



**PLANNING COMMITTEE: Thursday,
25 April 2024**

Report of: Corporate Director of Transformation, Housing & Resources

**Relevant Portfolio Holder: Councillor Deputy Leader & Portfolio Holder for
Planning & Community Safety**

**Contact for further information: Marc Wood (Extn. 5067) (E-mail:
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SUBJECT: PLANNING APPLICATION REF: 2023/0117/FUL

PROPOSAL: Erection of 9 dwellings with associated works.

APPLICANT: Wain Homes

ADDRESS: Land off Firwood Road, Lathom.

**REASON FOR COMMITTEE DECISION: Called in by Cllr Rigby due to impact upon
highway safety and open space.**

Wards affected: Bickerstaffe;

1.0 PURPOSE OF THE REPORT

- 1.1 To advise Planning Committee on an application which seeks the erection of 9 dwellings on a parcel of land adjoining site currently being redeveloped for 130 homes.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1 That planning permission be GRANTED subject to conditions.

3.0 THE SITE

- 3.1 The site is an existing greenfield site which is 0.32 hectares situated at the corner of Firwood Road and Slate Lane to the east the adjoining land is part of the wider Wain Homes site which has consent for 130 residential units. The site is located on the edge of Skelmersdale and is adjacent to Green Belt. The Firwood Road wider site comprises a total of approximately 22ha of formerly safeguarded land which has been released through the Local Plan for residential development. The surrounding area is bordered by residential development to the east, south and

south west corner; employment to the north, and open agricultural Green Belt to the west.

4.0 PROPOSAL

4.1 The application proposes nine dwellings with four properties located upon Firwood Road and the remaining five properties directly linked to the wider Wain Homes redevelopment. Access is achieved from either Firwood Road and partly from the adjoining land which is currently under development for 130 dwellings. A parallel application (also on the committee agenda) 2023/0118/FUL seeks to vary condition 1 of reserved matters consent 2020/0906/ARM to alter the associated approved plans and create an internal access road connecting the wider site to allow access to plots 5-9 of this current application.

4.2 The development comprises 4 no. 3 bed semi-detached properties which are 2.5 storey and 5 no. 4 bed detached properties all of which are two storey. The site plan indicates off street parking provision and associated garages for a proportion of the dwellings.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 2020/0906/ARM – Reserved Matters – 130 Dwellings - granted 19.10.2021

2019/0069/OUT - Outline - Residential development including details of access (all other matters reserved) – granted 01.10.2020.

2023/0118/FUL – variation of c.1 of approved plans to allow access road - pending and on current Committee Agenda.

6.0 OBSERVATION OF CONSULTEES

6.1 Arboricultural Officer – No objection to the proposal as there is alignment with the adjoining application and associated management plan.

6.2 Environmental Protection Team – No objection subject to conditions.

6.3 Historic Environment Team LCC – No objection.

6.4 Lancashire County Council Highway Services – No objections subject to conditions and is of the opinion that the proposal would not severely impact highway safety or highway capacity.

6.5 Merseyside Environmental Advisory Service (MEAS) – No objection subject to conditions

6.6 Principal Engineer – no objection as the impact on flood risk due to the proposed development will be negligible.

6.7 The Coal Authority – no objection subject to standing advice.

6.8 United Utilities – Requested information relating to levels which was provided.

7.0 OTHER REPRESENTATIONS

7.1 South Lathom Residents Association – Concerns raised relating to the access road and the effect on what is considered to be open space provision upon the wider site (associated application). Ecology impacts and utilities provision are also raised. Construction Management of wider site has also been highlighted as an issue with Construction Management Plan not being adhered to.

