

Lancashire County Council

Development Control Committee

Wednesday, 13th September, 2017 at 10.00 am in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No.	Item	
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| 1. | Apologies for absence | |
| 2. | Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda. | |
| 3. | Minutes of the last meeting held on 19 July 2017

The committee are asked to agree that the Minutes of the last meeting held on 19 July 2017 be confirmed and signed by the Chair. | (Pages 1 - 2) |
| 4. | South Ribble Borough: Application number LCC/2017/0055
Change of use of unit 116 to waste processing and storage facility including new canopy, development of external tank farm (16 tanks), proposed new building on unit 118, raising of roof height on unit 117 and relocation and consolidation of car parking spaces at units 116 to 118, Clydesdale Place, Moss Side Industrial Estate, Leyland. | (Pages 3 - 16) |
| 5. | South Ribble Borough: application number LCC/2017/0001
Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle-track connecting to Howick Moor Lane, water attenuation pond, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages, Penwortham, Preston. | (Pages 17 - 46) |

6. **Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.** (Pages 47 - 50)

7. **Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

8. **Date of Next Meeting**

The next meeting of the Development Control Committee will be held on Wednesday 25 October 2017 at 10.00 a.m. in Cabinet Room B - the Diamond Jubilee Room, County Hall, Preston.

I Young
Director of Governance,
Finance and Public Services

County Hall
Preston

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 19th July, 2017 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

M Barron	J Marsh
S Clarke	M Pattison
K Ellard	P Rigby
D Foxcroft	A Schofield
S Holgate	

1. Apologies for absence

Apologies for absence were received on behalf of County Councillor M Dad.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillors B Yates and J Marsh declared a non pecuniary interest in agenda Item 4 as members of South Ribble Borough Council.

3. Minutes of the last meeting held on 28 June 2017

Resolved: That the Minutes of the meeting held on the 28 June 2017 be confirmed and signed by the Chair of the Committee.

**4. South Ribble Borough: Application number LCC/2017/0029
New primary, secondary and tertiary treatment plant with new
sludge treatment plant, extension of the waste water treatment
works, ground reprofiling with surplus excavated material, and
landscaping at Blackburn Waste Water Treatment Works, Cuerdale
Lane, Samlesbury**

A report was presented on an application for a new primary, secondary and tertiary treatment plant with new sludge treatment plant, extension of the waste water treatment works, ground re-profiling with surplus excavated material, and landscaping at Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury.

The report included the views of South Ribble Borough Council, the County Council's Highways Development Control, County Ecology Service, County Archaeology Service, the Environment Agency, Natural England and details of two letters of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial photograph of the site and the nearest residential properties. The Committee was also shown an illustration of the existing and proposed site layout plans, landscaping works and photographs of the site from various viewpoints.

Officers responded to concerns raised by the Committee with regard to the potential for noise and odour, following which it was:

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the Committee.

5. Planning Applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

It was reported that since the last meeting of the committee on 28 June 2017, one planning application had been granted planning permission by the Head of Service Planning and Environment in accordance with the County Council's Scheme of Delegation.

Resolved: That the report be noted

6. Urgent Business

There were no items of urgent business.

7. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 13 September 2017.

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston

Agenda Item 4

Development Control Committee

Meeting to be held on 13th September 2017

Electoral Division affected: Moss Side and Farington

South Ribble Borough: Application number LCC/2017/0055

Change of use of unit 116 to waste processing and storage facility including new canopy, development of external tank farm (16 tanks), proposed new building on unit 118, raising of roof height on unit 117 and relocation and consolidation of car parking spaces at units 116 to 118, Clydesdale Place, Moss Side Industrial Estate, Leyland.

Contact for further information:

Robert Hope, 01772 534159

DevCon@lancashire.gov.uk

Executive Summary

Application – Change of use of unit 116 to waste processing and storage facility including new canopy, development of external tank farm (16 tanks), proposed new building on unit 118, raising of roof height on unit 117 and relocation and consolidation of car parking spaces at units 116 to 118, Clydesdale Place, Moss Side Industrial Estate, Leyland.

The application is accompanied by an Environmental Statement and Non-Technical Summary under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Recommendation – Summary

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, planning permission be **granted** subject to conditions controlling time limits, working programme, building materials, surface water management, highway matters, landscaping.

Applicant's Proposal

This application is for a change of use of unit 116 from general industrial/storage to waste processing and storage facility including a new canopy, development of an external tank farm (16 tanks), proposed new building extension at unit 118, raising of roof height on part of unit 117 and relocation and consolidation of car parking spaces associated with units 116 to 118 to the front of Unit 118 Clydesdale Place, Moss Side Industrial Estate, Leyland.

The extension at the rear of Unit 118 (Unit 118A) would measure approximately 12m x 13m x 7.2m high and would be constructed of insulated brown steel cladding with a lower band of facing brick to match the existing buildings.

