>	Noted
2.3 APC	Development Briefs – Table 2.5 – consultation stages noted.	-
CPRE	<p>2.3 We are concerned at the premise that because a DB is for a very specific site that “<i>extensive consultation is considered inappropriate.</i>” We agree that extensive is unnecessary unless the site is of particular borough wide importance for some reason. However localism is expressly encouraged by government policy and it will be people local to a site that have the knowledge specific to that site that may bring about the best of planned solutions. So to exclude any local involvement at the evidence gathering stage may mean that important aspects ie of ecology or archaeology are missed.</p> <p>Table 2.5 It would be better if at stage 1 “<i>Will we consult</i>” & “<i>Will we publicise</i>” were changed to: <u>Optional</u> rather than “<i>No</i>” Reason....“<i>No</i>” precludes officers from consulting ever, whereas Optional allows for minimal local where relevant.</p> <p>Table 2.6 (pg. 14) While understanding that there are cost and sustainability implications in leafleting, it would be better if against the method “<i>Leaflets</i>” - “<i>No</i>” was changed to: Optional. Reason....“<i>No</i>” precludes officers from leafleting ever, whereas Optional allows for leafleting or posters where relevant. It is limiting to exclude this ever being considered.</p>	<p>Comments noted – add 'usually' to the third paragraph of 2.3 to read: 'Due to the localised nature of most development briefs, extensive consultation is not usually considered to be appropriate.'</p> <p>Point acknowledged – change 'No' to 'Optional' in Table 2.5 stage 1.</p> <p>Point acknowledged – change 'No' to 'Optional' in Table 2.6 for the 'Leaflets' row.</p>
Individual	<p>2.3 Development Briefs It is appreciated that Development Briefs are usually of a localised nature but it is also important that the wider strategic importance of such developments be taken into account when assessing the need for consultation. Larger scale developments in particular can have consequences beyond the immediate locality, particularly in terms of impact on infrastructure and services.</p> <p>2.3.2 How do we consult? The points made at 2.1.3 are re-iterated.</p>	<p>Comments noted; it is agreed that sometimes consultation may need to extend beyond the local area. Add 'usually' to third paragraph of section 2.3 (as per CPRE response above).</p> <p>Comments noted.</p>

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<p>2.4 APC</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 261</p>	<p>2.4.1 Methods for publicity and consultation – support for the methods including/especially ‘by Letter’ – in an ageing Parish population, not all local residents are ‘on-line’ and appreciate notification by post.</p> <p>Additional methods may include:</p> <ul style="list-style-type: none"> • Neighbour letters – whilst letters may be sent to properties neighbouring (immediately adjacent to) a development site to notify them about the preparation of a planning document – an extension to this method to include ‘others’ in the wider community who would be affected and impacted upon by the development should be considered. • Press Releases – supported. • Local Newspapers supported (but not necessarily a ‘wrap-around’ due to many complaints about this style from West Lancashire residents in 2012). • Leaflets – should be used when significant policy documents (strategic development sites) may impact on the wider area. • Local Exhibitions – to display proposals and allow question and answer session with planning team. • Attendance at Parish Council Meetings, during Public Forum, to display proposals and allow question and answer session with planning team. <p>2.4.2 How we will accept representations. ‘Paper Based’ – important to retain this method for those unable to use internet.</p>	<p>Comments noted; this is why letters are still used in consultation exercises (subject to unusual events / circumstances such as COVID-19).</p> <p>Point acknowledged. However, it would be very difficult to determine case-by-case whom to notify by letter, and so is considered better not to commit to this in the SCI.</p> <p>It is difficult to find a better alternative than a wrap-around (in conjunction with leaflets posted to those who don't receive the free local newspaper).</p> <p>Attendance at Parish Council meetings can be considered, but timing / resources may not permit this.</p> <p>Comments noted and agreed.</p>
<p>AIUL</p>	<p>2.4 METHODS FOR PUBLIC CONSULTATION</p> <p>We note that this consultation exercise commenced prior to the proliferation of the COVID-19 pandemic and then the subsequent enactment of secondary legislation to facilitate the completion of necessary consultation for Local Plan activity and those in relation to development management applications (including EIA and Listed Building Consents).</p> <p>We would encourage that the Council reconsider section 2.4 to ensure that it provides the opportunity to undertake consultation using methods “as practicable”. This would include the following revisions (revisions highlighted red):</p> <p>2.4.1 Change text as follows: Methods to be used as a minimum (where practicable to do so):</p>	<p>Comments noted. The SCI consultation deadline was extended to take account of COVID-19 although it is acknowledged that AIUP's representation was received prior to the original consultation deadline. The suggested alteration is appreciated, but the Council has prepared an SCI Addendum to take account of COVID-19. 'Where practicable' may imply the Council will not use the minimum methods.</p> <p>Instead, reference to the Addendum could be made at this point in a footnote.</p>

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<p>ARG / Individual Page 262</p> <p>BPC</p> <p>CPRE</p>	<p>2.4.2 HOW WE WILL ACCEPT REPRESENTATIONS This section suggests that the Council will accept submissions that utilise electronic forms or paper-based copies of the same. It adds that the Council will not accept representations made by email or through a format that is inconsistent with the electronic based forms. We find this entirely inappropriate. In our experience, the pro-forma documents do not provide a consistently effective vehicle for the submission of robust representations with (if used in isolation) a substantive risk to the representor of a failure of comments to be duly made (if there is a processing failure) and with no alternate evidence to show that representations have been duly made. We would recommend that email and letter submissions should still be accepted, subject to them clearly responding to the individual set questions from the consultation exercise.</p> <p>2.4 ARG Making Representations Page 17 Para 2.4.2 The experience of both the ARG and other individuals/groups of the 'bespoke web-based software' for public consultations was not positive and if not already undertaken action to make the system more user-friendly would be a positive step. A major flaw was the inability of individuals to easily check if their submission had been recorded or check on other representations without trawling through the whole lists.</p> <p>2.4.1 The listed methods for publicity and consultation for keeping the public and stake-holders informed is very comprehensive and much appreciated.</p> <p>2.4 & 2.4.1 (pg. 15) - These could be amalgamated with 2.4 being the opening paragraph and the content of 2.4.1 coming after it.</p> <p>2.4.1 Availability of documents on deposit..... Please note that previously copies have been deposited at local Post Offices from where they could be borrowed overnight....this proved to be a well used resource and we would like to see this continue.</p>	<p>The reason for precluding email is that a significant number of respondents (often consultants) have submitted lengthy reports by email, effectively 'ignoring' the questions and structure of the pro-formas prepared for the consultation. Dealing with such representations has taken many hours of officer time and can delay the process. In practice, the Council may accept email submissions in certain cases, especially if they are responding point-by-point to the set questions, but it is considered better not to offer this 'concession' in the SCI as it could lead to abuse. People with email will also have access to the internet and so should be able to access and use the online consultation software.</p> <p>Points acknowledged, in particular regarding the need to confirm electronic submissions. This will be looked at as we develop our future consultations.</p> <p>Comments noted</p> <p>2.4 is a 'higher order heading'. The title for 2.4 can be changed to 'Publicity and Consultation' so that it is different from the title for 2.4.1.</p> <p>Several Posts Offices have closed over recent years, or have greatly reduced opening hours. The Council took the decision a while ago to 'generally' remove Post Offices from our 'on-deposit venues'; this is part of a corporate push to moving online.</p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 263</p> <p>Individual</p>	<p>Neighbour letters. (pg. 16) We note that the council policy and practice with notification of planning applications is to only notify neighbours whose boundaries are contiguous with the application site. This is a bare minimum and we feel very strongly that notification should be extended to cover neighbours who are affected directly...ie across a footpath or road or on the approach to a site. The wording (<i>immediately adjacent to</i>) should be removed and replaced with: <u>who will be most impacted</u> or <u>most affected by.</u> The thinking behind this will be expanded on in later place</p> <p>Social media (pg. 17) We welcome this as it is immediate and accessible. It is an area that can be developed as social media changes and matures. In the following sentence “<i>the council may seek to arrange additional events, where reasonably feasible</i>” please change <i>may</i> to <u>shall</u> as the word <i>may</i> implies that even where feasible, it may not necessarily be considered.</p> <p>2.4.2 (pg. 15) It will be noted that this submission is by way of email rather than via the “<i>web-based software</i>” That is because the software on the website is not interactive with a tablet....in these times of lockdown the respondent has no other means of submitting. Increasingly people rely on tablet rather than laptop or desk based computer. Many homes have no access to a printer. Provision is made in the second bullet point for paper based submissions. These would often be hand written and transcribing laborious and costly to the council. Email could be cut and pasted by the Council officers. While not ideal this would surely be preferable to paper based via the post. The non-acceptance of email would render this current submission unacceptable. However if printed and handed in on paper it would be acceptable. This does not make sense and would be a barrier to those without complex office equipment. This sentence Quoted above should therefore be removed.</p> <p>Paper based (pg. 17) We welcome the acknowledgement that not all are computer literate and that provision is made for them. Could Post Offices please be added to places that these forms are accessed from. Also the mobile library if that does not already happen.</p> <p>2.4.1 Methods for publicity and consultation It is noted that methods include those for the less IT literate in society and this is appreciated provided they are accompanied by adequate publicity of their availability. Staffed exhibitions and</p>	<p>Comments acknowledged but the suggested wording leaves the Council open to challenge – it is subjective and it may be difficult to agree 'where to draw the line' in terms of who will be most impacted / affected by a proposal. Remove the word 'immediately' and add a footnote to refer to 'across a footpath or road, or on the access to a site'.</p> <p>Comments noted and agreed.</p> <p>Rather than change 'may' to 'shall' (or 'will'), remove 'where reasonably feasible'.</p> <p>See comments made regarding email submissions above (p16). The SCI consultation did not use web-based consultation software, and so the point about email submissions not being accepted did not apply. Web-based software should always work on a tablet computer. The Council still needs to allow for paper-based submissions for those with no internet access.</p> <p>Please see comments regarding Post Offices at p16 above. If it is straightforward to place documents in the mobile library, this will be investigated.</p> <p>Comments noted.</p>