7.2 9 Objections from neighbouring occupiers summarised by the following issues:

Impact upon open space
Hedgerow removal
Utilities provision
Highway implications particularly increase of traffic on Firwood Road
Impact upon privacy
Impact on wildlife

8.0 SUPPORTING INFORMATION

Planning Statement
Design and Access Statement
Heritage Statement prepared by Emery Planning
Landscape Layout Plan
Highways Technical Note
Phase 1 Ground Investigation report
FRA Addendum
Air Quality Assessment
Ecological Assessment
Transport Statement
Utilities Statement
BNG Metric

9.0 RELEVANT PLANNING POLICIES

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

9.2 The site is located within the Regional Town of Skelmersdale as designated in the Local Plan.

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 - Criteria for Sustainable Development
RS1 – Residential Development
RS2 – Affordable and Specialist Housing
IF2 – Enhancing Sustainable Transport Choice
EN2 – Preserving and Enhancing West Lancashire’s Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space

Supplementary Planning Document
Design Guide SPD (2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF TRANSFORMATION, HOUSING AND RESOURCES

10.1 The main considerations for this application are:

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

Principle of Development

10.2 The NPPF supports growth of areas to supply new homes in sustainable locations. Policy SP1 of the Local Plan reiterates this approach and it is considered that the proposed residential development of this site complies with Policy RS1 in the Local Plan as it is an allocated housing site. This policy supports a development which provides up to 400 units on the whole Firswood Road site.

10.3 The Development Brief for the wider site set out a vision and key principles for its development; these include to develop the land in such a way as to complement the existing residential areas and to diversify the choice and range of housing to meet local needs, whilst helping to create a linear park to provide multifunctional recreation spaces.

10.4 The principle of a residential development in this location has already been established through the neighbouring associated wider consents. There have been no significant policy changes since the grant of these permission which may have affected this decision, therefore it is considered that the principle of development remains compliant with the aims and objectives of the NPPF and Policies SP1 and RS1 of the Local Plan.

Design

10.5 Policy GN3 of the Local Plan requires all new development to have regard to the visual amenity of the surrounding area and complement or enhance the attractive attributes through sensitive design including appropriate siting, orientation, scale, materials, landscaping and boundary treatments.

10.6 In addition, the SPD Design Guide states that new development should be of an overall scale, mass and built form, which responds to the characteristics of the site and its surroundings. Care should be taken to ensure that building(s) height, scale and form, including the roofline, do not disrupt the visual amenities of the streetscene and impact on any significant wider landscape views.

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

Impact on Neighbouring Amenity

- 10.9 Policy GN3 of the Local Plan requires that development retains or creates reasonable levels of privacy, amenity and sufficient garden or outdoor space for occupiers of the neighbouring and proposed properties.
- 10.10 In terms of potential impact on existing residents, there are existing established dwellings which border the site on Firswood Road, Slate Lane and Old Engine Lane, as well as the wider site which is under redevelopment and it is considered that the separation distances provided, meet the standards in the Council's SPD Design Guide and are sufficient to ensure that there would be no undue impact from overlooking, overshadowing or creation of poor outlook in accordance with Policy GN3 of the Local Plan.
- 10.11 Overall it is considered that the proposed development would offer an acceptable standard of amenity to occupiers of the new dwellings and would not give rise to unacceptable impact on the amenities of existing residents as such the proposed development complies with Policy GN3 in terms of impact on residential amenity.

Highways Impacts

- 10.12 Policy GN3 of the Local Plan states that suitable and safe access, road layout, design and adequate parking provision are required in new developments. Policy IF2 details parking standards required for residential developments.
- 10.13 In approving the previous adjoining planning permission, which included details of access, the Highway Authority has accepted that the local road network can accommodate further vehicular movements and the additional 9 dwellings proposed do not detract from this conclusion. The amended plans provided include a 2m wide footway to the affected Firswood Road boundary of the site which is deemed acceptable to the Local Highway Authority. It is noted that objections received from local residents in relation to the increase in vehicles associated with

the proposal and there is an ongoing concern with the construction management of the wider site but this increase in development of 9 dwellings is considered to have a negligible impact.

- 10.14 Electric Vehicle Charging points are to be provided for each of the 9 dwellings, which coupled with the off street parking provision, associated garages and access arrangements ensure the proposal accords with Policies GN3 and IF2 of the Local Plan.