The change of use of unit 116 would also include the creation of a tank farm comprising up to 16 tanks (4 of which would be relocated from within the existing yard area to Unit 117A) within an area of approximately 15m x 15m to the rear of the unit. The tanks would be approximately 11m high and between 2.5 and 3.5m diameter. To the front of Unit 116 a steel framed canopy measuring approximately 20m x 15m by up to 5.5m high would be constructed over a yard storage area. The site would be secured at the road frontage by 2.4m high silver steel palisade fencing. The yard area of 117A would be extended to the side of Unit 116 and would incorporate a new yard entrance gate.

The height of the part of the building of Unit 117 would be increased by approximately 5.5m to match the roof line of the other buildings within the unit. The building would be steel clad to match existing.

The creation of a canopy covered storage area at Unit 116 and extension of the yard area of Unit 117A would result in the loss of a small area of car parking. To compensate, a new area of car parking would be constructed to the front of Unit 117 and 118 on an area that is currently amenity grass landscaping. The car parking would incorporate surface water attenuation measures and the area constructed on amenity grass would be surfaced with grass block or similar system for aesthetic and an additional sustainable drainage solution. Landscape screening would also be provided. The site as a whole currently has 21 parking spaces taking account of those available to Unit 116 and 117/118. The proposed reconfigured and consolidated parking area would provide 40 spaces for cars and 2 additional spaces for the mobility impaired.

A steel/polycarbonate smoking shelter measuring approximately 4m x 2.6m x 2.3m high and a bike shelter measuring 2.1m x 4.1m x 2.1 would also be provided.

Description and Location of Site

The proposed development would be at an existing waste transfer station located at 117 - 118 Clydesdale Place on Moss Side Industrial Estate approximately 2km west of Leyland town centre. The site includes industrial buildings largely clad in brown/grey profile metal sheeting and a service yard and external tanks. An electricity pylon is located towards the south of the service yard and high voltage overhead wires cross the south west of the site. The site is adjacent to a range of business units. The nearest residential properties are approximately 100 metres south of the site.

The proposal also includes the formal change of use of an adjacent unit (116), which currently has a general industrial/storage use.

Background

History

The application site falls within an existing industrial site that was first established with permission for business, general industrial and storage uses. This included unit 116.

Planning permission was granted in 1991 for the storage, processing and transfer of contaminated waste solvents on part of the site (Unit 117A) (ref. 07/91/343).

Retrospective planning permission was granted in March 2007 for the use of the site (Units 117 and 118) for the recovery of waste solvents (ref. 07/07/0071).

Planning permission was granted in 2008 for the siting of 4 steel storage tanks (ref. 07/08/0772)

Planning permission was granted on 9 December 2015 for a proposed roof alteration to house additional tanks (ref. LCC/2015/0099).

Planning permission was granted on 25 May 2016 for a proposed roof alteration to house additional tanks (larger dimensions than under application LCC/2015/0099) (ref. LCC/2016/0025).

Planning Policy

National Planning Policy Framework

Paragraphs 11 – 16, 17 and 56 of the NPPF are relevant with regard to the definition of sustainable development, core planning principles and requiring good design.

National Planning Policy for Waste – section 7 is relevant with regard to the determination of planning applications.

Planning Practice Guidance accompanying the NPPF (PPG) -

Joint Lancashire Mineral and Waste Development Framework Core Strategy DPD - Managing our Waste and Natural Resources (JLMWDF)

Policy CS8 Identifying Capacity for Managing our Waste

Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy WM2 Large Scale Built Waste Management Facilities

Policy WM3 Local Built Waste Management Facilities

Policy DM2 Development Management

Central Lancashire Adopted Core Strategy (CLACS)

Policy 3 Travel

Policy 9 Economic Growth and Employment

Policy 10 Employment Premises and Sites

Policy 17 Design of New Buildings
Policy 29 Water Management

South Ribble Local Plan 2015 (SRLP)

Policy E2 Protection of Employment Areas and Sites
Policy F1 Parking Standards
Policy G7 Green Infrastructure – Existing Provision
Policy G17 Design Criteria for New Development

Consultations

South Ribble Borough Council – Object on the grounds that the proposed car parking area encroaches on land allocated as 'Green Infrastructure' under the provisions of Policy G7 of the SRLP. Should permission be granted then conditions are recommended in relation to electric vehicle recharge points, a travel plan, and cycle storage provision.

Environment Agency – No objection. There is an existing Environmental Permit which may require a variation should process arrangements change.

Health & Safety Executive – No objection.

LCC Highways Development Control – No objection. The site is situated on an industrial/business park with excellent connection to the local and strategic highway network and the proposal would be likely to have a negligible impact on highway safety and capacity. Site gates should open into the site rather than onto the highway to which the applicant has confirmed this would be the case.

National Planning Case Work Unit – No comments received.

Lead Local Flood Authority – No objection subject to a condition to control surface water discharge from the car parking areas.

