



**PLANNING COMMITTEE: Thursday,
23 May 2024**

Report of: Deputy Chief Executive

Lead Member for Planning and Community Safety

Contact for further information:

Case Officer: Samia Syeda (Extn: 5277) (E-mail: samia.syeda@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2023/1175/FUL

PROPOSAL: Full planning permission for the erection of 3no. industrial units, (use class B8) with ancillary office space, new access, car parking, servicing, landscaping and other associated works

APPLICANT: Linden Hill – Capital Assets – INTC2 Limited

ADDRESS: Land to the south of Stopgate Lane, Simonswood

REASON FOR CALL IN: Application has been called in by Cllr Bailey as the scale of development warrants a committee decision and by Cllr Rigby on the basis of comments and concerns raised by residents of Bickerstaffe and Simonswood in relation to HGV access, opening hours, visual impacts, location and economic factors.

Wards affected: Rural South;

1.0 PURPOSE OF THE REPORT

1.1 To advise the Planning Committee on an application which seeks consent to erect three industrial units on land south of Stopgate Lane in Simonswood.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

2.1 That planning permission be GRANTED subject to conditions and a Unilateral Undertaking.

3.0 THE SITE

3.1 The application site comprises 3.9ha of agricultural land. It is located off Stopgate Lane to the north. There is an area of unused and fenced hardstanding located with the northeastern corner of the site but otherwise the site is grassed.

3.2 The site is bounded to the north by an existing hedge along Stopgate Lane, with farmland beyond that, designated as Green Belt. To the east there is an entrance road off Stopgate Lane which provides access to Simonswood Industrial Estate. The site abuts Simonswood Industrial Estate to the south and specifically the Tip Trailer Services Unit and Williams Bros Industrial Park Recycling Centre adjacent. Paladin fencing runs along the east and southern boundaries. To the west is an area of shrub/ trees, the majority of which is being developed for an HGV trailer park and beyond this lies the residential area of Tower Hill, Kirby.

3.3 The site is at the western extreme of West Lancashire close to the boundary with Knowsley Metropolitan Borough Council.

4.0 PROPOSAL

4.1 The application seeks to erect 3no. industrial units totalling 14,735sq m (GIA) comprising:

- Unit 1 – 2,547sq m
- Unit 2 – 4,550sq m
- Unit 3 – 7,638sq m

4.2 Unit 1 has been specifically designed to meet the requirements of John Mason International Movers who are currently located at Wilson Road in Knowsley but are looking to move into purpose-built accommodation. The other two units are speculative. Each unit will have ancillary office space.

4.3 The units will measure 12.5m to haunch and have a maximum ridge height of 17m. This height ensures that John Mason International Movers are able to move client stock via large, standardized boxes which are stacked four boxes high. Each box is just over 3.0m including the stacking mechanisms and as such this means that a minimum 14.0m clear internal facility height is required. This would map to a maximum 16.0m external building height and would be sufficient to allow the company to maintain its current processes.

4.4 Overall the parking provision for the three units will comprise 162 car parking spaces, 10 accessible spaces and 19 electric vehicle charging points. 80 cycle spaces in shelters will be provided and 7 motorcycle spaces.

4.5 Access to the units will be permitted in roughly the same location as an existing informal access point along Stopgate Lane. The new access will lead directly onto the proposed estate road, providing access to all units. The yards of each unit will be secured through use of vehicular gates, with car parking kept mostly separate to the north of the units / their yards. Footpaths from the site entrance and between the unit entrances will ensure safe pedestrian routes around the site. Direct access into the development for pedestrians and cyclists will be provided from Stopgate Lane.

4.6 To the south, the buildings are separated by proposed landscaping over an existing surface water sewer easement. A landscaping mound on the northern boundary provides a separation buffer from the carriageway. Tree and shrub planting will take place across the site perimeter and within the car park.

5.0 PREVIOUS RELEVANT APPLICATIONS/DECISIONS

- 5.1 2013/1188/SCR – Screening Opinion – Development comprising a mix of industrial units for uses falling within Classes B1, B2 and B8 together with an ecology park and sustainable drainage area – Development is not EIA development 26th November 2013
- 5.2 2015/0729/OUT – Outline – Employment development comprising B2 & B8 uses including ancillary office accommodation together with associated ancillary infrastructure – APPROVED 29th July 2016
- 5.3 2017/0631/FUL – To develop a battery storage facility – APPROVED 18th August 2017
- 5.4 2018/0835/OUT – Employment development comprising B2 & B8 uses including ancillary office accommodation together with associated ancillary infrastructure – APPROVED 30th November 2018

6.0 OBSERVATION OF CONSULTEES (SUMMARIES)

- 6.1 **Active Travel England** – Standing advise should be attached.
- 6.2 **Arboricultural Officer** – I have no objections to the proposals. The application does involve the removal of a significant number of trees, although their quality is very poor. The replacement planting will provide a higher level of amenity, will be in a more prominent location and will have more longevity therefore, I see on balance a net amenity gain.
- 6.3 **Contaminated Land Officer** – A Geo-environmental and Geotechnical report was submitted that described investigations and generic risk assessment. The investigations and report have been carried out in accordance with industry best practice and British Standards. There are still investigations and remediation actions required so we would still require that the contaminated land condition to be applied albeit with the initial desk study already being submitted.
- 6.4 **Environmental Agency** – No objection subject to a condition requiring a remediation strategy.
- 6.5 **Environmental Protection Team** – I am satisfied that the methodology, outcomes and recommendations documented in the noise impact assessment are appropriate and relevant for a site such as this and providing the recommended conditions are implemented, I am in agreement that the impact of the proposed site on nearby noise sensitive receptors should be low.
- 6.6 **Historic Environment Team** – The proposed development contains the former site of Stop Gate Tavern, recorded on the Lancashire Historic Environment Record, PRN38302. This non-designated heritage asset would merit further archaeological investigation, and preservation by record (archaeological excavation and recording) which should be secured by condition.
- 6.7 **Knowsley Metropolitan Borough Council** – Has three principal concerns in respect of the principle of development and the deliverability of the site; impacts of

the construction phase of the development on the amenity of nearby residents who are suffering from significant environmental harm from dust and noise pollution; and impacts of the operational phase on the amenity of nearby residents due to Heavy Good Vehicles ignoring Traffic Regulation Orders on Shevington's Lane and Headbolt Lane. Should West Lancashire decide to grant planning permission it is requested that the Framework Construction Environmental Management Plan is secured by condition; a scheme of highway improvement works is secured to deter HGVs from using Shevington's Lane; and a Social Value Strategy is secured via planning conditions which seeks to ensure that residents of Kirkby and Simonswood are given the opportunity to apply for jobs and apprenticeships on the site.

- 6.8 **Lancashire Highways** – The on-site and off-site highway works are acceptable, as is the level of car parking and cycle parking for each unit. I note the site access has been amended making it hard for large vehicles to turn right out of the access (i.e. it directs large vehicles to the west) and avoid the weight restriction on Stopgate Lane to the east of the site. The proposals are satisfactory for planning and subject to detail design (via a s278 agreement). The internal roads would not be suitable for adoption by LCC.

