

By email

30th April 2026

Dear Sir/Madam,

Re: Implementation of Planning Application Ref. 22/00348/FUL at Land Bounded By East Lancashire Road, Ormskirk Road and Knowsley Lane, Knowsley, L34 9EY.

This covering letter has been prepared on behalf of Caddick Developments to evidence the implementation of works associated with planning application ref. 22/00348/FUL.

A certificate of lawfulness application has been submitted that confirms works have been undertaken that constitute a 'material operation' and consequently work has commenced on site and the planning permission has been implemented in accordance with Condition 1.

The proposed works comprise the excavation and construction of foundation footings, formation of a drainage attenuation pond, and the erection of site hoarding to secure and manage the site during the construction phase.

The works undertaken to date comprise the excavation and construction of foundation footings, the formation of a drainage attenuation pond, and the erection of site hoarding. These operations have been carried out in accordance with the approved plans and are considered to constitute a material operation for the purpose of implementing the planning permission and that, in accordance with Section 191 (2)(a), no enforcement action may be taken, and that the Certificate should therefore be granted without delay.

The following materials have been submitted alongside this covering letter to evidence the start on site:

- Letter of Intent from Caddick Construction with scope of works duly noted and schedule of works appended.
- Plan to show the locations of implemented works on site which include foundation footings and drainage works.
- The plan also shows the location of the site hoarding and relates to Condition 17 (CEMP) which required a temporary fencing to the southeastern boundary of the site to be installed prior to the commencement of works.

- Images of onsite works which include the drainage ponds, foundation trenches and boundary fencing which are timestamped.
- S106 pre-commencement payment confirmation

Evidence of Commencement

Pursuant to Section 56(4) of the Town and Country Planning Act 1990 (as amended), development is taken to be begun on the earliest date on which a material operation is carried out. The Act defines "material operations" to include, among other things:

- Any work of construction in the course of the erection of a building (including foundations);
- The digging of a trench which is to contain the foundations of a building;
- The laying of underground mains, pipes, or other infrastructure.

The excavation and construction of trenches clearly fall within this definition, representing substantive works in connection with the erection of the approved industrial buildings. Similarly, the formation of the drainage pond involves engineering operations and infrastructure provision integral to the development, further evidencing implementation.

The erection of site hoarding, while ancillary in nature, forms part of the preparatory works facilitating the lawful commencement and safe execution of the development.

Compliance with Planning Conditions

All pre-commencement conditions attached to the planning permission have been duly discharged, or otherwise complied with, prior to the undertaking of the above works. The commencement has therefore been undertaken lawfully and in full accordance with the requirements of the permission.

Alignment with National Planning Policy

The timely implementation of the planning permission aligns with the objectives of the National Planning Policy Framework (NPPF), particularly in ensuring that approved developments are delivered without undue delay and contribute to economic growth (Section 6).

Furthermore, the incorporation of drainage infrastructure at an early stage reflects compliance with national guidance on sustainable drainage systems (SuDS), as set out in Planning Practice Guidance (PPG), ensuring that environmental considerations are embedded from the outset of development.

Conclusion

On the basis of the works undertaken, namely the excavation and construction of foundation footings, the formation of a drainage pond, and associated site preparation works, material operation has occurred in accordance with Section 56(4) of the Town and Country Planning Act 1990.

Accordingly, the planning permission has been lawfully implemented within the prescribed time period and remains extant. We trust this confirms the position. Should you require any further information or supporting evidence, please do not hesitate to contact us.

Yours Sincerely,

Victoria Coleman

Senior Planner

On Behalf of NJL Consulting (Manchester) Ltd