Drainage Impacts

- 10.15 The drainage implications of the proposal are tied into the main Wain Homes redevelopment, and it is noted that the wider site is covered by a Flood Risk Assessment and Drainage Strategy (FRA) which has been agreed with LLFA. With respect to the surface water drainage, the FRA proposes underground attenuation in the form of oversized pipes with flow controls together with an open SUDs attenuation meadow to limit flows. The councils Drainage Engineer having assessed the current proposal is satisfied that there will be a negligible impact in terms of flood risk.
- 10.16 United Utilities (UU) had previously requested further details in regard to the levels associated with the site which have been provided. No further comments have been provided from UU.

Landscaping and Biodiversity

- 10.17 The Council's Tree Officer has assessed the proposal and concluded that there are two trees affected which are of little stature and could easily be protected during construction or their loss mitigated. Highlighting the boundary of the site being hedgerow which bring with it biodiversity implications the officer has no objections to the proposal.
- 10.18 MEAS having initially assessed the application were not satisfied with the fact that a loss of BNG was proposed and objected on this basis. The applicant has however sought to address this issue by utilising the parallel application (2023/0118/FUL) for the wider site whereby a condition requiring enhanced landscaping across the whole of the Wain Homes site will provide no net loss in Biodiversity terms as such MEAS has subsequently removed their objection.
- 10.19 Policy GN3 requires development to minimise the removal of trees, hedgerows, and areas of ecological value, or, where removal is unavoidable, provide for their like for like replacement or provide enhancement of features of ecological value. There has been a significant amount of negotiation between the applicants ecology consultant and MEAS in terms of ensuring that there is an acceptable level of impact upon biodiversity. The redevelopment of this greenfield site will effectively result in a net loss of biodiversity. However, the application benefits from a parallel planning application for the wider adjoining site which is currently under consideration. This provides opportunity for enhancement of landscaping and open space to mitigate the net loss on the application site by offsetting utilising the wider site. As such, a condition requiring the submission of an updated landscape plan

and also a habitat maintenance and management plan will ensure the proposal is acceptable from an ecological standpoint.

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

Other Matters

- 10.21 Other issues have been raised in regard to the proposal, firstly electricity diversion and removal of an electricity pole with the impact this may have on existing properties. The applicant has advised that this work is not associated with the applications submitted by Wainhomes and is being undertaken by Electricity North West (ENW) as a statutory undertaker. It is understood that that (ENW) has undertaken consultation in accordance with their statutory obligations and there is limited consideration in this regard in connection with the current application(s).
- 10.22 Questions as to why the application has come forward as a separate development to the wider site have also been raised. The Firwood Road allocation is made up of many different landowners and applications can only be made when agreements are made with different landowners and the appropriate agreements are in place hence the separate Bellway schemes coming forward at different times. The scheme for 130 homes was approved prior to any agreements with the owner of the land subject to the current application for 9 houses and it was not possible to bring the applications forward at that time.
- 10.23 The impact of the proposal on open space provision is covered in greater detail on the Section 73 application (2023/0118/FUL) which highlights the calculations for the site as a whole. The impact of the development upon OS provision is considered acceptable.

11.0 CONCLUSION

- 11.1 Taking the above into account the principle of the proposed development is considered to be acceptable, and it is important to recognise the strategic importance of the wider consent associated with the application and the delivery of new homes that has come forward in this location to date.
- 11.2 The application is considered to be compliant with local plan policies and subject to appropriate conditions the proposal is not considered to have any significant adverse impacts on design, neighbouring amenity, highways, drainage and ground issues. The impacts upon ecology can be mitigated using the landscaping of the wider site to achieve no net loss on biodiversity. It is therefore considered that when applying the planning balance, the proposal complies with the NPPF, the relevant policies of the Local Plan and the guidance within the Design Guide SPD.

12.0 RECOMMENDATION

- 12.1 That planning permission granted by the Director of Transformation, Housing and Resources subject to the following conditions:

Condition(s)

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/documents received by the Local Planning Authority on 8th November 2023 unless otherwise stated.