Representations – The application has been advertised by press and site notice, and neighbouring properties informed by individual letter. Representations objecting to the application have been received from a local business and landowner with objections raising the following summarised issues:

- The application site is not allocated in the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) for waste development.
- The proposed development would fail to comply with Policy DM2 of the JLMWLP with potential adverse impacts on residential amenity, concerns regarding waste storage, Unit 116 is adjacent to a catering business and any waste storage or spillage could generate environmental health concerns, there has been an explosion and leakage at one of the applicant's other sites, waste storage tanks would be sited under electricity transmission cables, there could be air quality issues with pungent odours.

- HGVs from the applicant's business currently cause traffic issues by queuing on the road. The Transport statement makes reference to the use of 134 Clydesdale Place as a holding area. However, this area does not form part of the application area or as part of other land in the applicant's ownership.
- There is no reference to the frequency, timing or routing of vehicles.
- HGVs would add to CO₂ emissions.
- The proposal includes a turning circle in the yard but the applicant is not complying with a current conditional requirement to exit the site in forward gear.
- The revised parking would have an adverse impact on the parking for Unit 119 and the loss of the grassed area would cause disruption during construction.
- The proposal would result in over development of the site and a roof line some 5m above the existing height of unit 119 which would not be in keeping.
- The proposal is contrary to paragraph 7 of the NPPF in that it would not seek to minimise pollution and waste and would not reduce CO₂, it would affect the health and wellbeing of other users and it is the wrong type of development in the wrong place.

Advice

The use of the existing site (units 117-118) for waste operations including storage and management of waste solvents has already been established through the granting of planning permissions for such uses in 1991 and 2007. The facility also has an Environmental Permit issued by the Environment Agency. In December 2015 permission was granted for an extension to the roof line of the existing building to provide more space to house internal storage tanks (ref LCC/2015/0099). Following that approval, the site operator concluded that the structural design was not fit for purpose and therefore sought further approval for an amended design (ref. LCC.2016/0025). This permission has been implemented.

Unit 116 is a general industrial/storage unit that was previously used by a mini-bus company for storage of vehicles and light maintenance works and is currently serving a general storage function for the applicant. Therefore the site appears to have an established B2 (general industrial) / B8 (storage) use. In some circumstances the management of waste materials to include processing and storage could constitute a B2/B8 use particularly in relation to non-hazardous materials and this alone wouldn't necessarily constitute a material change of use. However, a significant proportion of the waste managed at the existing site is of a hazardous nature and if the processing or storage of a hazardous substance in such circumstances would result in the presence of a notifiable quantity, the development would be specifically excluded from the B2 use category and therefore planning permission is required. However, a general industrial/storage use could operate here without the need for separate planning permission.

The applicant has stated that the proposed development would allow them to optimise existing operations allowing greater segregation of hazardous and non-hazardous wastes, and ease congestion by improving access and management of delivery vehicles. The site is permitted to accept a range of hazardous and non-hazardous wastes, and treatment activities include filtration and flocculation using a

reaction tank and filter press, blending and bulking of liquid waste, and shredding of solid waste. The relocated and extended tank farm would allow both loading and off-loading at the same time, which is not currently possible. The proposed development could therefore provide additional internal yard space for manoeuvring and reduced congestion on the highway.

Because the proposed development includes the chemical treatment of hazardous waste it falls within development requiring Environmental Impact Assessment under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. Consequently, the planning application is accompanied by an Environmental Statement to assess the impacts associated with the management of hazardous waste. Potential impacts have been considered and in view of existing and proposed mitigation in the form of contained storage, impermeable pavements, sealed drainage and management controls set through the Environmental Permit, there is unlikely to be any significant effects on the environment including local businesses and residents (the nearest residents are located over 100m away).

With regard to pollution control, paragraph 122 of the NPPF makes it clear that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The waste management facility operates under an Environmental Permit and it should be assumed that the permitting regime operates effectively. The Environment Agency and South Ribble Borough Council Environmental Health have both raised no objections in this respect.

Policy E2 of the South Ribble Local Plan (SRLP) states that land is protected for employment uses including, general industrial or storage and distribution (Use Classes B1, B2 and B8). Supporting commentary emphasizes that there are many industrial and business premises within the borough which are essential to its prosperity and that the ability for existing firms to expand is seen as a main component of job retention and creation. The local plan acknowledges that whilst a high proportion of the existing industrial and employment land is largely developed, there may be scope for the expansion of existing uses.

Policies WM2 and WM3 of the JLMWLP seek to direct waste management facilities towards specific industrial estates that are recognised for their suitability. When opportunities for development at these sites are not available developers can look to other vacant previously developed sites that can provide equally good or improved access to the road network. The operator has an existing facility on an industrial estate with good access to the existing road network. In this respect it is considered that the proposal is compliant with these policies.

Policy DM2 of the JLMWLP supports development for minerals or waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and

neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

Policy 17 of the Central Lancashire Core Strategy is entitled 'Design of New Buildings' and requires new buildings to take account of the character and appearance of the local area. Similarly, policy G17 of the South Ribble Local Plan 2015 requires, *inter alia*, development to be well related to neighbouring buildings and the locality in terms of its size, scale and intensity, and that development should not prejudice highway safety, pedestrian safety, or the free flow of traffic.