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<p>2.5 APC</p> <p>ARG / Individual</p> <p>CPRE</p>	<p>drop-in sessions have added value related to their interactive nature. Communication via social media has particular relevance in the modern era and can be particularly effective.</p> <p>2.4.2 How we will accept representations It is important that non-electronic forms of communication are maintained if sections of the community are not to be disenfranchised. Access to paper-based forms should be as wide as feasible and not restricted to town centre locations. Demographic groups that are less computer literate may well be more socially isolated, particular within rural parishes (e.g. the elderly).</p> <p>APC 2.5 Neighbourhood Plans – the Neighbourhood Plan consultation exercise/responsibilities was helpful and noted. NP’s could, however, only be undertaken if there was real community interest, human resources for undertaking such a project, costs available, etc. The community-led framework for ‘a vision for a particular community area’ could not be undertaken to try and stop development but must conform to the Borough Local Plan and the National Planning Policy Framework.</p> <p>2.5 Neighbourhood Plans The ARG have previously discussed the development of a Neighbourhood Plan with Aughton Parish Council who formed a working group. The findings of the APC working group was that an Aughton Neighbourhood Plan was not necessary due to there being a current Local Plan. In recent times APC has again voiced their opinion that an Aughton NP was not a viable proposition due to the amount of effort required, the costs and the timescales. It should also be noted that there has not been a ‘take up’ for such a proposition by local residents. From the perspective of the ARG we understand that NPs have to be developed in accordance with the Local Plan and endorsed as such by WLBC before adoption. It is for that reason that ARG have not pursued this matter or demonstrated a willingness to become involved in an Aughton NP as we envisage that our group will be at odds with and making representations relating to certain sites and policies which are likely to be included in the new emerging Local Plan.</p> <p>2.5.1 & 2.5.2 (pg. 18) We welcome any move that encourages the production of Neighbourhood Plans and thank officers for their support in our endeavours to encourage these.</p>	<p>Paper-based forms can be provided to those without internet capability. Forms can be posted to those who ask for them.</p> <p>Comments noted.</p> <p>Comments noted. It is agreed that preparing a Neighbourhood Plan takes considerable effort.</p> <p>Comments noted.</p>

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Chapter 3	Community Infrastructure Levy	
3.0 Anglo International Upholland Ltd (AIUL) 3.1 AIUL Page 265	<p>This section sets out the various regulatory requirements which must be responded to in order to enact a CIL Charging Schedule. The earliest part of this is the Regulation 16 Draft Charging Schedule. We would respectfully request that the Regulation 16 Draft Charging Schedule expressly addresses the matters of Discretionary Relief and Exceptional Circumstances, to clarify whether the Council does intend to enact such a policy and to properly justify that decision including Impact Assessment.</p> <p>3.1.1 Who do we consult We would respectfully request that the Council ensure that they consult Historic England on the Regulation 16 Draft Charging Schedule which (as above) should very clearly highlight the Council’s position (and justification) in relation to matters of Discretionary Relief and Exceptional Circumstances. The Council should give strong weight to the representations of Historic England as a statutory consultee with respect to the historic built environment.</p> <p>3.1.5 Review of a Charging Schedule We note that the current CIL Charging Schedule came into force in July 2014 and conclude that it would be appropriate for it to now be reviewed. Through the production of the existing CIL Charging Schedule, we submitted representations to highlight that the accompanying viability analysis had only had regard for a limited range of scenarios (which excluded those relating to the conversions of listed buildings or other schemes requiring conservation specification construction). Whilst we argued that the Council should retain the DREC policy that was included within the Charging Schedule from Regulation 16 through to Regulation 21 (and was amended at a very late stage with no revisions to viability analysis) the Council declined to do so. Nevertheless, the Schedule was found sound subject to (unrelated) amendments. The Council should ensure that the viability analysis undertaken to inform the review of the CIL Charging Schedule is genuinely “policy on” in approach and does include consideration of a range of development scenarios including those with atypical cost parameters such as those relating to enabling development and related conversions of listed buildings. We confirm that we would be happy to share our evidence in terms of feasibility testing to secure the sustainable future use of St Joseph’s College at Upholland. This may well provide the evidence necessary to either introduce a Discretionary Relief policy or potentially a levy specifically tailored to enabling development to address a conservation deficit.</p>	<p>Discretionary relief for exceptional circumstances is governed by CIL Regulation 55, and sets no requirement for consultation to have been undertaken – instead, it is for the charging authority to determine whether exceptional circumstances are justified, and whether it is expedient to introduce discretionary relief. The powers to offer relief can be activated and deactivated at any point after a charging schedule is published by publishing a notice specifying the date it will apply.</p> <p>It is the Council's intention to undertake a Viability Assessment for the Local Plan, and the CIL charge will be reviewed accordingly at a future point deemed appropriate by the Council.</p>

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<p>3.2 CPRE</p> <p>3 BPC</p> <p>Page 266</p>	<p>3.2.1 (pg. 23) Publicity and consultation. Please include Post Offices and social media to this list of methods. The statement is made <i>We will accept comments - online through a dedicated portal</i>. The shortcomings of this have been made in this representation 2.4.2 Please consider them equally relevant to 3.2.1 This organisation had considerable difficulties responding to the Viability Assessment consultation last year as the software was not accessible to Apple users. We ended up having to borrow a computer in someone’s private office (in lockdown this was not available). In the interests of consistency, acceptable methods of consultation should be the same. We reference your own document 7.1 Equality & Diversity. In the interested of inclusivity Email and paper based submissions should be acceptable.... The likelihood is that responses to the likes of the CIL consultations will be low and the majority will probably be via the portal. So cost implications would be small. Potential inclusivity would be high, whether achieved or not.</p> <p>3.3 Parish Councils receive 15% of CIL funding from developments in their parish as stated in the SCI documentation. There have been articles in local government periodicals latterly reporting that parishes in other counties have not always received this percentage of CIL funding. It is requested that WLBC does not diminish this percentage and that assurances are given within the documentation stating that WLBC is committed to giving the full 15% (or 25% where there is a Neighbourhood Plan) to the parish.</p>	<p>The Council took the decision a while ago to 'generally' remove Post Offices from our 'on-deposit venues'; this is part of a corporate push to moving online. Social media will be added to the list of publicity methods. Comments noted regarding accepting paper based, as well as email, submissions.</p> <p>The CIL Regulations 2010 (as amended) stipulate exactly how neighbourhood CIL amounts are to be apportioned and administrated, including to Parish Councils, and the Borough Council adheres to these legal requirements. The Borough and Parish Councils are required to report their Neighbourhood CIL receipts and expenditure annually in the interests of full transparency.</p>

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Chapter 4	Community Involvement in Development Management	
<p>4.1 APC</p> <p>4.1 ARG / Individual</p> <p>Page 267</p>	<p>4.1 The Planning Application Process: the process involves the making, consideration and determination for 'development' -</p> <p>Land ownership – landowners need to be notified in advance if developers put sites forward on their land they do not own.</p> <p>Permission in Principle – Parish Councils do want to be consulted on the PIPs procedure in future. The timescale would have to be extended to allow this to happen and for 'call-in' to the Planning Committee if necessary.</p> <p>Section 4.1 provides a list of 'Planning-related applications' that do not involve development but fall under Planning Regulations. The second item on the list is 'Permission in Principle'. Table 4.1 provides a fairly comprehensive description of the 'Consultation procedure for planning applications by type'. It lists them, describes their characteristics and what publicity and consultation will take place.</p> <p>It is noted however that 'Planning Permission in Principle' is omitted from the table. Whilst this is probably an oversight or due to the introduction of the process since the previous SCI was completed, it is a significant omission.</p> <p>Because this is a recently introduced type of application, there is limited practical experience or history to provide either officers or members of the public a 'blueprint' of statutory requirements and learned best practice. The table should be amended to include this category.</p> <p>The ARG recommends that the council include 'Permission in Principle' within the Table 4.1 and for purposes of Publicity and Consultation, treat it at the very least on par with, Small Scale Planning Applications, albeit timescales will need to be reduced.</p> <p>4.2 CPRE</p> <p>4.2 (pg. 27) Would it be prudent to include reference here to, permitted development rights being removed in Conservation Areas covered by an Article 4 Direction. Also the requirement in CAs to seek consent for tree work to none TPO trees.</p> <p>4.3 APC</p> <p>4.3 Pre-Application Advice</p> <p>The Parish Council agrees there are a number of benefits for applicants seeking advice before making a planning application. There is provision on the Application Form for Parish Councils to view</p>	<p>Planning application forms require the applicant to make every reasonable effort to identify and contact the landowner for development proposals on sites the applicant does not own.</p> <p>The local planning authority only has 6 weeks to deal with a Principle in Permission (PIP) application so consultation periods are by necessity 14 days and it is difficult for applications to be called in to Planning Committee</p> <p>Permission in Principle will be added to Table 4.1</p> <p>Comment agreed – reference to permitted development rights being removed will be added to 4.2</p> <p>Comments noted, but there is no legal requirement for local planning authorities to require applicants to</p>