- o Existing survey
- o Boundary treatment plan (WH-FREL-BTP-01 Rev C)
- o Waste Management Plan (WH-FREL-WMP-01 Rev C)
- o Cycle storage plan (WH-FREL-CSP-01 Rev B)
- o EV charging plan (WH-FREL-EVCP-01 Rev B)
- o Hard landscaping layout (WH-FREL-HLP-01 Rev B)
- o Materials plan (WH-FREL-MP-01 Rev B)
- o Open space layout - 9 units scheme (WH-FREL-OSP-01 Rev A)
- o Open space layout - full site (WH-FR-OSL-01)
- o Storey heights plan (WH-FREL-SHP-01 Rev C)
- o Landscaping plan (5897.09 Rev C)
- o Design and Access Statement received 8th February 2023
- o Streetscene Plan WH-FREL-SS-01 received 8th February 2023

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

3. Notwithstanding any description of materials in the application, no above ground construction works shall take place until samples and / or full specification of materials to be used externally on all hard surfaces within the development site have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out using only the agreed materials.

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

4. Prior to the commencement of any above ground works, details of the sections across the site shall be submitted to and approved in writing by the Local Planning Authority. The sections shall indicate existing and proposed ground levels together with finished floor levels of any (dwellings) (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.

5. Prior to occupation of any dwelling the provision of electric vehicle charging points as detailed in drawing WH-FREL-EVCP-01 received by the LPA on 8th November 2023 shall be implemented. No dwelling shall be occupied until an electric vehicle charging point has been installed in accordance with the agreed details.

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.

6. 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.

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

- (i) no extensions shall be carried out to the dwelling(s), and
- (ii) the garage(s) hereby permitted shall not be converted into living accommodation (either in whole or part).

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

Reason: The 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/visual amenity and highway safety in accordance with Policies GN3, EN2 and IF2 of the West Lancashire Local Plan 2012-2027 Development Plan Document.

- 8. Notwithstanding the approved plans the existing hedging to Firwood Road shall be retained. No boundary treatment shall take place unless details of which have been first submitted and agreed with the Local Planning Authority.

Reason: To preserve the character and appearance of the designated heritage asset and to ensure compliance with Policy EN4 of the West Lancashire Local Plan.

- 9. 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.

- 10. No part of the development hereby approved shall commence until a scheme for the construction of the site accesses and highway works (including: 2m wide footway along the sites full frontage with The Gravel and The Marshes Lane, reinstatement of kerbing to redundant access points, relocation of signs and street lighting) has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of an appropriate legal agreement of the Highways Act 1980.

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

- 11. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 10 has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.

12. Prior to commencement of development a Construction Traffic Management Plan (CTMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMA shall include and specify the provisions to be made for the following:-

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials used in the construction of the development;
- c) Vehicle wheel washing facilities;
- d) Storage of such plant and materials;
- e) Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- f) Measure to ensure that the construction and delivery vehicles do not impede access to adjoining properties and obstruct the public highway.

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.

13. Prior to the first occupation of dwellings in the development hereby approved, cycle parking storage facilities shall be provided for each as detailed in dwg WH-FREL-CSP-01 received 8th November 2023 and thereafter retained.

Reason: To promote sustainable transport as a travel option, encourage healthy communities and reduce carbon emissions.

14. No development shall take place until a strategy for the separate foul and surface water drainage of the development is, including any necessary infiltration measures, attenuation measures, maintenance management proposals, and phasing of delivery if applicable, approved in writing by the Local Planning Authority. The surface water drainage strategy must take account of the relevant provisions of the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement standards. The drainage scheme must be completed in accordance with the approved details and, if applicable, the approved phasing of the scheme. The MicroDrainage mdx file, if available, is required to aid the checking of design calculations.

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.

15. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird

breeding season then all buildings, trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted for approval.

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.

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

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

17. No above ground construction works shall take place until a plan indicating the positions, height, design, materials, and type of all means of enclosure/boundary treatment including walls, fences, and gates to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment(s) means of enclosure shall be completed as approved before the development is occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason: To safeguard and enhance the character of the area and to protect residential amenity in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

18. Prior to commencement of any works associated with the development a Habitat Management and Maintenance Plan is to be submitted and agreed in writing to set out how the proposed land will be managed for at least 30 years to create and/ enhance habitats to mitigate any impacts upon biodiversity and to manage and monitor these habitats.