In terms of the design, it is considered that the proposed extension would have a limited effect on the surrounding area given the size and scale of the existing site and the nature, scale and variety of other existing industrial buildings in the surrounding area. The proposed building materials would match the existing building.

The land that would accommodate the proposed car parking area falls within an area of amenity grassland on the periphery of the industrial estate. The grassland is allocated as green infrastructure within the SRLP (Policy G7). The policy states that development, which would involve the loss of green infrastructure will not be permitted unless there would be alternative provision, or it can be demonstrated that the retention of the site is not required to satisfy a recreational need in the local area, and the development would not detrimentally affect the amenity value and the nature conservation value of the site. Given the location on an existing industrial estate, it is considered that the site is not required for recreational need and the proposed car park would be designed with no detrimental impact on the amenity value of the site. Further details of car park construction and landscaping, which could be controlled by condition, would add interest from an amenity perspective and add value to biodiversity interest.

The applicant has provided a drainage statement to support the proposed car parking development. This initially included details of an area of impermeable surfacing close to the building and a sustainable drainage soakaway system for the proposed new car parking area on existing grassland. However, the drainage statement did not provide sufficient information to demonstrate that a soakaway system would work or that alternative surface water management options would be feasible. The Lead Local Flood Authority objected on this basis. The applicant subsequently provided further details and evidence, which concluded that the only viable option would be to discharge surface water to the sewer at a restricted flow rate, which United Utilities have accepted. This would be achieved through the incorporation of underground surface water attenuation tanks. The proposed surface water management is now considered acceptable subject to a recommended condition for further details.

One of the issues, as raised by a neighbouring business, is the potential impact of the increased waste storage capacity on traffic generation outside the premises and on Clydesdale Place. The applicant has submitted a Transport Statement that identifies the current highway and parking arrangements and concludes that the proposed development would have no significant impact on the highway network. The majority of Clydesdale Place is an adopted public highway and serves a range

of business units and there is competition for parking within the wider site. A section of Clydesdale Place approaching the applicant's yard has been formally stopped up and is therefore no longer public highway. This has provided the opportunity to incorporate additional land into the proposal to extend the yard area including provision for a turning circle. The applicant's business is already present and although the proposal would provide potentially greater capacity and expansion of the business into a neighbouring unit, it is considered that any increase in vehicle movements would not be of a scale to warrant refusal of planning permission given the industrial setting of the site.

The applicant's Transport Statement does place some emphasis on the acquisition of another unit on the estate as a suggestion to providing a vehicle holding area, which could assist in reducing the need for roadside HGV waiting and parking closer to the main site. However, although this may happen as part of existing business operations it is considered that this would not be required to make the proposed development acceptable from a highway perspective and therefore there should not be relied upon in determining the application. There are no restrictions on vehicle movements or production output at the industrial estate and therefore traffic levels could ebb and flow at any time depending on market activity or the nature of businesses within each unit. The applicant has stated that the site usually generates some 70 to 90 HGV deliveries per week carrying payloads ranging from 10-25 tonnes, which equates to 10-13 vehicles per day.

The County Council's Highway Development Control section has raised no objection and has commented that the site is situated on an industrial/business park with excellent connection to the local and strategic highway network and the proposal would be likely to have a negligible impact on highway safety and capacity. It has been recommended that site gates should open into the site rather than onto the highway to which the applicant has confirmed this would be the case.

When determining the previous application at the site, and following a site visit, the Development Control Committee raised concerns about the lack of sufficient HGV manoeuvring capability within the yard area. Consequently, it was approved subject to a condition requiring the submission of details and the provision of a turning circle prior to commencement of development. Those details were submitted and approved. Ability to enter and exit the site in a forward gear to minimise the risk of highway safety issues also forms part of this proposal and a condition is recommended accordingly.

In terms of car parking provision, there are currently 21 spaces taking account of those available to Unit 116 and 117/118. The proposed reconfigured and consolidated parking area to the front of unit 117/118 would provide 40 spaces for cars and 2 additional spaces for the mobility impaired. A cycle shelter to accommodate 6 bicycles would also be provided. This level of provision is appropriate bearing in mind the existing arrangements and would provide some relief from the general on-street parking pressures locally. South Ribble Borough Council's Environmental Health Officer (EHO) has recommended that the proposal be subject to a condition requiring the provision of electrical vehicle recharge facilities to promote the adoption of electric vehicles and contribute to the reduction of local air pollution. The applicant is amenable to this proposal.

The EHO has also recommended that should permission be granted, a condition be imposed requiring a travel plan. However, in the circumstances of the nature and location of the development it is considered that a requirement for a travel plan would be unreasonable. The applicant will already be providing cycle storage facilities and showers, and the industrial estate is otherwise largely isolated from public transport options thereby restricting choice. The nearest bus stop is over 1km away and there is no railway station nearby. Furthermore, the applicant operates a varied shift system with some employees starting and finishing work at times when alternative transport options are more limited.