I would agree that the junction capacity analysis shows that the proposed development will not have a severe impact on the local highway network, which is the threshold stated by NFFP (Paragraph 115) under which development should not be refused on highways grounds. A Full Travel Plan and its implementation will be appropriate for this level of development proposal in due course when the site is occupied and a contribution of £6000 to enable Lancashire County Council to monitor and support the development, implementation and review of the Full Travel Plan.

As submitted, there are no objections to the application subject to conditions, informatives and a contribution.

- 6.9 **Lancashire Police** – Secure by Design comments received.
- 6.10 **Lead Local Flood Authority** – No objection subject to conditions.
- 6.11 **Merseyside Environmental Advisory Service (MEAS)** – no objection subject to conditions and informatives. I have reviewed the proposal submitted by the applicant and considered the possibility of likely significant effects under the Habitats Regulations. I advise there is no pathway that could give rise to likely significant effects on the European sites, and it does not warrant a detailed Habitats Regulations Assessment.
- 6.12 **Natural England** – No comments received.
- 6.13 **Principal Engineer** – This is a comprehensive and well thought out FRA; however the soakaway or infiltration system seem to have been dismissed without justification. The SFRA Level shows this area to have high groundwater levels. I am therefore prepared to accept that infiltration would be impracticable. The Drainage Strategy also looks OK and agree to the proposed surface water rates for Areas 1, 2 and 3. I will refer you to the LLFA and EA for further comment.

- 6.14 **Strategic Planning** – The proposed development is contrary to Local Plan Policies SP1, GN1, EC1 (part 1) and EC2 as well as being in conflict with part 4 of Policy EN2. It is for the case officer to consider other material considerations in determining the planning balance. It is the view of Strategic Planning that the material considerations outlined above do not presently carry weight to overcome the proposal's conflict with Policies SP1, GN1, EC1 (part 1) and EC2 of the Local Plan. The suitability of the remaining Local Plan employment land portfolio to accommodate the proposed development, as referred to above, is a matter for the applicant to provide further and more accurate evidence. The weight to be given to this matter as a material consideration cannot be established until this further information is provided.
- 6.15 **United Utilities** - Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request conditions and an informative note.

7.0 OTHER REPRESENTATIONS

- 7.1 Bickerstaffe Parish Council – object to the proposed development due to increased heavy goods vehicles traffic and breaches and increased traffic from staff/trades vehicles.

Residents are concerned that there will be an increase in the number of Heavy Goods Vehicles (HGVs) accessing the proposed site. It is unclear from the information included with Planning Application 2023/1175/FUL what the total number of HGVs accessing the site each day will be as only a suggested figure of 12 HGVs in each of the peak hours has been provided. At present, there are Traffic Regulation (Weight Restriction) Orders (TROs) on Stopgate Lane, Simonswood from Siding Lane towards Sineacre Lane, Bickerstaffe and including the entire length of Sineacre Lane. Residents report regular breaches of the TROs by HGVs accessing the Simonswood Industrial Estate and are therefore concerned that the increased numbers of HGVs accessing the proposed site in Planning Application 2023/1175/FUL will result in a higher number of breaches.

Although the developer has offered to erect a sign to try to direct HGVs to use the correct route to access the site, we are aware that the current signage in the area has not been found to be effective at reducing the number of HGVs breaching the TROs in place. We would therefore like to request that consideration be given to designing the HGV access points to the site in a way which only allows HGVs to turn in and out of the site using the legal route.

The document included with the Planning Application 2023/1175/FUL states that the proposed number of car parking spaces on the site will be 164 across the 3 buildings, indicating there will be a high number of cars and vans accessing the site. As there are no restrictions for cars or vans to travel through Bickerstaffe, staff and trade vehicles (vans) may travel through Bickerstaffe to access the site, therefore increasing the number of vehicles travelling down the narrow, rural roads.

- 7.2 Councillors Tony Brennan, Tommy Rowe and Aimee Wright (Shevington Ward) object to the principal of development and the additional HGV movements that will

result in more material that has been deposited on the road being dragged close to residential properties where it is whipped up and turned into dust and deposited on people's homes. The design of the egress from the site makes matters worse as it directs traffic towards Kirkby.

7.3 Two letters of objections have been received which can be summarised as follows:

- Simonswood Industrial Estate is poorly managed, and this application will exasperate the ongoing problems, plus ruin the openness of the area.
- The proposed units are two and three times the ground floor space of the ones submitted in outline plan previously, and whilst no heights were specified in the outline permissions the full proposal stipulates heights of 16 metres which is twice that of a standard house in the surrounding area and is even taller than the Fredericks Dairies building further along which was built in the 1960s. A recent extension circa 2011 was only allowed as it fitted in with the existing building height
- The land is classified as protected and outside the scope of the Local Plan and the fact that some surrounding land has been developed has no material bearing on this application, not least as they are situated on the Simonswood Industrial Estate (of which this land is not part of). The occupied parts are set much further back from the street, are not of a height and size so as to intrude on the visual aspect of the area. These are part of the wider waste operations deeper within the actual estate, are generally of a lesser height and are not seen from the street nor surrounding greenbelt
- Vehicles are only unable to travel along the weight restricted by a point of law and unfortunately operators based on the Simonswood Estate and the Williams Brothers choose to ignore this to the detriment of the local residents of Bickerstaffe and Kirkby, so much so KMBC are in the process of installing ANPR on two of their weight restricted roads.
- A physical preventative curve should be installed to stop HGVs being able to turn into and out of the site from the wrong direction, whilst still allowing cars - this is imperative for residents.
- A Section 106 for ANPRs at the start of the weight restricted sections in Simonswood and Bickerstaffe is needed as no doubt when Kirkby limits illegal movements they will come the other way.
- A restriction on vehicle movements on site needs to be implemented between certain times similar to those on the former Fredericks Dairy site as well as those regarding deliveries etc to protect neighbour's amenity.

8.0 SUPPORTING INFORMATION

- 8.1 Agricultural Land Classification Report
Arboricultural Impact Assessment
Biodiversity Net Gain Assessment
Desk Study / Preliminary Risk Assessment Report
Design & Access Statement
Ecological Impact Assessment
Economic Development, Environmental and Social Value Statement
Flood Risk Assessment
Framework Construction Management Plan
Framework Travel Plan
Geo-Environmental & Geotechnical Assessment Report

Industrial Noise Impact Assessment
JLL Response to KMBC Comments
Landscape Appraisal
Planning Statement
Technical Note - Drainage
Transport Assessment
Winter and Passage Ornithology Survey Report

9.0 RELEVANT PLANNING POLICIES

- 9.1 The National Planning Policy Framework (NPPF) and the Local Plan 2012-2027 Development Plan Document (Local Plan) provide the policy framework against which the application will be assessed.
- 9.2 The site is located within an area designated as Protected Land and on Grade 3 Best and Most Versatile Agricultural Land on the Local Plan Policies Map. The site also falls within the Mineral Safeguarding Area as designated under Policy M2 of the Joint Lancashire Minerals and Waste Local Plan.
- 9.3 The following Local Plan policies are of relevance:

West Lancashire Local Plan 2012-2027 DPD

SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Criteria for Sustainable Development
GN5 – Sequential Tests
EC1 – The Economy and Employment Land
EC2 – The Rural Economy
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
IF4 – Developer Contributions
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire's Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space
EN4 – Preserving and Enhancing West Lancashire's Cultural and Heritage Assets

Supplementary Planning Document

Design Guide SPD (2008)

Relevant Joint Lancashire Minerals and Waste Local Plan Policies

Policy M2 – Safeguarding Minerals

10.0 OBSERVATIONS OF DEPUTY CHIEF EXECUTIVE

- 10.1 The main considerations for this application are:

Principle of Development
Design and Layout
Impact on Neighbouring Amenity
Highways Impacts
Drainage Impacts
Ground Conditions

Biodiversity

Principle of Development - Protected Land

National Planning Policy Framework

- 10.2 The NPPF sets out the Government's planning policies for England and is a material consideration in planning decisions. The NPPF sets out three dimensions to sustainable development - economic, social and environmental. Paragraph 85 of the NPPF advises that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development'.
- 10.3 Paragraph 87 goes on to state that 'planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations'.

West Lancashire Local Plan

- 10.4 The site lies within an area designated as Protected Land on the Local Plan Policies Map. Local Plan Policy SP1 indicates that all new development in the Borough will take place within settlement boundaries, except where a specific need for development for a countryside use is identified that retains or enhances the rural character of the area. The application site is outside a settlement boundary and outside a designated employment area so would not accord with this aspect of Policy SP1.
- 10.5 As the development is outside a settlement boundary but not in the Green Belt, Local Plan Policy GN1 (b) is relevant. The application site is located within an area allocated as Protected Land. Local Plan Policy GN1 (b) states "Development on Protected Land will only be permitted where it retains or enhances the rural character of the area" and goes on to provide three exceptions to this that may be permitted should a sequential site search not identify a more suitable site, none of which the application would fall within. It is clear that the proposed development would not retain or enhance the rural character of the area, and so the application is not in accordance with the Local Plan in this respect.
- 10.6 Local Plan Policy EC1 considers the Borough wide provision of employment land, indicating that the delivery of 75ha of new employment land will be promoted between 2012 and 2027. It also identifies that this figure will be met by a variety of sources, including a 7ha extension to the Simonswood Industrial Estate. However, given that the application site is Protected Land and outside the Local Plan designated boundary of the industrial estate, it is not located on land that was envisaged as being part of this 7ha extension. Against the Local Plan target of providing 75ha of employment land in the Borough between 2012 – 2027, approximately 30ha has been provided, so there remains a need for employment land to be delivered in the Borough against the Local Plan requirement.

- 10.7 With regard the material considerations to be taken into account alongside the Local Plan policy, the applicant raises several for consideration.
- 10.8 Firstly, although the site is not allocated for employment development in the Local Plan and is designated as Protected Land, it has a history of the granting of planning permission for employment and the land adjacent to the application site was granted planning permission under reference 2019/0892/FUL for the development of an HGV trailer park and B8 unit. These approvals form a material consideration to the determination of the application. Whilst noting the permissions on the site are no longer extant, the issues remain in terms of the delivery of employment land within the Borough.
- 10.9 The lack of employment land delivery in West Lancashire was an important material consideration in the 2015 and 2018 applications and one that carried significant weight in favour of the proposal. Employment land delivery in West Lancashire in recent years continue to remain a key issue. This is evidenced within the Council's Housing and Economic Development Need Assessment (HEDNA) (2022) which sets out that there is demand for industrial and warehousing space in West Lancashire and for stock at locations with good access to the motorway network. It has been identified that there is a need to provide 35ha of land to meet local needs over the plan period (2023-38). The pipeline of employment land development identified in the HEDNA has also been reduced as a result of the 2018 Permission at Stopgate Lane expiring. This was the largest permission in the Council's development pipeline for 40,625sqm.
- 10.10 The Strategic Planning Team accept that there has been steady uptake of the Local Plan portfolio of allocated employment. However, in their comments to the planning application they raised concerns with the applicant's assessment of alternative employment sites. In response the applicant has published a note which considers sites, as follows:
- Simonswood (7.3ha) – the land is not within the applicant's control and does not benefit from planning permission, nor are there any indications of any plans coming forward for development in the immediate future. The site is constrained as the majority of the land is classed as Grade 1 Best and Most Versatile Agricultural Land and a Priority Habitat (deciduous woodland). The Habitat Regulations Assessment for the Local Plan identifies this site as sensitive for pink-footed geese and undeveloped land here supports potentially suitable habitat for this species, making it unsuitable for development until an Ornithology Report is produced. Furthermore, the site is heavily vegetated and when combined with habitat value, it is likely to contribute to high biodiversity value and credit when assessing biodiversity net gain. Given the intensity of biodiversity across the site, this is likely to result in a costly biodiversity net gain (noting a 10% uplift is now mandatory) affecting the viability of the site.
 - XL Business Park, Stanley:
 - 11.2ha north of Comet DHL – received permission on 15 December 2021 for Reserved matters for internal site access, appearance, landscaping, layout and scale as it relates to outline planning application reference 2018/0281/OUT for the erection of two buildings for B1(c), B2 and B8 purposes with ancillary B1 offices, formation of vehicle parking areas and landscaping' (application reference: 2021/0773/ARM). The

site is set to accommodate 2no. units measuring 20,746sqm (Unit 1) and 10,540sqm (Unit 2).

- 6.14ha south of Asda - received permission on 21 October 2021 for a 'Non Material Amendment to planning permission 2005/0393 - Amendment to the site plan, south east elevation, north east elevations and accompanying floor plans' (application reference: 2021/1074/NMA). The site is set to accommodate a unit measuring 23,890sqm (Unit 3).
 - The permissions at the XL sites are significantly larger in size, seeking to deliver strategic scale warehouses and are therefore targeting 'big box' logistics operators. The offer is therefore significantly different to that proposed at the application site and would not be able to accommodate John Mason International Movers' requirement for a purpose built, 'mid-box' product. Moreover, the proposal at Stopgate Lane aims to provide space for SME's with a requirement for high quality, small to medium size units. Thus, providing a broader supply range and stock pipeline different to that being offered at XL Business Park.
- Extension to the Burscough Industrial Estate – the vacant units are considered unsuitable for John Mason International Movers' requirement with the largest unit measuring only 1,944sqm and the tallest unit measuring 7.15m to eaves. Conversely, the applicant's proposal at Stopgate Lane seeks permission for 3no. units measuring 12.5m to underside haunch, resulting in a maximum ridge height of 17m which meets John Mason International Movers' specific requirements as described in the 'Proposal' Section above.

10.11 In assessing the sites above and the sites within the submitted Planning Statement, the applicant has rigorously considered the availability and suitability of all sites requested by Strategic Planning, establishing a compelling case which carries significant weight.