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<p>Canal & River Trust (CRT)</p> <p>Page 268 CRE</p>	<p>the advice given by the Planning Officer to the Applicant and this is extremely helpful to Parish Councils when submitting comments. However, after receiving advice, not all applicants fill in this box when submitting their applications. It should therefore be compulsory for these details to be submitted and the application delayed until compliance by the applicant. Any other form of 'viewing' this advice on-line for Parish Councils, would be most helpful. This can only achieve a better standard of application in compliance with Local Plan Policy, particularly in Conservation Areas.</p> <p>4.3.3 How will the Council consult on pre-application enquiries? Community consultation may not always be necessary for small scale applications but any consultation with developers can only benefit themselves and nearby neighbours who may be affected by the development – support for this procedure.</p> <p>Section 4.3.3 (page 28). The Canal & River Trust would be happy to provide pre-application comments for major developments adjacent to our waterways. We do not currently charge for this service.</p> <p>4.3.3 (pg. 29) We would welcome clarification here about access to pre consultation advice, at what stage it becomes subject to public access. This is important as it does not automatically appear as a planning application Document on the council website. Usually only seen if an applicant submits it as part of their application. Though the existence of a pre application document may be referenced in documents on the website.</p> <p>This may lead to feelings that planners and developers have reached agreements already and excluded those affected from the consultation process. This could be clarified and avoided by pre application advice being automatically disclosed as part of planning application documentation.</p>	<p>make pre-application advice available. The details of any pre-application enquiry and responses given are treated in confidence.</p> <p>Whilst the Council encourage developers to consult on pre-application proposals, there is no legal requirement for them to carry it out.</p> <p>Comments noted</p> <p>Comments noted; the Canal & River Trust can be referred to in section 4.3.3.</p> <p>All information relevant to the process of determining planning applications is made publicly available on the Council's website. This includes all information submitted with the application, full Consultee and Neighbour Representations, the Officer's Report and Decision Notice. There is no legal requirement for local planning authorities to require applicants to make pre application advice available. The details of any pre-application enquiry and responses given are treated in confidence.</p>
<p>Highways England</p>	<p>4.3.2 & 4.3.3 We don't have any particular comments to make other than on the above paragraphs, which refer to Pre-Application enquiries.</p> <p>Highways England welcomes pre-application enquiries, particularly those that are submitted via the local planning authority. In paragraph 4.3.3 refers to the Council seeking advice from external consultees on major applications; some of which have their own pre-application services, such as Lancashire County Council.</p>	<p>Comments noted.</p>

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<p>Individual</p> <p>Sefton MBC Page 269</p>	<p>Highways England also offers a pre-application service, and so it would be useful if we could be referred to in this paragraph. We feel it may also be beneficial for the Council to consider advising prospective applicants to existing policy and guidance that we have that may assist in the preparation of pre-application enquiries; namely the DfT Policy Circular (currently Circular 02/2013), but particularly the Highways England document <i>'The Strategic Road Network: Planning for the Future – a guide to working with Highways England on planning matters'</i>, which are both available online.</p> <p>4.3 Pre-Application Advice This is currently the most secretive part of the planning application process and is rarely published. The advice may well contain information that is useful to consultees and could reassure potential objectors, thereby helping to streamline the process and improve public confidence.</p> <p>4.3.3 It is noted that as a neighbouring authority and statutory consultee Sefton Council would be consulted on development plan documents and Supplementary Planning Documents. It is also noted that the 7th paragraph of section 4.4.2 'How will we consult?' states that: <i>"We consult neighbouring Councils where appropriate and also consult directly any properties in other boroughs which directly adjoin an application site"</i>. A similar approach should be taken to pre-application consultation carried out by developers. The second paragraph of section 4.3.3. 'How will the Council consult on pre-application enquires' states that: <i>"During pre-application discussions officers will also advise developers on whether or not we feel the proposals would benefit from a process of community involvement before the application is submittedThe Council understands that different developments will require public consultation to be tailored to suit the individual circumstances but on significant schemes a public meeting, exhibition and / or leaflet drop in the local area may be required...."</i>. The third paragraph of section 4.3.3 says that: <i>"For wind energy development, pre-application consultation with the local community is mandatory for all onshore wind development of more than two turbines or where the hub height of any turbine exceeds 15 metres¹⁴".</i> It would be helpful to clarify that this pre-application public consultation should extend to relevant local communities across the West Lancashire boundary; for example for sites adjacent to the West</p>	<p>Highways England can be referred to in paragraph 4.3.3 and the HE document referred to in a footnote.</p> <p>Comments noted; however, there is no legal requirement for local planning authorities to require applicants to make pre-application advice available. Details of any pre-application enquiry and responses given are treated in confidence.</p> <p>Consideration can be given to consulting Sefton MBC on relevant pre-application enquiries on a case-by-case basis; this can be clarified in a footnote.</p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 270</p> <p>4.4 APC</p>	<p>Lancashire boundary, and for other major development on sites close the boundary (dependant on the proximity and scale and type of proposals) including wind energy development (where consultation is mandatory as above). Such clarification could be in the main text or in footnotes.</p> <p>4.4 Managing Development</p> <p>4.4.2 How will we consult? Neighbour notification by letter is an essential method on all planning applications not only to immediate neighbours but also to those in the wider community if the development will impact on residential amenity. Continuation of Weekly Lists of all planning applications to Parish Councils is supported.</p> <p>4.4.3 Notifying you of amendments. Consultation with Parish Councils plays an important part of the Planning Application consultation and must be retained including re-notification of Amendments.</p> <p>4.4.4 How to comment on a planning application. Due to the timescale for Parish Council Meetings, most 4-weekly but some every 5 weeks, if the date for consultation period is due to expire, an extension of time should be considered for Parish Councils providing sufficient notice is given to the case Planning Officer.</p> <p>4.4.5 Appendix E: Valid Planning Considerations – impact on the highway and highway safety: (It is noted that the Borough Council can only take account of material planning considerations – however, regarding conditions on planning consents, WLBC should either publish a list of mandatory working conditions including permitted hours such as restricted hours at weekend and bank holidays, or attach these routinely to each consent. These should also deal with the positioning of skips and banning these on major roads or thoroughfares – they should be kept on the applicant’s property and skips on minor roads should be properly lit and positioned sensibly; the impact of construction work deliveries in the vicinity of a school (due to parking and traffic issues at school opening and closing times) should also be considered when conditions are imposed on planning permissions, in the interest of health and safety.)</p> <p>Also, planning objections by neighbours etc do not seem to be getting on the Planning Website/Portal quickly enough.</p>	<p>Comments noted. The Borough Council as a planning authority goes beyond the requirement for publicising and making available information under the planning regulations including individual letters, site notices, and press notices.</p> <p>Comments noted and agreed.</p> <p>On most occasions planning case officers are able to extend the period for consultation responses, but there is a balance with determining applications within the legal time periods.</p> <p>Comments noted. With regard to [construction] working hours, the Council does not generally impose conditions on planning permission which seek to control hours of construction. This is based on the NPPF paragraph 183 and national Planning Policy Guidance which states: 'Conditions requiring compliance with other regulatory regimes (e.g. Building Regulations, Environmental Protection Act) will not meet the test of necessity and may not be relevant to planning.'</p> <p>All comments by neighbours have to be checked by the nominated Case officer to ensure comments meet data protection rules and to ensure they are not libellous. Officers have large caseloads and</p>