Overall it is considered that the proposed development would be acceptable and complies with the policies of the NPPF and the development plan.

Human Rights Considerations: The Human Rights Act 1998 requires the County Council to take into consideration the rights of the public, including the applicant, under the European Convention on Human Rights. Article 8 of the Convention provides that everyone has the right to respect for his private life and home unless such interference is in accordance with the law and necessary in a democratic society in the interests of, amongst other things, public safety, the economic wellbeing of the country or the protection of the rights and freedoms of others.

Article 1 of Protocol 1 provides that an individual's peaceful enjoyment of his property shall not be interfered with save as necessary in the public interest and subject to conditions provided for by law. Any interference with these rights is to be proportionate.

It is considered that the proposal will have little impact on the amenities of the nearest residential properties given the distance of properties to the site and that any potential impacts could be satisfactorily controlled by planning conditions.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

a) The Planning Application form dated 23.5.17

b) Submitted Plans and documents:

Drawing no. 2016-126-DA2, Rev E - Proposed Plan of Car Parking at the Front of Unit 117

Drawing no. 2016-126-A01, Rev E - Site Location

Drawing no. 2016-126-A02, Rev K - Proposed Plan of Alterations - Including External Tank Farm, Extensions 116A and 118A and Car Park Relocation and Extension

Drawing no. 2016-126--A04, Rev E - Proposed Extension to Unit 118 (unit 118A) - Proposed Plan and Elevations

Drawing no. 2016-126-A06, Rev A - Proposed Canopy to Unit 116 - Proposed Plan and Elevations

Email from Claire Gettinby dated 9 August 2017 with details of smoking shelter and bike shelter.

c) All details approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies 9, 10, 17 and 25 of the Central Lancashire Adopted Core Strategy and policies E2, G7 and G17 of the South Ribble Local Plan.

3. The building materials used for the external elevations and roof of the extensions shall match those used on the existing building.

Reason: In the interests of the visual amenities of the area and to conform with policy G17 of the South Ribble Local Plan.

4. The HGV turning area shown on drawing no. 2016-126-A02, Rev K - 'Proposed Plan of Alterations - Including External Tank Farm, Extensions 116A and 118A and Car Park Relocation and Extension' shall be retained at all times free from obstruction to allow HGV's to enter and exit the site in forward gear. HGVs shall not reverse out of the yard area of 117A Clydesdale Place at any time.

Reason: In the interests of local amenity and highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

5. Prior to the new car parking area being brought into use, 10% of the parking bays shall be provided with a fast (3-4 hour) electric vehicle recharge point. The charging points shall thereafter be retained in working order throughout the duration of the development.

Reason: To encourage the use of alternative fuel for transport purposes and to comply with Policy 3 of the Central Lancashire Core Strategy.

6. No development shall commence until a landscaping plan for the proposed car parking area has been submitted to and approved in writing by the County Planning Authority. The landscaping plan shall include details of:
- a) The location, numbers and types of tree/shrub planting within the site.
 - b) Details for the grass seeding of landscaping areas including mixes to be used and rates of application.
 - c) Details for the management of landscaping areas including maintenance of tree /shrub planting and mowing of grassland areas.
 - d) Details of the car park surfacing utilising grass block or similar (where previously amenity grassland).

The development shall be carried out in accordance with the approved landscaping plan. Tree/shrub planting shall be carried out in the first available planting season (the period between 1 October in any one year and 31 March in the following year) following completion of the construction phase of the car parking area and thereafter maintained for a period of 5 years.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policies G7 and G17 of the South Ribble Local Plan.

7. No development shall commence until details of a surface water sustainable drainage system for the car parking areas have been submitted to and approved in writing by the County Planning Authority. The total surface water discharge into the 1200mm diameter United Utilities surface water sewer for both car parks shall be restricted to 5 litres/second.

Thereafter the development shall be carried out in accordance with the approved details and the surface water sustainable drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To seek to ensure that drainage from the site can be adequately controlled and to minimise flood risk and to conform with Policy 29 of the Central Lancashire Core Strategy.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