10.12 The applicant also refers to the anticipated demand for employment land over the next few years in the Liverpool City Region as a material planning consideration which this scheme would assist in meeting. However, the Strategic Planning Team consider the weight to be attached to the ability of the application site to meet the employment needs of the Liverpool City Region is reduced compared to the time of determination of the previous planning applications on this site. This, the Strategic Planning Team state, is evidenced by the public consultation on the Liverpool City Region Combined Authority's emerging Spatial Development Strategy (SDS), which closed on 16 February 2024. Both the emerging SDS and accompanying SDS evidence base indicate that the Liverpool City Region is able to meet its own employment land needs, including for large scale B8 uses, within the Liverpool City Region area, excluding West Lancashire Borough.

10.13 The applicant has reviewed the SDS and the relevant accompanying SDS evidence base and note that the SDS considers 'strategic B8 development (comprising warehouse and distribution units of over 9,000sqm) across the city region up to 2040. The SDS notes at paragraph 5.44 that a range of sites will need to come forward that will collectively meet the city region's employment land needs. These will range from smaller sites delivering small to medium employment premises, to larger sites such as some of the strategic sites that will deliver much larger premises units. The SDS focuses only on strategic sites, and as such, the

constituent local authorities will continue to have a vital role in allocating and identifying in their Local Plans a range of sites of different sizes to meet employment needs'. However, as set out above, the SDS evidence base is produced for the Liverpool City Region authorities only (excluding West Lancashire Borough Council). Therefore, the weight to be attributed to the agent's argument is very limited.

- 10.14 Knowsley Metropolitan Borough Council in their response set out that despite planning permission being granted on the site in 2016 and the allocation of the site to the north of Simonswood Industrial Estate, both sites remain undeveloped. Consequently, they believe 'this casts significant doubt on the deliverability of the site and its ability to meet an unmet need for employment land in West Lancashire, very little weight should therefore be given to this argument and the development of the site is therefore contrary to the development plan.' In the applicant's 'Response to KMBC Comments', they note that the proposal is coming forward under a new applicant, Linden Hill Capital, who have already committed to bringing this site forward as evidenced in their letter of commitment. Additionally, John Mason International Movers, the future owner-occupier of Phase 1 of this development, has pledged its 'binding commitment to purchase and occupy Unit 1 subject to our development partner Linden Hill Capital securing planning consent' also evidenced in their letter of committee. As such both Linden Hill Capital and John Mason International Movers have committed to bringing this site forward and are legally obligated to deliver the site and to occupy it.
- 10.15 The applicant has also provided further information to demonstrate the deliverability of the site and the existing partnership between Linden Hill Capital and John Mason International Movers. Linden Hill Capital is the applicant at 35 Wilson Road, Knowsley (the current location of John Mason International Movers) and has received Outline Planning Permission (ref: 22/00284/OUT) and a subsequent S73 permission (ref: 24/00132/FUL) in March 2023 and May 2024, respectively. The approval of this application at Stopgate Lane will allow John Mason International Movers to vacate its current site at 35 Wilson Road, where it has already been served notice, freeing that site for the approved redevelopment. John Mason International Movers will then relocate to the site at Stopgate Lane, retaining and increasing jobs within the local area. Linden Hill Capital will then progress its reserved matters application at Wilson Road so that it can then redevelop that site too, opening up the site to additional job creation for Huyton and the wider Knowsley area. This demonstrates the commitment that Linden Hill Capital and John Mason International Movers have to delivering the site at Simonswood.
- 10.16 Knowsley Council has also requested a Social Value Strategy is secured via a planning condition which seeks to ensure that residents of Kirkby and Simonswood are given the opportunity to apply for jobs and apprenticeships on the site. The applicant has submitted an Economic Development, Environmental and Social Value Statement which sets out the social value benefits that this proposal will provide the local communities and specifically includes John Mason International Movers' Internal Growth Projections (2024 – 2029): Linked to Stopgate Lane Relocation. This states that 'To maintain continuity and leverage local talent, we will prioritise recruiting replacements locally. This approach not only supports the community but also ensures that the replacements have a deep understanding of John Mason International Movers' values and operational ethos.' Both Linden Hill

Capital (at construction stage) and John Mason International Movers (at operational stage) have committed to employing local contractors and employees, as evidenced by the letters and literature from each party in the applicant's 'Response to KMBC Comments'.

- 10.17 Weighing all of the above into the balance, the pace of employment land delivery, the current unavailability and unsuitability of alternative employment sites and the emerging demand for employment land in the Borough are considered to be significant material considerations to justify a departure from Policies SP1 and GN1(b) of the Local Plan. Significant weight is also placed on the need to support John Mason International Movers to relocate into purpose-built accommodation and meet their current and long-term business needs, as well as the wider opportunities that the two speculative units will bring to help build a strong, competitive economy, as per the NPPF.

Principle of Development - Agricultural Land

- 10.18 Whilst the Simonswood Industrial Estate adjoins the town of Kirkby, the surrounding area within West Lancashire is rural so Local Plan Policy EC2 is also relevant. This policy states that the irreversible development of open, agricultural land will not be permitted where it would result in the loss of the best and most versatile agricultural land, except where absolutely necessary to deliver development allocated within this Local Plan or strategic infrastructure, or development associated with the agricultural use of the land.
- 10.19 According to Defra's Agricultural Land Classification Map of England and Wales, the application site is classified as Grade 2 Agricultural Land – the 'best and most versatile'. To support their application, the Applicant has undertaken an Agricultural Land Classification survey which concludes that 3.6ha (94.7%) is in subgrade 3b and 0.2ha (5.3%) is in non-agricultural land. Based on these findings, all of the site is on a lower grade of agricultural land and acceptable in accordance with Local Plan Policies EC2 and EN2.

Design and Layout

- 10.20 Paragraph 131 of the NPPF advises that the 'creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. Policy GN3 along with the Council's SPD Design Guide requires that new development should be of a scale, mass and built form, which responds to the characteristics of the site and its surroundings.
- 10.21 The three units are positioned around the site leaving adequate open space for manoeuvring and parking of HGVs and cars, including providing areas of planting within the car park. The design of the buildings is similar to those seen in industrial areas across the borough and at Simonswood Industrial Estate, and the scale is considered appropriate for this particular site. This can be seen within the submitted street scene which shows that the proposed unit, whilst tall at 17m ridge height, will match the height of the existing DFDS building to the east, but will be much lower in height than the existing wind turbine also located to the east.

- 10.22 In terms of views from the wider area, glimpsed views from within the site can be achieved to the north, however any remaining views are restricted by the existing surrounding mature vegetation and building infrastructure. Some views of the site can be achieved from the immediate locality and some at a greater distance however these views still remain limited. Views of the site are limited because of the local building infrastructure, topography and areas of mature vegetation to the local and surrounding landscape.
- 10.23 New landscape planting, including the landscape mound along Stopgate Lane, will provide additional screening into the site and in time will mature to become effective buffers, typical to the local and surrounding landscape. It should also be noted that visibility of the proposal would be in the context of the existing units and development at Simonswood Industrial Estate. Overall, I consider the proposed development accords with Local Plan Policies GN3, EC1 (d) (ii) and EN2.