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<p>BPC</p> <p style="text-align: center;">Page 271</p>	<p>4.4.6 Applications referred to Planning Committee. Representation to speak at Planning Committee Meetings is supported. Perhaps the Parish Council representative should take precedence to speak first over a local resident or the applicant's representative (to prevent duplication of comments).</p> <p>4.4.5 Planning Law requires that decisions should be taken in accordance with the development plan unless there are material considerations that indicate otherwise. Sometimes when similar planning applications are made in the parish, comparisons are made by residents and the PC on the decision outcomes. It is requested that consistency be paramount. For example, if one planning application for an extension in the parish is passed and a similar one is not, and to all intents and purposes they appear similar, questions will be asked. Then when the answer is that "each application is dealt with on its own merits" and no material reasons are given, this could appear to be subjective. Sometimes the reason given to some applicants in the parish of Bickerstaffe is that their plan has been refused on the grounds that "the development is 'unsustainable'", despite the fact that people have lived there for centuries and therefore it clearly is sustainable; but then when questioned further the response was that buses no longer run past the house, and this is the reason it is "unsustainable", this does not seem to be a satisfactory criterion for residents who live in this rural community especially when buses did run there until recently.</p>	<p>flexible work patterns so there may be delays in processing all comments before publication</p> <p>Comments noted; other Parish Councils have asked to speak last, to have the last word.</p> <p>Comments noted. All information relevant to the process of determining planning applications is made publicly available on the Council's website. This includes all information submitted with the application, full Consultee and Neighbour Representations, the Officer's Report and Decision Notice. The Officers' Reports explicitly address policy issues in their assessment of material planning consideration which differ from site to site, hence each application is dealt with on its own merits according to different site characteristics. This can be a tricky concept to grasp, but is a fundamental characteristic of planning.</p>
<p>CPRE</p>	<p>4.4.2 We note that "<i>Neighbour notification is the principal method of consultation on most planning applications.</i>" We agree with this statement and wish to emphasise the inadequacy of only neighbour notifying properties that immediately adjoin application sites. While this be the legal minimum, the Council should aim higher and notify those most impacted by a potential application for example; directly across a roadway or footpath. Bizarre situation occurs where for example a house on another street is notified about an application for a new driveway at the front of the property they back onto, which they will not be affected by. But the house in the same street and next door to the application site, which may be significantly impacted is not notified as a small public footpath runs between the two houses. This is also important to where nearby and affected properties are outside of the Borough. Relying on site</p>	<p>Comments noted. The Borough Council as a planning authority goes beyond the requirement for publicising and making available information under the planning regulations including individual letters, site notices, and press notices. It is agreed, however, that a common sense approach should be taken in situations such as where there is a small footpath between two houses. Whilst we are only required by legislation to consult neighbouring properties adjoining an application site, we do adopt the practice of notifying across the road, etc. where</p>

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Page 272	<p>notices is unsafe as they are frequently removed. We can supply several examples if required. This is especially important because if an application is heard at Planning Committee only those neighbour notified have the right to speak.</p> <p>Ref 4.4.6 We refer you to 1.4 and the importance of fairness in planning.</p> <p>Table 4.1 (pg. 32) On this table we would like the Publicity and Consultation column to be changed at every point where the term <i>“Immediate neighbours adjoining the site”</i> occurs,..... to read: <u>immediate neighbours, those adjoining and those most likely to be impacted by the proposed development.</u></p> <p>This point arises a significant number of times at Parish Council meetings across the Borough and for relatively small effort the dissatisfaction that the current system of adjacent properties only brings could be alleviated.</p> <p>Addendum at base of table 4.1 (pg. 33) It is disappointing that minimum standards are aspired to. Please replace with <i>“...will meet and aim to exceed, the minimum requirements for consultation.”</i> Because West Lancs should aspire to more than a minimum.</p> <p>4.4.4 (pg. 34) We note the statutory obligation of maintaining a planning register and would like to point out that documents on this register are made public at the discretion of the Case officer who “releases” the document. There have been significant delays in documents appearing over recent times. When the document is released it does not go to the bottom of the list but appears in the date order at which it was inputted to the system but not released. This makes it difficult for interested parties to know that new information is available. If documents were given a number when inputted then their existence would be known to the public if not their content. This may be a resource issue, but it is important that not only the legal requirement for all documents to be released prior to a decision is complied with, but that there is transparency and aiding interested parties to make fully informed consultation responses. Thereby getting the best decisions possible.</p> <p>4.4.5 (pg. 35) In the final paragraph; it is important that at the point where the agenda is published, that all documents have been made publicly available. Unless they are legally exempt and redacted where necessary. This does not always happen.</p>	<p>this is appropriate, for example a front / side extension / dormer extensions to the front.</p> <p>It is considered that 'those adjoining' are 'immediate neighbours' by definition. To commit to notifying 'those most likely to be impacted' leaves the Council open to challenge – such a judgment is very subjective.</p> <p>Comments acknowledged. The suggested change can be made after Table 4.1.</p> <p>Comments noted. All information relevant to the process of determining planning applications is made publicly available on the Council's website. This information goes well beyond the legal requirement. The software does not permit 'numbering' and it adds material in date order; unfortunately this cannot be changed.</p> <p>All documents sent to Planning Support are indexed promptly. Any documents which need checking by an officer for slanderous / inappropriate content are indexed as sensitive by Planning Support until the Planning Officer changes them to Public.</p>

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<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 27 of 29</p> <p>Dalton Parish Council (DPC)</p>	<p>4.4.6 (pg. 36) We note the certain people can address the Planning Committee. Anyone objecting to an application who has been notified under the neighbour notification process by the council, or his/her representative. This illustrates the importance of neighbour notification not being limited to those immediate adjacent but extended to those potential impacted by an application...please see points made regarding 4.4.2 and Table 4.1</p> <p>In the interest of fairness should those neighbour notified and commenting on rather than objecting to, also be extended the right to speak....what is the justification for only objectors and not supporters?</p> <p>Time allowed is 3 minutes. For a lay person, unused to public speaking the Council Chamber and associated audience can be very intimidating. Other authorities allow longer times and apply discretion. We ask that the time allowed is extended to 4 minutes and it is written into this document, that this may be extended at the discretion of the Chairperson.</p> <p>Section 4.4.1 (page 29). We welcome reference to the Trust here as a statutory consultee. Please can our correct registered name be used 'Canal & River Trust' (ampersand instead of 'and').</p> <p>4.4 /30 Parishes affected by development in a nearby area should be consulted directly and not left to read through the weekly list of Borough wide applications. For example, developments at Whalleys, or at Beacon Golf Course, have direct effect on Dalton Parish but because they are not within the parish they are not highlighted by public notice by WLBC. There should also be an automatic right to speak at Planning Committee meeting about these 'neighbouring' applications without being made to apply to the Chairman of the meeting for permission. If a development has an effect on a parish, the parish ought to have a voice.</p>	<p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p> <p>This change will be made (p30).</p> <p>The Borough Council does not / never has consulted adjoining Parishes (or wards) on applications. Parish Councils receive the weekly planning list and Members can also register on the Public Access System to receive updates on any applications anywhere within the Borough, not just their own Parish. Notification of applications is not required to go on an adjoining Parish Council's Public Notice as this is for applications only within that Parish. If an application falls across two Parishes, it is publicised across both, and the Public Notice reflects this.</p> <p>The issue of public speaking at Planning Committee will be reviewed as part the Development Management Service Review. This will include who can speak, time periods and order of speaking.</p>