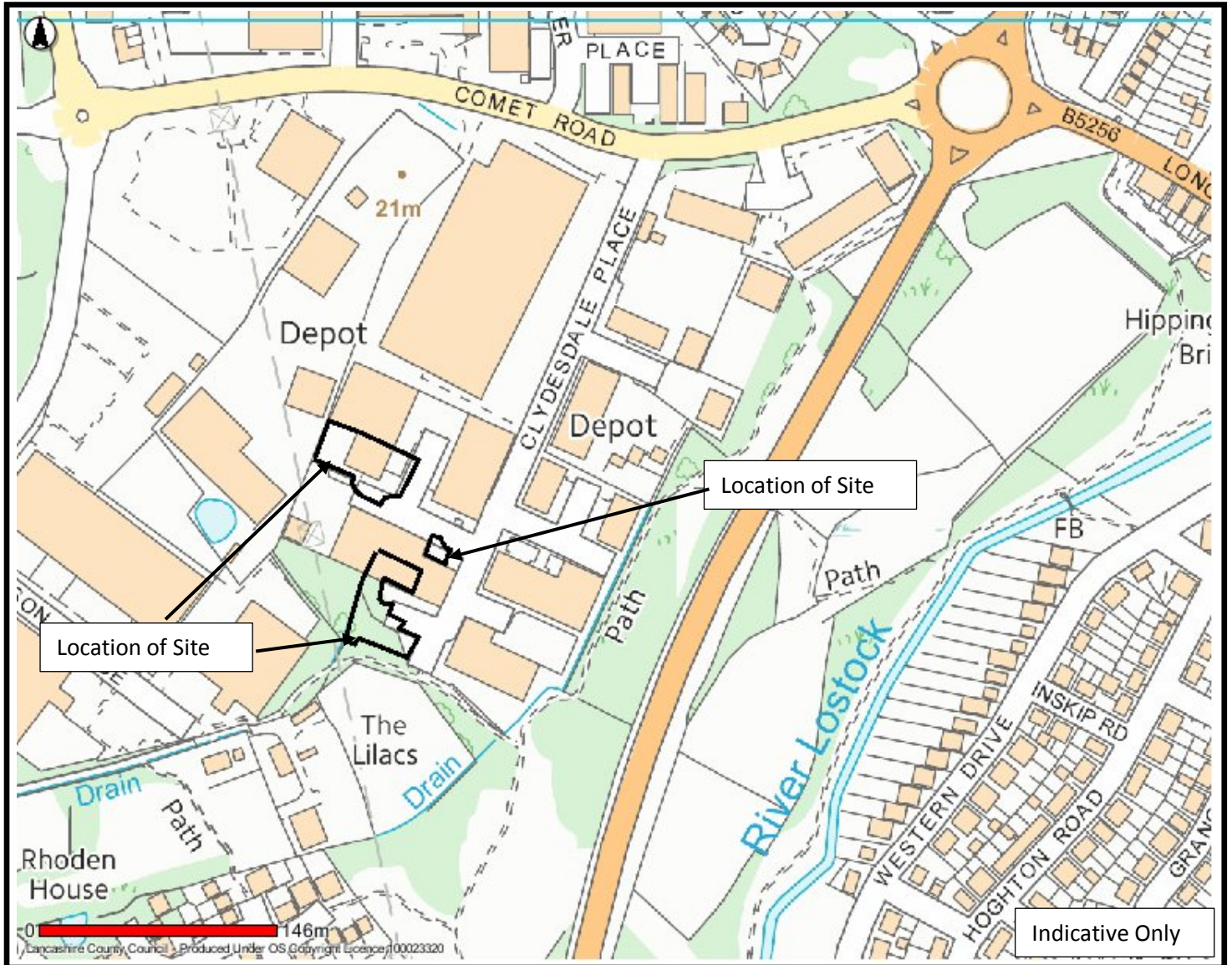
Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
LCC/2017/0055	August 2017	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2017/0055 CHANGE OF USE OF UNIT 116 TO WASTE PROCESSING AND STORAGE FACILITY INCLUDING NEW CANOPY, DEVELOPMENT OF EXTERNAL TANK FARM (16 TANKS), PROPOSED NEW BUILDING ON UNIT 118, RAISING OF ROOF HEIGHT ON UNIT 117 AND RELOCATION AND CONSOLIDATION OF CAR PARKING SPACES. UNITS 116 TO 118, CLYDESDALE PLACE, MOSS SIDE INDUSTRIAL ESTATE, LEYLAND



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Development Control Committee

Meeting to be held on 13th September 2017

Electoral Divisions affected: South Ribble Rural West, Penwortham North and Penwortham South

South Ribble Borough: application number LCC/2017/0001

Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle-track connecting to Howick Moor Lane, water attenuation pond, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages, Penwortham, Preston.

Contact for further information:

Robert Hope, 01772 534159

DevCon@lancashire.gov.uk

Executive Summary

Application – Construction of a new highway consisting of Penwortham Bypass (1.3 km long dual carriageway) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle-track connecting to Howick Moor Lane, water attenuation pond, landscape and ecological mitigation areas on land from the A582 Broad Oak roundabout to the A59 between Howick C of E Primary School and Blackhurst Cottages, Penwortham, Preston.

The application is accompanied by an Environmental Statement and Non-Technical Summary under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Recommendation – Summary

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to the Secretary of State not calling in the application for determination, planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, construction ecological management plan, hours of working, water resources, archaeology, highway matters, noise, dust, soils and overburden, ecology, and landscaping and habitat management and monitoring.

Applicant's Proposal

The application is for the construction of a new highway (the Penwortham Bypass) together with temporary soil storage and contractor areas, acoustic fencing, the relocation of school playing fields, combined cycle track connecting to Howick Moor Lane, water attenuation pond, landscape and ecological mitigation areas.