Impact on Neighbouring Amenity

- 10.24 The application is located a considerable distance from the nearest residential properties to the west (circa 410m) and Wood House Farm (circa 500m to the north). Despite the distances it is necessary to consider the impact of the proposed development on the amenity of the surrounding land uses, including neighbouring residents. In this respect a Framework Construction Management Plan and an Industrial Noise Impact Assessment has been submitted.
- 10.25 The Framework Construction Management Plan has been written in consultation with Knowsley Council to set out the principal procedures anticipated during the construction phase of the development. It focuses on the approach to address highway management including dust and materials on the highway network and neighbouring communities, a pre-existing problem created by occupiers of Simonswood Industrial Estate. It includes information on the site set up, highway safety and improvement works, highway waste management and the control of dust.
- 10.26 With regards to the highway waste management, a gate person will check each vehicle as it exits the site and is escorted back out onto the highway. Regular checks will be made by the site management of the surrounding roads to ensure they are kept in a clean state. This will ensure that mud and or debris will not be allowed onto the highway. A jet washer will be used to clean the wheels of all vehicles before exiting the site onto the highway whilst earth works are taking place. Moreover, a road sweeper will be deployed as and when required to ensure that the exit road to Stopgate Lane and any other surrounding roads are cleaned if affected by the development. Notably, the proposed highways drawings show that the site estate road will be built up to base course. This will further help prevent the spreading of waste onto surrounding roads, during the construction phase.
- 10.27 A Dust Management Plan has also been prepared as part of the Framework Construction Management Plan, which sets out the measures to control dust during the construction phase and operations phase including methods of containment, monitoring, site management and vehicle management.
- 10.28 The Industrial Noise Impact Assessment calculated the noise levels from the site on a worst-case scenario which showed a low impact. The report recommends a

condition which specifies that each occupant of the units must comply within the maximum permissible operational noise level criteria. This will be evidenced by way of a further noise assessment detailing each unit's precise operations, noise break out calculations and plant assessment to be attached by condition. On this basis, the Council's Environmental Protection Team has recommended a noise condition as well as conditions for a site service management plan, piling details, external lighting and an informative to fit automatic closures on all loading doors.

- 10.29 In terms of the additional traffic impact on surrounding land uses that will be generated because of this development, any HGVs or vehicles over 7.5t in weight would be unable to pass along residential routes to and from the site due to existing weight restrictions. The site access has also been redesigned to make it difficult for HGVs to exit right onto Stopgate Lane where there is a 7.5t weight restriction to the east of the site up to Siding Lane.
- 10.30 On balance I consider the development, subject to conditions, meets the requirements of Policies GN3 and EC1 (d) (iii) of the Local Plan.

Highways Impacts

- 10.31 Paragraph 116 of the NPPF sets out the criteria that applications should adhere to and includes the requirement for applications to give priority first to pedestrians and cyclists and secondly to facilitate access to high quality public transport. Development should create places that are safe, secure and attractive. Policy GN3 of the Local Plan states that development should incorporate suitable and safe access and road layout design in line with latest standards. Parking should be provided in accordance with Local Plan Policy IF2.
- 10.32 The site is located to the south of Stopgate Lane in which Lancashire County Council are the Highway Authority. Knowsley Council act as Highway Authority to the west, from the junction with Stopgate Lane / Pingwood Lane / Shevington's Lane.
- 10.33 All vehicular access to the site will be from Stopgate Lane. Stopgate Lane is a narrow road between 5.0m and 5.5m and features a 60mph speed limit which changes to 30mph on the approach to the junction with Pingwood Lane. There is a 7.5t weight restriction for vehicles to the east of the site up to Siding Lane and a further restriction on Shevington's Lane to the west. There is a continuous footpath that passes along the northern edge of Stopgate Lane from the site to Pingwood Lane and beyond, but no crossing facilities.
- 10.34 As there are existing deficiencies in the local pedestrian infrastructure, discussions with LCC Highways have resulted in a package of measures on Stopgate Lane including the provision of lampposts along the northern side of the road, two new pedestrian crossing points, a new 2m-wide footway along the site frontage and a potential reduction of the speed limit to 30mph from the junction with Pingwood Lane. With these improvements, secured via a Section 278 agreement, the site will be accessible on foot to services, bus stops and residential areas to the west.
- 10.35 In terms of the development, the three industrial units will be served from a new priority-controlled access to the north of the site onto Stopgate Lane, with an internal road layout that leads to three separate service yards and car parking

areas. The access junction has been designed so as to make it difficult for HGVs to turn right onto Stopgate Lane. Signage making HGV drivers aware that they can only drive towards the west on Stopgate Lane will be provided on site. This is because there has been a history of abuse of weight restrictions to the east of the site. LCC Highways has confirmed that they are looking at additional advanced signage for all entry points (to the restricted zone), however they have confirmed that there is no reason to assume that HGV's from the development would use anything other than the permitted route. In this respect matters relating to the use of the roads, e.g. in relation to the types of vehicles and/or speeding are not a material planning consideration as these matters are covered by legislation outside of planning control.

- 10.36 Notwithstanding this and given Knowsley Council's concerns relating to HGV movements, the applicant has agreed to a scheme of highway improvement works to deter HGVs from using Shevington's Lane. This includes a footway construction and the inclusion of an island with tactile paving (dwg no PT/TM/7806), for which Knowsley Council's Highways department provided an approximate Bill of Quantities setting out the costs as £6,214. The applicant has committed to paying this amount in advance of the use of Unit B or C, whichever is implemented first, which will be secured by way of a Unilateral Undertaking.
- 10.37 To support and encourage staff to travel by sustainable means, the application has been supported by a Framework Travel Plan which will provide the principles for the Full Travel Plan. LCC Highways have requested a contribution of £6,000 to enable them to monitor and support the development, implementation and review of the Full Travel Plan. This will be secured via a Unilateral Undertaking.
- 10.38 The application has also been supported by a submitted Transport Assessment which confirms the proposals will generate 24 two-way trips during the AM peak hour (of which almost half will be heavy vehicles). In the PM peak hour, the number of two-way vehicular trips generated by the proposed B8 units will be 28, of which 42% will be heavy vehicles. The junction capacity analysis shows that the proposed development is expected to have a low impact on the local highway network, with low increases in queuing, delay and impact on capacity. The Transport Assessment also confirms that the site access junction and the junction with Stopgate Lane / Pingwood Lane / Shevington's Lane will operate with spare capacity once the development is fully operational.
- 10.39 Lancashire County Council have been consulted and agree with the analysis in the Transport Assessment, as well as the parking numbers, and confirm the development will not have a severe impact on the local highway network. Subject to conditions, informatives and a Unilateral Undertaking, LCC Highways have no objections to the development. As such the development complies with Local Plan Policies GN3, EC1 (d) (iv) and IF2.

Drainage Impacts

- 10.40 The site is located within Flood Zone 1 and the site is not considered to be in a critical drainage area. It therefore has a low probability of flooding from rivers and sea. No historic flooding within the vicinity of the site has been recorded. The greenfield site currently drains into Simonswood Brook via private drainage headwalls and overland flows.