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	withholding information prior to submitting an application or of producing glamorised versions of their proposals. There needs to be much more emphasis placed during pre-application discussions with planning officers on involving communities and their representatives as <i>a part of</i> pre-application arrangements.	
Chapter 5	Works to Trees	
<p>5.0 APC</p> <p>Page 276</p> <p>CPRE</p> <p>5.4 CPRE</p> <p>5.5 CPRE</p>	<p>Notification to Parish Councils on works to trees/tree preservation orders is welcomed and supported (sufficient time to be given for it to be displayed on monthly agendas)</p> <p>There is no mention of the procedure for protecting trees with Tree Preservation Orders on them, or of the protocols for enforcement of the TPOs. It would be useful to include this information as a TPO is of little significance unless it is backed up.</p> <p>It would be helpful if TPO applications were published in a weekly list in the same way that other Planning Applications are. This would enable a wider consultation. Without this how can a wider population ever know there is such an application.</p> <p>We feel it would be useful to outline here what type of hedge-works require permission.</p> <p>Reference is made to <i>English Heritage</i> on the penultimate line. We think this should be <u>Historic England?</u></p>	<p>Government's advice is that TPO applications should be determined within 8 weeks. It may not be possible, due to timings of Parish Council (PC) agendas, to wait for resolutions / responses following PC meetings. In such cases, it may be possible to negotiate an extension of time with the applicant.</p> <p>For legal reasons, the Council would not be able to consult on ongoing investigations into unauthorised works to TPO trees. The Council could publicise (successful) prosecutions, and / or report to Planning Committee.</p> <p>The Council publishes TPO decisions but not new applications. There is no requirement to publish; this would make the process quite onerous. We do consult where it is deemed that there is a wider public interest, including with Parish Councils.</p> <p>The SCI can state: Hedge works do not require any permissions other than those relating to The Hedgerows Regulations 1997.</p> <p>Agreed; change reference to Historic England</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
Chapter 6	Conservation of the Historic Environment	
6.0 AIUL	<p>We note that there is no mention within this section in regard to Buildings at Risk. We would encourage the Council to consult upon any proposals to update the Buildings at Risk Register (which has not been updated since 2010). The consultation methods should include dialogue with stakeholders (including owners) of affected properties by revisions to the Register.</p> <p>This would be addressed by revising Table 6.1 to include reference to Buildings at Risk Register updates.</p>	<p>It is accepted that the Buildings at Risk Register is 10 years old and we can look at updating it. However, this updating work is not considered to be 'public consultation' and is not deemed worthy of inclusion in the SCI.</p>
<p>Conservation Area Advisory Panel (CAAP)</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 277</p>	<p>Can CAAP be reconvened to assist the planning process and administration of heritage assets?</p> <p>The Conservation Area Advisory Panel provided advice to the Heritage and Environment Manager at WLBC until mid-October when it was dissolved without notice by the then Director of Development and Re-generation. There was no consultation with the Panel, and having spoken to many Councillors it seems that Political groups were also unaware of that decision. No explanation was given to members of the Panel, who had served the Council consistently, on a voluntary basis, since 1975.</p> <p>In the 6 months that have followed, the restructuring of the management at the Council has resulted in both the Director of Development and Re-generation (John Harrison) and the Heritage and Environment Manager (Ian Bond) no longer working at WLBC. I now understand a new Conservation Officer has been appointed to manage the heritage work in the Borough.</p> <p>The CAAP would like to continue its advisory role as local voluntary stewards of the heritage buildings, conservation areas and historic landscape. When the Panel was dissolved it had 12 members, all with a deep interest in protecting the heritage of West Lancashire, and all were residents in the Borough. The CAAP had the following expertise: an archaeologist; 2 members of West Lancashire Civic Trust; a member of the Campaign to Protect Rural England; a member of Ormskirk District Historical Society; 2 representatives of Parish Councils; a member of the Royal Town Planning Institute; a member of the Royal Institute of Chartered Surveyors; a member of the Royal Institute of British Architects (AABC accredited); and 2 ex officio members. The professional background of CAAP member would be collectively valuable to the authority. These backgrounds cover a wide range of professions, all directly relevant to heritage work, and it would be cost free. If required CVs can be provided. The Panel also has a Chairperson and a deputy. It has always met monthly (except during Council vacations) and received an Agenda for each meeting from the</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p style="text-align: center;">Page 278</p> <p>APC</p>	<p>Heritage and Environment Manager for planning applications for Listed Buildings and Conservation Area consents, usually half a dozen or so per month.</p> <p>The Heritage and Environment Manager always emphasised that advice be given on each application on its merits and whether the Listed Building suffered harm from the changes proposed, and with Conservation Areas whether the changes requested from the applicants harmed the openness or character of the building or area. The final decisions on all applications were made by the Planning Committee or by the Director of Development and Re-generation, not by the Panel.</p> <p>The latest draft Statement of Community Involvement SCI 2020 makes reference to changes being made to SCI 2016 protocols (page 40 and 41) for Listed Buildings and Conservation Areas and the CAAP would like to be involved in discussions on how it can continue to serve WLBC as before.</p> <p>The potential benefits to WLBC of “tapping into” the cumulative expertise of CAAP members would surely outweigh the costs of technical support to the panel. The CAAP brought a wealth of expertise from a wide professional background. Representatives were the eyes and ears of those interested in the heritage of the Borough, fulfilling a valuable role in consultation on a monthly basis. In the past, when officer time was under pressure, members have aided in fieldwork prior to Conservation Area re-appraisals. The West Lancashire Design Awards scheme was well respected within the Borough, and the envy of other Boroughs. Members were always at hand to advise, help and take part on an annual basis.</p> <p>If preferred, the panel’s comments could be made more detailed and explanatory than previously in order to provide stronger justification for recommendations made.</p> <p>The Chairman of the CAAP (Del Ellis) and another CAAP representative look forward to meeting with a senior officer at WLBC in the near future to see how a new method of working can be reconvened. The last Chairman’s report, which includes Terms of Reference is appended for your information.</p> <p>6.0 Conservation of the Historic Environment. (Sometimes the approach being taken by a Planning Officer on applications in Conservation Areas is somewhat arbitrary so there needs to be more consistency in decision making.) Consideration should be given to the reinstatement of the Conservation Area Advisory Panel – a group of volunteers with a wealth of knowledge in their wide ranging fields including a Parish Council representative. This particular group was always helpful to Parish Clerks when considering barn conversions, development in the Green Belt and especially during Conservation Area Reviews.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p>Individual</p> <p>LSPC</p> <p>Page 280</p>	<p>Conservation areas are important heritage assets that contribute to well-being and give an important sense of place and civic pride to many residents of the Borough. I am aware that many parish councillor colleagues across West Lancashire were shocked and disappointed to hear of the dissolution of the Conservation Area Advisory Panel which has performed a valuable service over many years. This was unexpected, did not involve consultation, and is one of the most unpopular aspects of re-organisation within WLBC. Consideration should be given to re-instatement of the panel which brought extensive and valuable local knowledge to this important subject.</p> <p><u>Conservation Area Advisory Panel</u> This recently abolished panel gave valuable insight into Conservation Area Reviews, as well as planning and listed building applications. If the Council is concerned about its credibility in making decisions on these matters it should immediately resurrect the Panel. Otherwise it will be accused of being disinterested in conservation matters and only interested in the quantity of new development at the expense of retaining the essential character of the Borough's varied landscape. Such "dumbing down" would be detrimental to the tourist industry, as well as to people's pride in living in the Borough.</p>	<p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p> <p>The issue and future of the Conservation Area Advisory Panel will be reviewed as part the Development Management Service Review.</p>
Chapter 7	General Considerations	
7.1 CPRE	<p>7.1 We welcome acknowledgement of the differences within our population. We particularly welcome acknowledgement of the importance of printed documents in an environment where people still do not necessarily have access to computers, nor the skills to use them. We ask that consideration be given, where relevant, to the deposition of documents outside of the prescribed locations, including Post Offices and Village Halls.</p>	Comments noted. The issue of Post Offices is covered in comments above (Chapters 2 and 3).
7.3 CPRE	<p>7.3 It would be relevant here to separately reference the '<u>Local Government (access to Information) act 1985</u>' Which outlines what and how Local Authority information should be available to the public without making a "freedom of information" request, outlining what documents should be freely available and what rights the public have regarding witnessing Council meetings.</p>	Comments agreed. Reference will be made to the Local Government (Access to Information) Act 1985.

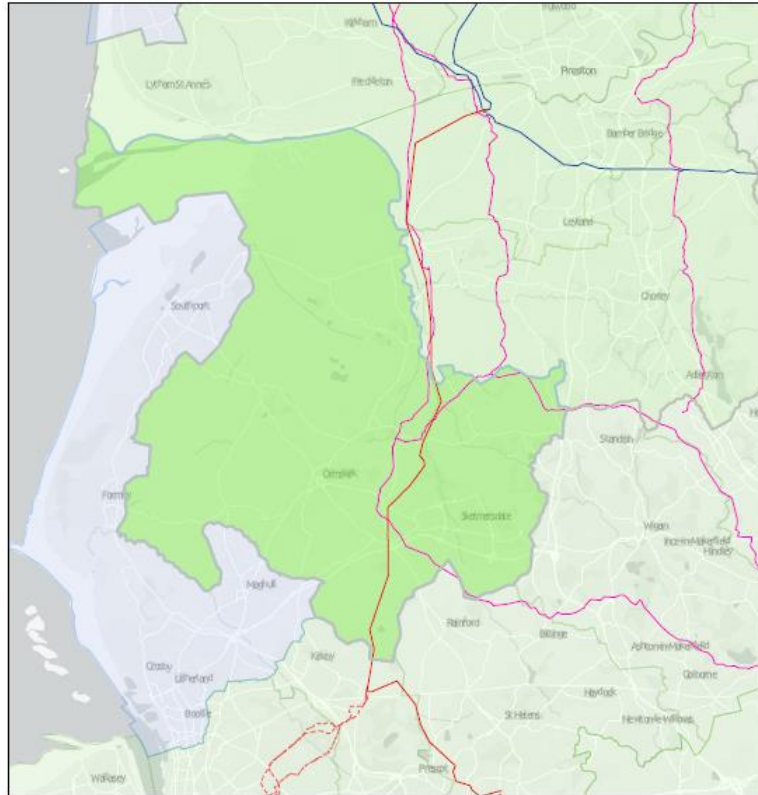
Organisation / SCI section	Comments	West Lancashire Borough Council response
Appendices		
<p>Appendix A Homes England</p> <p>Appendix C Canal & River Trust</p> <p>Pages CPRE 81</p> <p>Appendix E CPRE</p>	<p>Appendix A: Duty to Co-Operate Bodies refers to The Homes and Communities Agency. Please can this be updated to Homes England.</p> <p>Appendix C (and B) Page 46 and 47</p> <p>Appendix C includes a list of ‘General consultation bodies’. The Canal & River Trust is however a statutory consultee in the Development Management process (although not for planning policy). We therefore query whether we should instead be listed in Appendix B or do these appendices relate solely to planning policy consultation requirements? In which case they would be correct. A link to our statutory consultation buffer and ‘open data’ can be found here. https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/planning-applications/our-notified-area</p> <p>We note and welcome our inclusion in this list.</p> <p>We note and welcome the content of this and suggest that it may be appropriate to make it accessible directly from the Council website in the context of Planning application. This may enable lay people to make more informed responses to planning applications.</p>	<p>This change will be made</p> <p>Appendix B is concerned with the local planning process. The title will be amended to reflect this.</p> <p>Comments noted</p> <p>Comments noted.</p> <p>Comments noted. Similar information is on the Council's website at: https://www.westlancs.gov.uk/planning/planning-applications-enforcement/applying-for-planning-permission/the-planning-application-process/publicity-and-consultation.aspx</p>
National Grid (Avison Young)	<p>National Grid assets:</p> <p>Following a review of the consultation event, we have identified one or more National Grid assets within the Plan area. Details of the National Grid assets are provided below.</p> <p>National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.</p>	Comments and information noted.

Organisation / SCI section

Comments

West Lancashire Borough Council response

West Lancashire BC - Statement of Community Involvement Apr-May 20



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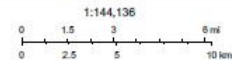
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Contains OS data © Crown Copyright and database right 2019
Contains data from OS Zoomstack.