The total area of land required for the construction of the road is approximately 27.5 hectares comprised of approximately 4.25ha for carriageway/footways, 0.79ha for highway verges, 0.4ha for earthworks with 5.36ha for the relocated playing fields. The rest of the land (16.7ha) would be used for landscape and ecological mitigation and enhancement, including wildlife ponds and a large surface water attenuation pond.

The proposed road would be approximately 1.3km long and 26m wide consisting of a four lane dual carriageway and a 2.5m wide concrete central reservation and 2.5m grassed verge on both sides. Once operational, a 50mph speed limit is proposed.

A mix of 3m high acoustic fencing, and 1m high acoustic fencing placed on top of 2m high earth bunding would be constructed along the northern side of the highway verges of the bypass and including sections of Golden Way. Additionally, the replacement playing fields would be enclosed by weld mesh security fencing 2m high alongside Howick Moor Lane and to the rear of Blackhurst Cottages, and variable heights of 2m, 3m and 4m between the new bypass road and the playing fields.

The vertical alignment of the scheme has been designed to minimise the environmental impact of the road by using shallow cuttings and shallow embankment to maintain the existing contour patterns as far as possible. Cutting slopes would be constructed at a typical gradient of 1 in 3 and embankment slopes would be mainly constructed at a gradient of 1 in 2. The difference between existing and proposed levels would be up to around 2m.

There would be no footway or cycleway provision along the mainline of the Penwortham Bypass itself apart from a small section close to the A582 Broad Oak Roundabout. Footpath FP63 is crossed by the scheme. This would be temporarily closed during construction but would become incorporated into the road scheme during operation. Rather than crossing the carriageway, pedestrians would be invited to follow the footway and cross at the Broad Oak Roundabout. Consequently, there would not be a requirement to divert or stop up the footpath as previously anticipated. The existing cycleway and footway on the A59 Liverpool Road would be realigned to tie in with the Penwortham Bypass junction. Toucan crossings would be provided at the new junction with the A59, on Broad Oak Roundabout and adjacent to Howick C of E Primary School.

Cycle users would be encouraged to use Howick Moor Lane as this offers a quieter more attractive route. A new combined cycle-track would be provided from Broad Oak Roundabout to Howick Moor Lane.

The scheme would be lit along its junctions and approaches only. The bypass lighting columns would vary between 8 – 15m in height with the lower heights closer to the electricity transmission overhead lines. The extension of National Cycle Route 62 would also be lit and would tie into the existing lighting scheme at Howick Moor Lane. The lighting columns would be 5m in height and fitted with shields to mitigate any light spillage and avoid impact on neighbouring residential properties.

The scheme would take approximately 18 months to construct including the provision of replacement playing fields for All Hallows Catholic High School, which would be built prior to commencement of road construction operations.

The application is accompanied by an Environmental Statement and Non-Technical Summary under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Description and Location of Site

The proposed bypass would be located on agricultural land and school playing fields designated as Green Belt between the A582 Broad Oak roundabout and the A59 between Howick C of E Primary School and Blackhurst Cottages. The site also contains trees and field boundary hedgerows and a pond feature. Land to the north of the site is characterised by the southern fringe of the Higher Penwortham urban area including All Hallows High School some 100m from the northern edge of the proposed carriageway. Immediately to the south is the Mill Brook watercourse, which is classified as a main river. Beyond this is Lindle Lane along which are a number of farms, residential properties and a school at varying distances from the bypass of between 200-300m. Two isolated residential properties at Blackhurst Cottages are located on Liverpool Road (A59) some 50m north of the proposed bypass. Howick C of E Primary School (including playing field) is located approximately 150m to the south west. The proposed road would pass within 30m of properties at Acorn Close as it approaches Broad Oak roundabout. Electricity transmission overhead lines cross the site.

Background

Under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009 local planning authorities must consult the Secretary of State before granting planning permission for certain types of development that the authority does not propose to refuse planning permission. The Secretary of State may direct that any particular planning application should be called in for determination. Of relevance to this application is inappropriate development on land allocated as Green Belt, which consists of development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt. In the advice section of this report it is concluded that the proposed highway would be inappropriate development in the Green Belt and that the impact on openness would be significant. Therefore the application must be referred to the Secretary of State should the Committee resolve to approve the application.

History

There is no relevant planning history in relation to the application site.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 6 – 16, 74, 79-92, 109-118, and 162 are relevant with regard to the definition of sustainable development and the operation of the planning system, protecting playing fields, promoting healthy communities, protecting green belt land, conserving and enhancing the natural environment and in relation to infrastructure.