10.41 Infiltration techniques are unsuitable on this site due to the ground being underlain by stiff reddish brown gravelly clay. Instead, the proposed scheme will dispose of surface water into the private drainage network and ultimately into Simonswood Brook. Surplus flows will be attenuated into stone tanks below the permeable paving and cellular attenuation crates to the staff car parking area. The external yard shall be treated via a petrol interceptor and attenuated using cellular crates prior to discharge via a flow control. All cellular tanks shall incorporate a clean stone treatment trench to polish all runoff through the attenuation tanks. Below ground petrol interceptors will be installed to the yards' hardstanding to trap and filter hydrocarbons and pollutants to prevent them from entering the watercourse. The Council's Principal Engineer, the Lead Local Flood Authority and United Utilities have reviewed the proposed drainage strategy and have no objections. Subject to their recommended conditions, the drainage proposals are acceptable and in accordance with Policy GN3 of the Local Plan.

Ground Conditions

10.42 Policy GN3 requires that development seeks to remediate and restore contaminated land and minimise the risk from all types of pollution and contamination. The application has been supported by a Geo-Environmental & Geotechnical Assessment Report. This identifies a former landfill that encroaches into the north-west corner of the site which could not be accessed during the investigation due to the presence of dense vegetation/trees. The reports recommends a programme of trial pitting within this location once the site has been sufficiently cleared for development and a remedial strategy. The Council's Land Contamination Officer and the Environment Agency have reviewed the report and agree with its outcomes. Both have recommended securing further investigation and remediation actions by planning condition ensuring compliance with Policy GN3 of the Local Plan.

Biodiversity

10.43 An Arboricultural Impact Assessment, Biodiversity Net Gain Assessment and Ecological Impact Assessment has been submitted with the planning application.

10.44 Four groups of trees have been assessed on site for either partial or full removal. These include removal of an area of 135sqm from G1 and 3,681sqm from G2, both of which are located along Stopgate Lane. The proposal will also lead to the entire removal of trees from G3 and G4 located along the eastern boundary. Whilst the tree removals are significant, the quality of these trees are poor (C2). The Council's Tree Officer has reviewed the loss versus the proposed landscaping plan, which includes a mix of native trees and hedges, and wildflower and scrub planting, and has confirmed that the replacement planting will provide a higher level of amenity, in more prominent locations and will have more longevity.

10.45 The Ecological Impact Assessment confirms that no evidence of roosting bats was found. Notwithstanding this the habitats on site and adjacent may provide roosting, foraging, commuting habitats for bats and therefore MEAS has recommended a condition for the submission of a lighting scheme. The habitats on site are also suitable for badgers (protected species), hedgehogs which is a Priority Species and provide nesting opportunities for breeding birds (protected species). The

Ecological Impact Assessment recommends the implementation of Reasonable Avoidance Measures to avoid harm to these species. Similar Reasons Avoidance Measures are recommended for otter, water voles and great crested newts, albeit these species are highly unlikely to be present on the site or harmed by the proposals. As all of these Reasonable Avoidance Measures are covered by the Wildlife and Countryside Act 1981, an informative note will be attached instead of a planning condition. Contoneaster, an invasive species is within the site boundary and will need to be removed in accordance with the requirements of the Wildlife and Countryside Act 1981. An informative will also be attached in this respect. MEAS has also reviewed the Winter and Passage Ornithology Survey Report submitted in support of the application and in doing so have confirmed that there is no pathway that could give rise to likely significant effects on European sites and therefore a Habitats Regulations Assessment is not warranted.

- 10.46 The Biodiversity Net Gain Assessment notes that in terms of biodiversity the landscape proposal will result in the net gain of 0.34% of habitat units and a net gain of 369.48% of hedgerow units. MEAS agree with the information provided and have recommended a number of conditions to secure a scheme of ecological mitigation and a full, detailed landscape and ecological/habitat management plan and to secure pollution control measures to protect all retained habitats.
- 10.47 Overall, subject to the above conditions and informatives, it is anticipated that the proposed development will not result in a negative impact on ecology and trees and that biodiversity net gain can be secured through on-site planting. The development is therefore in accordance with Local Plan Policies GN3, EN2 and EC1 (d) (iii).

11.0 CONCLUSION

- 11.1 The site is located on Protected Land where there is a presumption against development. However, due to current delivery rates of employment land and emerging demand for employment land in the borough, as well as the current unavailability and unsuitability of alternative employment sites it is considered that there are material considerations to justify a departure from Policies SP1 and GN1(b) of the Local Plan. Significant weight is also placed on the need to support John Mason International Movers to relocate into purpose-built accommodation and meet their current and long-term business needs, as well as the wider opportunities that the two speculative units will bring to help build a strong, competitive economy as per the NPPF.
- 11.2 The site lies close to existing industrial uses, is not located on best and most versatile agricultural land and is considered to be appropriate in its design, scale and layout. It has been identified that the development would not adversely impact on neighbouring land uses or residential amenity. Concerns in relation to highways have been reconsidered by the Applicant, resulting in the amendment to the site access making it difficult for HGVs to turn right onto Stopgate Lane and highway improvement works to deter HGV's from using Shevington's Lane. The production of a Framework Construction Management Plan also addresses issues in relation to construction dust, amongst other environmental matters and will provide a framework for the detailed management plan going forward. Matters in relation to drainage, ground conditions and biodiversity have been found to be acceptable by

the relevant statutory consultees. It is therefore considered that when applying the planning balance, and subject to conditions, informatives and a legal agreement, 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 the decision to grant planning permission be delegated to the Deputy Chief Executive in consultation with the Chairman or Vice Chairman of the Planning Committee subject to the applicant entering into a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to require:

- A contribution of £6,000 to enable Lancashire County Council to monitor and support the development, implementation and review of the Full Travel Plan for a period of up to 5 years.
- A contribution of £6,214 to undertake highway improvement works at Shevington's Lane as shown on dwg ref PT/TM/7806.

12.2 If the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as outlined above) is not completed within 6 months of the date of the Committee resolution, the Deputy Chief Executive be given delegated authority to REFUSE the application.

12.3 That any planning permission granted by the Deputy Chief Executive pursuant to recommendation 12.1 above be subject to the following conditions:

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

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

2. The development hereby approved shall be carried out in accordance with details shown on the following plans:

Location Plan dwg no 0501 Rev P02
Street Elevation dwg no 0504 Rev P02
Proposed Site Sections dwg no 0505 Rev P04
External Finishes Plan dwg no 0507 Rev P02
Boundary Treatment Plan dwg no 0508 Rev P02
Proposed Site Plan dwg no 0509 Rev P07

Unit 1 – Ground Floor GA Plan dwg no 0511 Rev P03
Unit 1 – First Floor GA Plan dwg no 0512 Rev P02
Unit 1 – Roof GA Plan dwg no 0514 Rev P02
Unit 1 – GA Sections dwg no 0515 Rev P05
Unit 1 – GA Elevations dwg no 0516 Rev P03
Unit 2 – Ground Floor GA Plan dwg no 0521 Rev P02
Unit 2 – First Floor GA Plan dwg no 0522 P02
Unit 2 – Roof GA Plan dwg no 0524 Rev P02
Unit 2 – GA Sections dwg no 0525 Rev P02

Unit 2 – GA Elevations dwg no 0526 Rev P02
Unit 3 – Ground Floor GA Plan 0531 Rev P03
Unit 3 – First Floor GA Plan dwg no 0532 Rev P03
Unit 3 – Roof GA Plan dwg no 0534 Rev P03
Unit 3 – GA Sections dwg no 0535 Rev P03
Unit 3 – GA Elevations dwg no 0536 Rev P03

Site Access Junction Design Plan & Swept Path Analysis – 16.5m HGV dwg no VN232820-D101 Rev B
Proposed Highways Works dwg no VN232820-100 Revision B

Soft Landscape Specification dwg no MR23-158/101

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 the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Use Classes Order 1987 (or any equivalent Order following the amendment, revocation and re-enactment thereof, Units 1-3 shall only be used within Use Class B8 and for no other purpose of the Use Classes Order.