Reason: In the interests of ensuring appropriate biodiversity upon the site and to accord with policy EN2 of the WLLP.

19. Notwithstanding the submitted details and prior to above ground works a scheme for hard and soft landscaping of the site (incorporating existing flora) and including the means of enclosure and the materials to be used for hard surfacing, shall be submitted to and approved by the Local Planning Authority. The scheme shall include, but not be limited to:
 - i. A plan showing existing vegetation to be retained and safeguarded during construction which shall be consistent with any Construction Management Plan.
 - ii. A plan showing areas to be managed as public open space including a final state topography plan, where appropriate.
 - iii. A landscaping implementation phasing plan, where appropriate.
 - iv. Detailed planting / sowing specifications including species, size, density spacing,

cultivation protection (fencing, staking, guards) and methods of weed control
v. Details of surfacing, boundary treatments and landscaping structures including design, location, hedgehog accessibility, size, colour, materials and openings.

Development shall be carried out in accordance with the approved scheme and in accordance with the landscape implementation phasing plan OR shall be completed by the end of the next available planting season immediately following the completion of the development or the site being brought into use, whichever is the earliest.

Reason: To ensure the development has an acceptable level of impact in terms of biodiversity and to accord with policy EN2 of the WLLP.

20. Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a Construction Environmental Management Plan - Biodiversity (CEMP-B) has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:

- i. Risk assessment of potentially damaging construction activities;
- ii. Identification of 'biodiversity protection zones';
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- iv. The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- v. Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- vi. A non-native invasive species protocol (e.g. for Japanese knotweed);
- vii. The times during construction when specialist ecologists need to be present on site to oversee works;
- viii. Responsible persons and lines of communication;
- ix. The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person(s);
- x. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works; and
- xi. The submission of a verification report by the EcOW or similarly competent person(s) to the LPA at the end of the construction period.

Reason: In the interests of maintaining and enhancing biodiversity and ecological value of the site and surrounding area. In accordance with policy EN2 of the WLLP.

Note(s)

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

1. b) The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number. Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.

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

2. The development approved by this permission may be liable to a Community Infrastructure Levy, which is payable after development begins. If your scheme is liable, and you have not already done so, you must submit an Assumption of Liability Notice to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a Commencement Notice to the Council before the development commences. Any application for relief or exemption should also be submitted before commencement.

The Council will impose penalties where the correct forms are not submitted, or are late, or where the information provided is inaccurate.

All forms are available at

<http://www.westlancs.gov.uk/planning/planningpolicy/community-infrastructure-levy/the-cil-process.aspx> and once completed, should be emailed to CIL@westlancs.gov.uk.

Further information on CIL can be found at www.westlancs.gov.uk/CIL or by contacting the Council's CIL and S106 Officer on CIL@westlancs.gov.uk or tel: 01695 585171.

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

4. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number. Please be aware that the demand to enter into section 278 agreements with Lancashire County Council as the highway authority is extremely high. Enquiries are being dealt with on a first come first served basis. As such all developers are advised to seek to enter into Section 278 agreements at a very early stage.

5. This consent does not give approval to a connection being made to Lancashire County Council's highway drainage system.
6. The applicant, their advisers and contractors should be made aware that if any European protected species (bats) are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist.

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:

Policy GN1 Settlement Boundaries
Policy GN3 Criteria for Sustainable Development
Policy EC2 The Rural Economy
Policy GN4 Demonstrating Viability
Policy RS1 Residential Development
Policy IF2 Enhancing Sustainable Transport Choice
Policy EN1 Low Carbon Development and Energy Infrastructure
Policy EN2 Preserving and Enhancing West Lancashire's Natural Environment
Policy 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.

13.0 SUSTAINABILITY IMPLICATIONS

13.01 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

16.1 There are no health and wellbeing implications arising from this report.

Background Documents

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

Appendices

None.