<https://www.nationalgridet.com/document/130626/download>

Electricity assets
Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here:

Organisation / SCI section	Comments	West Lancashire Borough Council response
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 283</p>	<p>The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.</p> <p>National Grid's statutory safety clearances are detailed in their <i>'Guidelines when working near National Grid Electricity Transmission assets'</i>, which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets</p> <p>Gas assets</p> <p>High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.</p> <p>National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.</p> <p>National Grid's <i>'Guidelines when working near National Grid Gas assets'</i> can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets.</p>	

Appendix

Schedule of changes made to the West Lancashire SCI following public consultation undertaken February – May 2020

Additional inserted text is shown in blue and underlined. Deleted text is shown in blue and ~~struck through~~. Changes have been made either as a result of representations received on the SCI during the public consultation exercise, or in order to improve the clarity of the document. An Addendum has been added to the SCI; the text of the Addendum is not listed below.

Page	Change(s) to text	Reason for change
Front Cover	Draft West Lancashire Statement of Community Involvement ¶ <u>September</u> 2020	To reflect updated document.
Contents page	Renumber paragraphs in Chapter 1 from 1.1, 1.2, etc. to 1.0.1, 1.0.2 etc.	For consistency with paragraph numbering in other chapters of the SCI.
After contents page Page 284	Add in paragraph about the Addendum to the SCI as follows: <u>Addendum</u> <u>The Addendum to the West Lancashire SCI 2020 has been prepared in the light of COVID-19 and its associated restrictions on public life. It reflects [temporary or otherwise] changes to legislation and national planning practice guidance, and will apply for a temporary period whilst the COVID-19 related restrictions and changes are in place. As such, the provisions of the 2020 SCI Addendum take precedence over the provisions of the 2020 SCI during the temporary period that the Addendum is in force.</u>	To highlight the existence and purpose of the SCI Addendum.
2	1.0.4: Remove exclamation mark from end of the first sentence of the second paragraph.	The use of an exclamation mark rather than a full stop was considered unhelpful.
2	1.0.4: Amend second and third sentences of second paragraph as follows: Part of the Council's role is to balance competing interests and <u>whilst it is accepted that the Council's</u> its final decisions <u>on planning matters will directly affect people's lives, it will inevitably disappoint</u> some stakeholders . should also be remembered that feedback from public consultation is just one of several factors that the Council takes into account when making its decisions. <u>Sometimes decisions</u>	To add clarity to the paragraph and acknowledge the effect of planning decisions on individuals.

Page	Change(s) to text	Reason for change
	may be made contrary to the views of people who have responded to consultation because other factors weigh more heavily in the overall planning balance.	
2	1.0.4: Add final sentence to second paragraph as follows: It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived at, taking into account relevant planning-related points made, including those received during consultation.	To further highlight that relevant comments received in consultation are taken into account when planning decisions are made.
5	2.0.2: Amend web link to: https://www.westlincs.gov.uk/planning/planning-policy/the-local-plan/the-local-plan-2038.aspx	To replace a link that was removed earlier in 2020 and which no longer works.
Page 285	7 Table 2.1: Stage 2 (Scoping), Stage 3 (Issues and Options), Stage 4 (Preferred Options) – replace, 'comments received will inform the preparation of the next stage' with ' comments received will be taken into account in preparing the DPD. '	For clarity; there may be confusion over what is 'the next stage' as not all of the stages listed in Table 2.1 may be consulted upon. The revised wording more closely reflects the Town and Country Planning (Local Planning) (England) Regulations 2012.
7	Table 2.1: Stage 4 (Preferred Options) – amend final two columns to read: Optional (as above)	To add clarity.
7	Footnote 6: add ' at the Publication stage ' to the end.	To add clarity.
8	2.1.2: Amend final sentence of first paragraph to read: We normally consult on the SA/ SEA alongside the DPD at each significant stage (i.e. Regulation 18, Regulation 19) of the DPD's preparation.	To add clarity.
9	Table 2.2: For the 'Press Release' line, in each of the four columns (Stage of preparation of DPD), change 'Optional' to ' ✓ '	To commit to preparing a press release at each stage of a Local Plan / DPD preparation.

Page	Change(s) to text	Reason for change
9	2.1.4: Amend paragraph to read: Following public consultation on emerging DPDs , the Council may will prepare a Feedback Report (or Consultation Statement), summarising the issues and main points raised through the representations. It may also set out how the Council has responded to them points raised , and what has been changed in the DPD as a result of the comments. This The Feedback Report will be shared with Members to inform their decisions on the next stage of the DPD's preparation, and may be published on the Council's website. The Council is not bound to respond to each individual submission / representation to consultation on DPDs.	To commit to preparing a Feedback Report following public consultation on emerging DPDs.
9	Footnote 7: Amend to read: i.e. if consultation is undertaken, it is optional to publicise on the website. undertaking consultation is optional; if undertaken, it will be published on the Council's website.	To improve clarity.
Page 286 13	Section 2.3, third paragraph, first sentence: Add 'usually' to read: Due to the localised nature of most development briefs, extensive consultation is not usually considered to be appropriate.	To reflect that there may be times that extensive consultation is appropriate for a development brief, e.g. for a site of Borough-wide importance.
13	Table 2.5, Stage 1: Change 'No' to ' Optional ' in columns 5 and 6.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
14	Table 2.6, 'Leaflets' row: Change 'No' to ' Optional ' in columns 2, 3, 4 and 5.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
15	2.4: Amend heading to: Methods for p Publicity and Consultation	To distinguish between the overall section title and the title of sub-section 2.4.1
15	2.4.1: First sentence: Add link to footnote; footnote to read: 11 Please see Addendum to 2020 SCI for temporary amendments to these methods for publicity and consultation, to apply whilst restrictions on public movement / meeting, etc. are in place.	To advise that these methods may temporarily be changed in the light of the provisions of the 2020 SCI Addendum.

Page	Change(s) to text	Reason for change
16	<p>2.4.1: Fifth bullet point: Change to:</p> <ul style="list-style-type: none"> • Neighbour letters. Letters may be sent to properties neighbouring (immediately adjacent to¹²) a development... <p>And add footnote to read:</p> <p>12 e.g. sharing a boundary, and / or across a footpath or road, and / or on the access to the site</p>	To improve clarity
17	<p>2.4.1: 'First' paragraph (p17), final sentence: Amend to:</p> <p>Where demand is high and events are over-subscribed, the Council may seek to arrange additional events where reasonably feasible.</p>	This phrase is not considered necessary in the light of the qualification provided by the word 'may' earlier in the sentence.
23 Page 287	<p>3.2.1: Second paragraph, first sentence: Amend to:</p> <p>Annual CIL Funding Programmes will therefore focus on smaller scale projects requiring £100,000 of CIL funding or less, and limit expenditure of CIL on those projects to £1200,000 each year consider how we spend some of our CIL monies on 'small' schemes. Each year we will allocate up to £200,000 of CIL monies to smaller scale projects that individually require £100,000 of CIL funding or less.</p>	To reflect changes to CIL procedure for West Lancashire Borough Council and to improve clarity.
23	<p>3.2.1: Third paragraph: Amend to:</p> <p>In any year where the £1200,000 cap is not reached, the remaining balance will be moved into the larger-scale schemes fund.</p>	To reflect changes to CIL procedure for West Lancashire Borough Council.
23	<p>3.2.1: Publicity and consultation: Add in third method, as follows:</p> <ul style="list-style-type: none"> - Dedicated pages on the Council's website (www.westlancs.gov.uk/cfp) - Press advert in the free press (Champion paper, or equivalent) - The Council's social media - Mail-out to those registered for electronic and paper updates on consultations - Placing all materials on deposit at West Lancashire Council Offices and libraries 	To commit to the use of social media in CIL-related consultations.

Page	Change(s) to text	Reason for change			
	<table border="1"> <tr> <td data-bbox="297 236 499 587"> Permission in Principle </td> <td data-bbox="499 236 1093 587"> This is an alternative way of obtaining planning permission for housing-led development. It has two stages: (1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and (2) 'technical details consent' – assessment of the detailed development proposals are assessed. </td> <td data-bbox="1093 236 1487 587"> Stage (1) <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> Stage (2) <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u> </td> </tr> </table>	Permission in Principle	This is an alternative way of obtaining planning permission for housing-led development. It has two stages: (1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and (2) 'technical details consent' – assessment of the detailed development proposals are assessed.	Stage (1) <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> Stage (2) <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u>	
Permission in Principle	This is an alternative way of obtaining planning permission for housing-led development. It has two stages: (1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and (2) 'technical details consent' – assessment of the detailed development proposals are assessed.	Stage (1) <u>Post site notice;</u> <u>Consult relevant statutory and non-statutory consultees;</u> <u>Publish on weekly list.</u> Stage (2) <u>All of the above plus notify neighbours and include on the Parish Council public notice.</u>			
34 (was 33) Page 289	<p>Amend paragraph following Table 4.1 to read:</p> <p>The types of application listed in Table 4.1 above are not intended to be exhaustive. There may be other types of planning related development for which planning permission or prior approval may be obtained and which may require consultation in line with government Regulations. In such scenarios the Council will meet and aim to exceed the minimum requirements for consultation, as set out by the relevant government Regulations.</p>	To add clarity.			
36	<p>4.4.6: Penultimate paragraph:</p> <p>Add footnote to final sentence as follows:</p> <p>Each speaker has no more than three minutes²⁰.</p> <p>20 A service review of the Development Management section is to take place after the adoption of this 2020 SCI. The Service Review will cover the matter of public speaking at Planning Committee, including who can speak, how long for, and in what order speakers appear.</p>	Several objectors expressed concerns about opportunities to address Planning Committee. These concerns will be considered in a forthcoming review of the Council's development management function. This change advises of this fact.			
39	<p>5.4: Amend paragraph to read:</p> <p>Hedge works do not require any permissions other than those relating to <i>The Hedgerow Regulations 1997</i>. Under the <i>Hedgerow Regulations 1997</i> these Regulations, the LPA is required to consult the local Parish Council upon receipt of a 'Hedgerow Removal Notice'. The time given for a response is a minimum of 42 days.</p>	To advise about works to hedges.			