Reason: In accordance with the application and in the interests of vehicular safety and residential amenity.

4. 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 and boundary details) shall be as outlined on the following plans and documents:

Street Elevation dwg no 0504 Rev P02
Proposed Site Plan dwg no 0509 Rev P07

External Finishes Plan dwg no 0507 Rev P02
Boundary Treatment Plan dwg no 0508 Rev P02
Unit 1 – GA Elevations dwg no 0516 Rev P03
Unit 2 – GA Elevations dwg no 0526 Rev P02
Unit 3 – GA Elevations dwg no 0536 Rev P03

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.

5. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the Local Planning Authority (other than in those areas expressly shown for those purposes on the approved plans).

Reason: In the interests of visual amenity and to comply with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

6. Prior to occupation of the relevant phase of development, a scheme for the provision of waste storage and recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall include elevations and the material to be used of the bin stores. The approved scheme shall be implemented prior to first occupation (of the relevant phase) and thereafter maintained for the duration of the use.

Reason: To reduce and manage waste generated from the development in accordance with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

7. No development shall commence in any phase until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the Local Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted (December 2023, Ref: FW2405_FRA_001 V2, Farrow Walsh Limited) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum;

a) Sustainable drainage calculations for peak flow control and volume control for the:

- i. 100% (1 in 1-year) annual exceedance probability event;
- ii. 3.3% (1 in 30-year) annual exceedance probability event;
- iii. 1% (1 in 100-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep

b) Final sustainable drainage plans appropriately labelled to include, as a minimum:

- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
- ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
- iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
- iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
- v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
- vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;

vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;

c) Evidence of an assessment of the existing on-site surface water drainage to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.

d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

8. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.

b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented (for each relevant phase of development) and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

9. The commencement of use of each relevant phase of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and

prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

10. The commencement of use of the relevant phase of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

11. No above ground works shall commence until a scheme for the construction of the off-site works of highway alteration to Stopgate Lane has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority. The works to include; the provision of a 2m footway on the site frontage

to Stopgate Lane with appropriate pedestrian crossing points, the provision of street lighting from the Site access to the junction with Pingwood Lane. The scheme to include further street lighting and any additional signs as identified in the detail construction drawings/road safety audit.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.

12. No part of the development shall be occupied until the highway work subject to condition 11 have been constructed in accordance with the scheme submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that satisfactory vehicular and pedestrian access is provided to the site before the development hereby permitted becomes occupied.

13. No development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed estate new road within the development, including written confirmation that it will not be offered to the highway authority for adoption, have been submitted to and approved by the local planning authority. The streets shall be maintained in accordance with the approved management and maintenance details thereafter.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the street infrastructure serving the approved development; and to safeguard the users of the street and visual amenities of the locality.

14. The new estate road shall be constructed in accordance with Lancashire County Council's Specification for Construction of Estate Roads to at least base course level before development of the relevant phase takes place within the site.

Reason: To ensure that satisfactory access is provided to the site to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

15. Prior to the occupation of the relevant phase of development hereby permitted full details (including elevations and materials) of the cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The covered cycle stores shall be constructed in accordance with the approved details prior to the first use of each relevant building.

Reason: In the interests of amenity and to ensure compliance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

16. Prior to the first occupation of any part of the development, details of a Full Travel Plan to promote and encourage sustainable transport choice shall be submitted to and approved in writing by the Local Planning Authority. The Full Travel Plan shall include objectives, targets, measures and funding mechanism to achieve targets, monitoring, implementation timescales for delivery (which exceeds the build out

period) and the provision of a travel plan co-ordinator. The approved plan shall be audited and updated at intervals as approved.

The approved plan shall be implemented in accordance with the details as approved.

Reason: To reduce car travel to and from the site in and to promote o sustainable transport having regard to Policy GN3 and IF2 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

17. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan or Construction Method Statement has been submitted to, and approved in writing by the local planning authority and in accordance with the Framework Construction Management Plan (March 2024, prepared by JLL). The approved plan / statement shall provide:
- 24 Hour emergency contact number;
 - Details of the parking of vehicles of site operatives and visitors;
 - Details of loading and unloading of plant and materials;
 - Arrangements for turning of vehicles within the site;
 - Swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures;
 - Measures to protect vulnerable road users (pedestrians and cyclists);
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities for the full period of construction facilities to be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud, stones and debris being carried onto the highway.
 - Measures to deal with dirt, debris, mud or loose material deposited on the highway as a result of construction;
 - Measures to control the emission of dust and dirt during construction;
 - Details of a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - Construction vehicle routing;
 - Delivery, demolition and construction working hours;
 - Standard pollution control measures to protect all retained habitats, including wetlands.

The approved Construction Management Plan or Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: These details are required prior to the commencement of development in the interests of public & highway safety and to comply with the provisions of Policies GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

18. No building or use hereby permitted per phase shall be occupied or use commenced until the car/vehicle parking area (and any associated turning space) shown on the approved plans has been completed. The parking (and

manoeuvring) area(s) shall thereafter always remain available for parking of vehicles associated with the dwelling. Vehicle parking areas accessed from the adopted highway shall be surfaced in accordance with the materials shown on the External Finishes Plan dwg no 0507 Rev P02 and subsequently maintained in good working order at all times thereafter for the lifetime of the development.

Reason: To ensure satisfactory levels of appropriately constructed off-street parking are achieved within the development and to avoid unnecessary parking on the highway to the detriment of highway safety in accordance with Policies GN3 and IF2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

19. Prior to the occupation of each building/use hereby approved, the relevant associated bays allocated for electric vehicle charging points shall be marked out for use, together with an adequate charging infrastructure and cabling for each marked bay in accordance with the detailed within the Proposed Site Plan dwg no 0509 Rev P07. The Electric Vehicle Charging Points shall be 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.

20. The development shall not proceed except in accordance with the supporting report issued by Impact Acoustics Ltd, ref IMP7229-1 dated December 2023 which recommends that to reduce the impact of any externally located plant or equipment on nearby sensitive receptors. The reports states that noise emission limits for any associated plant, when selected (or attenuated) must comply within the maximum permissible operational noise level criteria calculations stipulated in section 9 of the report for each individual unit during the daytime and night time hours.