Page	Change(s) to text	Reason for change
39	5.5: Final sentence: Change 'English Heritage' to ' Historic England '.	This organisation has changed name.
44	7.3: Add final sentence as follows: The Local Government (Access to Information) Act 1985 sets out what local authority information should be available to the public, how it can be obtained, and the rights of the public with regard to witnessing Council meetings.	To add clarity.
46	Appendix B: Amend title as follows: Appendix B: Specific Consultation Bodies (Local Plans) Bullet point 13: Amend to: <ul style="list-style-type: none"> Homes and Communities Agency England 	To add clarity and to reflect the organisation's name change.
47	Appendix C: <ul style="list-style-type: none"> CPRE (formerly 'Campaign to Protect Rural England') 	To reflect the organisation's name change.

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Planning and Compulsory Purchase Act 2004 (as amended)

Town and Country Planning (Local Planning) (England) Regulations 2012

The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020

NOTICE OF ADOPTION OF WEST LANCASHIRE STATEMENT OF COMMUNITY INVOLVEMENT 2020

Notice is given that West Lancashire Borough Council adopted the West Lancashire Statement of Community Involvement on 18 September 2020

The West Lancashire Statement of Community Involvement 2020 (including the Addendum to the West Lancashire Statement of Community Involvement 2020) supersedes and revokes the West Lancashire Statement of Community Involvement June 2016.

- Title of Document:** West Lancashire Statement of Community Involvement 2020 (including Addendum)
- Subject Matter:** The Statement of Community Involvement (SCI) sets out how the local planning authority will consult with the community, businesses, stakeholders and other organisations about the development of their area, and explains how people can engage with the planning system.
- Area covered by Document:** The SCI applies to the whole of West Lancashire.
- Adoption Date:** 18 September 2020
- Modifications to SCI:** See Appendix below for a schedule of changes made to the draft SCI following consultation undertaken February – May 2020. The SCI Addendum has been prepared in the light of COVID19 and its effects.
- Availability of Documents:** The West Lancashire SCI and this Adoption Statement are available by following the link from: www.westlancs.gov.uk/planningpolicy.
(Regulation 35 (as amended by The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020))
- Further information:** Further information or advice can be obtained by phoning 01695 585194 or by emailing localplan@westlancs.gov.uk

Appendix

Schedule of changes made to the West Lancashire SCI following public consultation undertaken February – May 2020

Additional inserted text is shown in blue and underlined. Deleted text is shown in ~~blue~~ and ~~struck through~~.

Changes have been made either as a result of representations received on the SCI during the public consultation exercise, or in order to improve the clarity of the document. An Addendum to the SCI has also been prepared; the text of the Addendum is not listed below.

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Page 292		
2	1.0.4: Remove exclamation mark from end of the first sentence of the second paragraph.	The use of an exclamation mark rather than a full stop was considered unhelpful.
2	1.0.4: Amend second and third sentences of second paragraph as follows: Part of the Council's role is to balance competing interests and <u>whilst it is accepted that the Council's its final decisions on planning matters will directly affect people's lives, it will inevitably disappoint some stakeholders.</u> should also be remembered that feedback from public consultation is just one of several factors that the Council takes into account when making its decisions. <u>Sometimes decisions may be made contrary to the views of people who have responded to consultation because other factors weigh more heavily in the overall planning balance.</u>	To add clarity to the paragraph and acknowledge the effect of planning decisions on individuals.
2	1.0.4: Add final sentence to second paragraph as follows: <u>It is the purpose of officers' reports on planning applications, and the 'evidence base' that backs up planning policy documents, to set out how planning decisions (or recommendations) have been arrived at, taking into account relevant planning-related points made, including those received during consultation.</u>	To further highlight that relevant comments received in consultation are taken into account when planning decisions are made.

Page	Change(s) to text	Reason for change
5	2.0.2: Amend web link to: https://www.westlincs.gov.uk/planning/planning-policy/the-local-plan/the-local-plan-2038.aspx	To replace a link that was removed earlier in 2020 and which no longer works.
7	Table 2.1: Stage 2 (Scoping), Stage 3 (Issues and Options), Stage 4 (Preferred Options) – replace, 'comments received will inform the preparation of the next stage' with ' comments received will be taken into account in preparing the DPD. '	For clarity; there may be confusion over what is 'the next stage' as not all of the stages listed in Table 2.1 may be consulted upon. The revised wording more closely reflects the Town and Country Planning (Local Planning) (England) Regulations 2012.
7	Table 2.1: Stage 4 (Preferred Options) – amend final two columns to read: Optional (as above)	To add clarity.
7	Footnote 6: add ' at the Publication stage ' to the end.	To add clarity.
8	2.1.2: Amend final sentence of first paragraph to read: We normally consult on the SA/ SEA alongside the DPD at each significant stage (i.e. Regulation 18, Regulation 19) of the DPD's preparation.	To add clarity.
9	Table 2.2: For the 'Press Release' line, in each of the four columns (Stage of preparation of DPD), change 'Optional' to ' ✓ '	To commit to preparing a press release at each stage of a Local Plan / DPD preparation.
9	2.1.4: Amend paragraph to read: Following public consultation on emerging DPDs , the Council may will prepare a Feedback Report (or Consultation Statement), summarising the issues and main points raised through the representations, It may also set out how the Council has responded to the m points raised , and what has been changed in the DPD as a result of the comments. This The Feedback Report will be shared with Members to inform their decisions on the next stage of the DPD's preparation, and may be published on the Council's website. The Council is not bound to respond to each individual submission / representation to consultation on DPDs.	To commit to preparing a Feedback Report following public consultation on emerging DPDs.
9	Footnote 7: Amend to read: i.e. if consultation is undertaken, it is optional to publicise on the website. undertaking consultation is optional; if undertaken, it will be published on the Council's website.	To improve clarity.
13	Section 2.3, third paragraph, first sentence: Add 'usually' to read: Due to the localised nature of most development briefs, extensive consultation is not usually considered to be appropriate.	To reflect that there may be times that extensive consultation is appropriate for a development brief, e.g. for a site of Borough-wide importance.

Page	Change(s) to text	Reason for change
13	Table 2.5, Stage 1: Change 'No' to 'Optional' in columns 5 and 6.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
14	Table 2.6, 'Leaflets' row: Change 'No' to 'Optional' in columns 2, 3, 4 and 5.	To allow for flexibility: 'No' precludes officers from consulting ever, whereas 'Optional' allows for consultation where necessary / relevant.
15	2.4: Amend heading to: Methods for pPublicity and Consultation	To distinguish between the overall section title and the title of sub-section 2.4.1
15	2.4.1: First sentence: Add link to footnote; footnote to read: 11 Please see Addendum to 2020 SCI for temporary amendments to these methods for publicity and consultation, to apply whilst restrictions on public movement / meeting, etc. are in place.	To advise that these methods may temporarily be changed in the light of the provisions of the 2020 SCI Addendum.
16	2.4.1: Fifth bullet point: Change to: <ul style="list-style-type: none"> • Neighbour letters. Letters may be sent to properties neighbouring (immediately adjacent to¹²) a development... And add footnote to read: 12 e.g. sharing a boundary, and / or across a footpath or road, and / or on the access to the site	To improve clarity
17	2.4.1: 'First' paragraph (p17), final sentence: Amend to: Where demand is high and events are over-subscribed, the Council may seek to arrange additional events where reasonably feasible .	This phrase is not considered necessary in the light of the qualification provided by the word 'may' earlier in the sentence.
23	3.2.1: Second paragraph, first sentence: Amend to: Annual CIL Funding Programmes will therefore focus on smaller scale projects requiring £100,000 of CIL funding or less, and limit expenditure of CIL on those projects to £1200,000 each year consider how we spend some of our CIL monies on 'small' schemes. Each year we will allocate up to £200,000 of CIL monies to smaller scale projects that individually require £100,000 of CIL funding or less.	To reflect changes to CIL procedure for West Lancashire Borough Council and to improve clarity.
23	3.2.1: Third paragraph: Amend to: In any year where the £ 4 200,000 cap is not reached, the remaining balance will be moved into the larger-scale schemes fund.	To reflect changes to CIL procedure for West Lancashire Borough Council.

Page	Change(s) to text	Reason for change
23	3.2.1: Publicity and consultation: Add in third method, as follows: <ul style="list-style-type: none"> - Dedicated pages on the Council's website (www.westlancs.gov.uk/cfp) - Press advert in the free press (Champion paper, or equivalent) - The Council's social media - Mail-out to those registered for electronic and paper updates on consultations - Placing all materials on deposit at West Lancashire Council Offices and libraries 	To commit to the use of social media in CIL-related consultations.
26	4.0: Add final sentence to paragraph: This also includes matters of enforcement where there has been a breach of planning rules (public consultation is not carried out on enforcement matters).	To refer to enforcement, but to advise that consultation on enforcement matters is not carried out.
27	4.2: Add final sentence to first paragraph: In some cases, for example in conservation areas, the Council may remove permitted development rights. This is done through a legal tool called an Article 4 Direction.	To highlight that permitted development rights may sometimes be removed.
29	4.3.3: Amend second sentence of first paragraph: However many of these external agencies offer their own direct pre-application advice service e.g. Lancashire County Council as highway authority, Highways England¹⁶ , the Canal & River Trust , the Environment Agency and Merseyside Environmental Advisory Service. Add footnote (referenced from 'Highways England') as follows: ¹⁶ Highways England advises applicants to view their document, 'The Strategic Road Network: Planning for the Future – a guide to working with Highways England on planning matters', available online.	To add reference to relevant statutory consultees who offer a pre-application advice service.
29	4.3.3: Final paragraph: Add footnote after 'discussing proposals with neighbours who may be affected by the development ¹⁸ ' to read: ¹⁸ 'Neighbours' can include a neighbouring Council for certain types or sizes of development where the proposed site is adjacent or close to the authority boundary.	To confirm that neighbouring authorities may sometimes be consulted on pre-application proposals.
30	4.4.1: Second bullet point: Canal and & River Trust	To correct a typographical error.

Page	Change(s) to text	Reason for change			
33	<p>Table 4.1:</p> <p>Add final row to cover 'Permission in Principle' as follows:</p> <table border="1" data-bbox="322 300 1509 638"> <tr> <td data-bbox="322 300 521 638">Permission in Principle</td> <td data-bbox="521 300 1115 638"> <p>This is an alternative way of obtaining planning permission for housing-led development. It has two stages:</p> <p>(1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and</p> <p>(2) 'technical details consent' – assessment of the detailed development proposals are assessed.</p> </td> <td data-bbox="1115 300 1509 638"> <p>Stage (1)</p> <p>Post site notice;</p> <p>Consult relevant statutory and non-statutory consultees;</p> <p>Publish on weekly list.</p> <p>Stage (2)</p> <p>All of the above plus notify neighbours and include on the Parish Council public notice.</p> </td> </tr> </table>	Permission in Principle	<p>This is an alternative way of obtaining planning permission for housing-led development. It has two stages:</p> <p>(1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and</p> <p>(2) 'technical details consent' – assessment of the detailed development proposals are assessed.</p>	<p>Stage (1)</p> <p>Post site notice;</p> <p>Consult relevant statutory and non-statutory consultees;</p> <p>Publish on weekly list.</p> <p>Stage (2)</p> <p>All of the above plus notify neighbours and include on the Parish Council public notice.</p>	In order that the Table cover Permission in Principle.
Permission in Principle	<p>This is an alternative way of obtaining planning permission for housing-led development. It has two stages:</p> <p>(1) 'Permission in principle stage' - establish whether a site is suitable in-principle; and</p> <p>(2) 'technical details consent' – assessment of the detailed development proposals are assessed.</p>	<p>Stage (1)</p> <p>Post site notice;</p> <p>Consult relevant statutory and non-statutory consultees;</p> <p>Publish on weekly list.</p> <p>Stage (2)</p> <p>All of the above plus notify neighbours and include on the Parish Council public notice.</p>			
34 (was 33)	<p>Amend paragraph following Table 4.1 to read:</p> <p>The types of application listed in Table 4.1 above are not intended to be exhaustive. There may be other types of planning related development for which planning permission or prior approval may be obtained and which may require consultation in line with government Regulations. In such scenarios the Council will meet and aim to exceed the minimum requirements for consultation, as set out by the relevant government Regulations.</p>	To add clarity.			
36	<p>4.4.6: Penultimate paragraph:</p> <p>Add footnote to final sentence as follows:</p> <p>Each speaker has no more than three minutes²⁰.</p> <p>²⁰ A service review of the Development Management section is to take place after the adoption of this 2020 SCI. The Service Review will cover the matter of public speaking at Planning Committee, including who can speak, how long for, and in what order speakers appear.</p>	Several objectors expressed concerns about opportunities to address Planning Committee. These concerns will be considered in a forthcoming review of the Council's development management function. This change advises of this fact.			
39	<p>5.4: Amend paragraph to read:</p> <p>Hedge works do not require any permissions other than those relating to The Hedgerow Regulations 1997. Under the Hedgerow Regulations 1997 these Regulations, the LPA is required to consult the local Parish Council upon receipt of a 'Hedgerow Removal Notice'. The time given for a response is a minimum of 42 days.</p>	To advise about works to hedges.			

Page	Change(s) to text	Reason for change
39	5.5: Final sentence: Change 'English Heritage' to ' Historic England '.	This organisation has changed name.
44	7.3: Add final sentence as follows: The Local Government (Access to Information) Act 1985 sets out what local authority information should be available to the public, how it can be obtained, and the rights of the public with regard to witnessing Council meetings.	To add clarity.
46	Appendix B: Amend title as follows: Appendix B: Specific Consultation Bodies (Local Plans) Bullet point 13: Amend to: <ul style="list-style-type: none"> • Homes and Communities Agency England 	To add clarity and to reflect the organisation's name change.
47	Appendix C: <ul style="list-style-type: none"> • CPRE (formerly 'Campaign to Protect Rural England') 	To reflect the organisation's name change.

Equality Impact Assessment Form



Directorate:	Place and Community	Service:	Growth and Development
Completed by:	Stephen Bengé	Date:	30/7/2020
Subject Title: West Lancashire Statement of Community Involvement 2020			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	Yes		
Is a service being designed, redesigned or cut back:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	No		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes		
Details of the matter under consideration:	Seeking approval for the adoption of a document that sets out the Council's standards for consultation when carrying out its various planning functions.		
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes		
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>			
<p>If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:</p> <p><i>You do not need to complete the rest of this form.</i></p>			

3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	<p>The document has the potential to impact on almost all stakeholders in, or with an interest in, the Borough.</p> <p>The new Statement of Community Involvement 2020 (SCI) sets out how the Council will engage with and consult stakeholders when carrying out its various planning functions, e.g. preparing planning policy documents, dealing with planning applications, Neighbourhood Planning. These different functions have the potential to impact a very wide range of stakeholders.</p> <p>The SCI will influence how such stakeholders are consulted on planning matters by setting out minimum standards that must be adhered to.</p>
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	There should be no particular group affected more than others.
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <ul style="list-style-type: none"> Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity 	All of these protected characteristics are indirectly relevant to the work being carried out. The SCI sets out standards for consultation and seeks to ensure that people with any protected characteristic can engage equally easily in the planning process.
4. DATA ANALYSIS	
In relation to the work being carried out, and the service / function in question, who is actually or currently using the service and why?	Previous engagement with the public in relation to planning policy matters and consultation exercises across the Borough (for example for the Local Plan Review between 2016 and 2018) show that it tends to be those of a white-British ethnic background and those of older age groups who most actively engage in the process of preparing general planning policy.
What will the impact of the work being carried out be on usage / the stakeholders?	The document in question will replace an existing, older, SCI, but will continue with the same principles of meaningful engagement with all sections of the community. In that sense, the impact of the work should not be significantly different from previously, but it simply reflects changes to planning legislation that affect, for example, the number of stages of a document's preparation, or the procedure for development management.

<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>The document is not a 'service' as such.</p> <p>Looking back to the engagement carried out since the adoption (in 2016) of the previous SCI, it is evident that some customers have ended up being more satisfied than others. It would appear, however, that levels of satisfaction are most closely related to the outcome of the planning decision in question (e.g. permission being refused or granted for development that may affect their outlook or financial position), rather than to the nature of the consultation carried out.</p> <p>The SCI is concerned with consultation procedures, rather than planning decisions.</p>
<p>What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?</p>	<p>We have very little, if any, data on the impact of our consultation methods to date on people with various protected characteristics. We have included equalities monitoring forms alongside our comments forms when undertaking consultation exercises, but very few have been returned, and cannot be used to arrive at any statistically robust conclusions.</p>
<p>If any further data / consultation is needed and is to be gathered, please specify:</p>	<p>No further consultation is required on the document in question, i.e. the SCI.</p>
<p>5. IMPACT OF DECISIONS</p>	
<p>In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?</p>	<p>As previously stated, this new SCI is replacing an older SCI. The new SCI does not represent any significant change in approach to community engagement nor in seeking to facilitate the involvement in planning of people with protected characteristics.</p>
<p>6. CONSIDERING THE IMPACT</p>	
<p>If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).)</p>	<p>We do not envisage any negative impact associated with the new SCI.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p>N/A</p>

7. MONITORING AND REVIEWING

When will this assessment be reviewed and who will review it?

It is anticipated that the new SCI, once adopted, will not need reviewing for five years (in line with government policy), unless there is a major change in government legislation relating to community engagement or planning procedures.

Equalities monitoring questionnaires will continue to be used in tandem with consultations on planning policy documents to monitor how well different sections of the community and other stakeholders are being engaged.