For the avoidance of doubt, calculated rated sound levels from any externally mounted plant or equipment at the boundary of the nearest noise residential property should not exceed the existing background sound level in accordance with the results of the BS4142:2014+A1:2019 noise assessment. Any equipment not able to meet this requirement shall be acoustically treated prior to the commencement of the use hereby permitted and shall be retained thereafter.

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.

21. Prior to the first occupation of each building hereby approved, an associated Service Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Service Management Plan shall cover logistics of deliveries and/or refuse collection from the site. The plan shall review the types of vehicles, activity hours, frequency of activity and any special activity considerations for the site. All deliveries shall thereafter be carried out in accordance with the approved Plan.

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.

22. Any piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to:

Monday – Friday: 09:00 – 17:30 hrs
Saturday: 09:00 – 13:00 hrs
Sunday and Public Holidays: Not at all

In addition to the above, prior to the commencement of the development (other than enabling works) the developer shall submit a method statement, to be approved by the Local Planning Authority. The piling work shall be undertaken in accordance with the approved method statement. The method statement shall include the following details:

1. Details of the method of piling
2. Days / hours of work
3. Duration of the pile driving operations (expected starting date and completion date)
4. Prior notification to the occupiers of potentially affected properties
5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

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

23. No external lighting per phase shall be installed on the land and buildings until a scheme detailing the proposed lighting to be installed on the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved lighting scheme and retained as such thereafter.

Reason: In the interests of biodiversity conservation and to safeguard amenities of nearby residents ensuring compliance with Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

24. Prior to occupation of the development, a scheme of ecological mitigation shall be submitted to and approved by the local planning authority. The ecological mitigation scheme shall deliver an enhancement in biodiversity units to the receptor site equal to or greater than the loss of biodiversity units on the development site, such that there is no net loss of biodiversity units as a result of the development. The approved ecological mitigation scheme shall be implemented no later than the first appropriate season following the occupation of the development. The season to be agreed with the local planning authority as part of the approval of the ecological mitigation scheme.

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

25. Prior to occupation of the development, a Landscape and Ecological/Habitat Management Plan, which covers management of the site for the duration of the development shall be submitted to and approved by the Local Planning Authority. The Plan should include the following:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site which may influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
- Personnel responsible for implementation of the plan;
- Confirmation of funding and ownership and
- Details of a programme of monitoring and remedial measures triggered by monitoring.

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

26. No works shall take place on the area of the site marked up in drawing ref: 13469-AEW-SI-XX-DR-A-0550_P01 unless the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological investigation and recording. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.

27. The soft landscaping works shall be carried out in accordance with the details shown on the Soft Landscape Specification dwg no MR23-158/101. The works shall be carried out before any part of the relevant phase of 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.

28. The Arboricultural Impact Assessment (December 2023, prepared by Bowland tree Consultancy Ltd) submitted in support of the application shall be adhered to in full.

Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees in accordance

with Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.

29. Unless otherwise agreed by the Local Planning Authority in writing, development for each phase other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment per phase, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments:
- iii. an appraisal of remedial options, and proposal of preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). How to assess and manage the risks from land contamination

1. Submission of Remediation Scheme.

A detailed remediation scheme per phase to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

2. Implementation of Approved Remediation Scheme.

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification/ validation report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

3. Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work must stop, and it must be reported immediately by telephone and in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 above, which is the subject of the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

4. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over the required period, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's Land Contamination Risk Management (LCRM). How to assess and manage the risks from land contamination

Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives

1. Ordinary Watercourse (Land Drainage) Consent

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), you need consent from the Lead Local Flood Authority if you want to carry out works within the banks of any ordinary watercourse which may alter or impede the flow of water, regardless of whether the watercourse is culverted or not. • Consent must be obtained before starting any works on site. It cannot be issued retrospectively. • Sites may be inspected prior to, during and after the issuing of consent. • Unconsented works within the highway or sustainable drainage system may prevent the adoption of highway and sewer assets. • Applications to culvert an existing open ordinary watercourse will generally be refused. • Enforcement action may be taken against unconsented work. For the avoidance of doubt, once planning permission has been obtained it does not mean that Ordinary Watercourse Consent will be given. It is strongly advised that you obtain any required consent before or concurrently as you apply for planning permission to avoid delays. You should contact the Lead Local Flood Authority to obtain Ordinary Watercourse Consent. Information on the application process and relevant forms can be found here: <https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse>

2. United Utilities Water main

A water main crosses / is located in the vicinity of the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: <https://www.unitedutilities.com/builders-developers/your-development/planning/buildingover-or-working-near-our-assets/working-near-our-pipes/>. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

3. Highway Notes:

- a) 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.
- b) The Applicant is advised to obtain the written approval of the Local Highway Authority for the details required under Condition 1, prior to the submission of such details to the Local Planning Authority in seeking to discharge the said condition. Such details, as may be submitted to the Local Highway Authority, could be subject to technical and safety assessments / audits, which may result in changes to the layouts and alignments as shown on any indicative layout(s) approved by virtue of the planning permission. The applicant is advised that the Local Planning Authority may reject details submitted to them for the discharge of the condition without evidence of technical approval from the Local Highway Authority.
- c) 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.

- d) This consent does not give approval to a connection being made to the County Council's highway drainage system. The applicant is further advised that highway surface water drainage system must not be used for the storage of any flood waters from the adoptable United Utility surface water system, or any private surface water drainage system.

4. Waste on site – advice to applicant

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on gov.uk

5. Waste to be taken off site – advice to applicant

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: Hazardous waste: consignee returns guidance

6. Reasonable Avoidance Measures

In accordance with the Wildlife and Countryside Act (1981) the Applicant is reminded to mitigate or avoid adverse environmental impacts and ensure reasonable avoidance measures are in place for terrestrial mammals, breeding birds, water voles.

7. Invasive species

Cotoneaster is present within the site boundary. Cotoneaster is listed on Schedule 9 of the Wildlife and Countryside Act and National Planning Policy Guidance applies. The applicant is reminded that appropriate methods shall be used to prevent the plant/s spreading further, including demarcation as well as ensuring methods of control.

8. Archaeological Investigation

The programme of field investigation should include an initial strip, map and sample exercise, followed by such subsequent work as required to investigate and record any remains encountered. This work should be carried out by an appropriately qualified and experienced professional archaeological contractor to the standards and guidance set out by the Chartered Institute for Archaeologists (www.archaeologists.net). Lists of suitable contractors are available on the following websites: Chartered Institute for Archaeologists (CIFA) <http://www.archaeologists.net/> British Archaeological Jobs and Resources (BAJR) <http://www.bajr.org/>

9. Automatic Closers

The developer may wish to consider fitting automatic closures on all loading bay doors on each unit. Fitting automatic closures on all loading bay doors will reduce the risk of noise breakout from activities occurring inside the proposed units, thereby reducing the noise impact of operations on nearby sensitive receptors

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
- GN5 – Sequential Tests
- EC1 – The Economy and Employment Land
- EC2 – The Rural Economy
- 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.

13.0 SUSTAINABILITY IMPLICATIONS

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

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

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

15.0 RISK ASSESSMENT

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

16.0 HEALTH AND WELLBEING IMPLICATIONS

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

Background Documents

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

Equality Impact Assessment

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

Human Rights

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

Appendices

None.