Planning Practice Guidance accompanying the NPPF (PPG)

Central Lancashire Adopted Core Strategy (CLACS)

Policy 3	Travel
Policy 18	Green Infrastructure
Policy 22	Biodiversity and Geodiversity
Policy 24	Sport and Recreation
Policy 29	Water Management
Policy 30	Air Quality

South Ribble Local Plan (SRLP)

Policy A3	The completion of the Penwortham Bypass
Policy G1	Green Belt
Policy G7	Green Infrastructure – Existing Provision
Policy G13	Trees, Woodland and Development
Policy G16	Biodiversity and Nature Conservation
Policy G17	Design Criteria for New Development

Community Involvement

The application is accompanied by information to highlight that the proposed scheme has been through many stages of consultation, through planning policy documents, and direct consultation with local residents on the proposed bypass route.

Lancashire County Council has produced Highways and Transport Masterplans for Lancashire. The Central Lancashire Highways and Transport Masterplan was adopted in March 2013. This contains options for major improvements to highways, public transport and walking and cycling facilities to make sure the area can realise its potential for economic growth. The proposed bypass is part of the Central Lancashire Highways and Transport Masterplan and the Plan went through a public consultation period between January and February 2013. The public had six weeks to respond and provide their views on the scheme.

Likewise, the South Ribble Local Plan 2012-2026 went through several stages of consultation. The Preferred Options consultation ran from November 2011 until December 2011. This consultation predates the Central Lancashire Highway and Transport Masterplan but there was reference to the bypass and the need to

safeguard the route from development within the consultation. The proposed Penwortham Bypass had two alternative alignments - the Blue and Brown Route. The Blue Route would join the A582 Broad Oak Roundabout to a new roundabout junction with the A59 Longton Bypass with a link to Chapel Lane. The Brown Route (as proposed in this planning application) joins the A582 Broad Oak Roundabout to a new junction on A59 Liverpool Road in between Howick C of E Primary School and Blackhurst Cottages.

The application states that the publication stage of the South Ribble Local Plan 2012-2026 took place in July 2012 for six weeks and that no comments were made on the Penwortham Bypass during this consultation. The South Ribble Local Plan 2012-2026 was submitted in October 2012 for examination by the Secretary of State and it was partially adopted in November 2013 and fully adopted in July 2015 with the Penwortham Bypass (Brown Route) safeguarded by Policy A3 and as shown on the Policies Map.

Consultation on the preferred route alignment took place in September 2014 for six weeks. It entailed a series of events in the local area alongside web-based and media information, which presented the technical justification to the choice of route and invited comments from the public. There were a range of issues raised including environmental impact, perceived increased congestion, and design and alignment. Further pre-application consultation took place for six weeks from 6 June to 15 July 2016.

Consultations (summary of responses)

South Ribble Borough Council – No objection. It is requested that account be taken of quiet road surfacing, high quality landscaping and visual screening, a Pegasus crossing should be included at the eastern end of the bypass to facilitate adequate crossing for pedestrians, cyclists and horses, and noise mitigation and noise control conditions.

Hutton Parish Council – No comments received.

Penwortham Town Council – Object on the grounds that the bypass would be on protected Green Belt land and flood plain. Objections also raised as there is no parking provision for visitors to the sports pitches contrary to Policy F1 of the South Ribble Borough Council Local Plan. Not including parking will only create parking issues on Howick Moor Lane and the surrounding area. Object to the current planning application as this removes the true route of the numbered footpaths FP38 and FP63. Object on the grounds that the planning application contravenes Lancashire County Council's own policy of not building on school playing fields. LCC should consider looking again at the blue route. The brown route as proposed in this application will bring further traffic movements and the associated pollution closer to the residential town of Penwortham.

Should LCC Development Control be minded to approve the application Penwortham Town Council urge that a number of issues be resolved prior to approval including sports pitch parking, consideration of a speed limit along the A59 from Crookings Lane to Howick as fewer vehicle movements on this stretch of

highway will lead to a higher average speed along a residential highway, parking for parents attending Howick Primary School to allow for off road boarding and alighting of school children, and greater consideration be given to the crossing at the junction of the bypass and the A59.

County Ecology Service – Has highlighted that the effects of roads on biodiversity have been widely studied and are known to include direct loss of habitat; barrier effects; fragmentation and isolation; disturbance, degradation and pollution; and traffic collision. Therefore it is likely that any new dual carriageway would result in adverse effects on biodiversity. The County Council Ecology Service recommend that should the application be approved, then mitigation and compensation for the impacts would need to be secured by planning conditions in relation to further details for landscaping and habitat establishment, management and monitoring, and protection of nesting birds.

Environment Agency – No objection subject to a condition relating to flood risk measures.

LCC Highways Development Control – No objection subject to the delivery of the highway scheme as designed which is in accordance with all current standards together with all sustainable changes ensuring that the wider network provides for non-motorised modes. Planning conditions are suggested to ensure that the impacts of construction are safely and suitably managed and to ensure that the scheme operates effectively and is monitored accordingly.

National Grid. - National Grid does have apparatus in the vicinity of the site including gas pipes and electricity transmission overhead lines. The applicant must contact National Grid to discuss the proposal further.

LCC Public Rights Of Way – No comments received.

County Archaeology Service – No objection. A condition is recommended in relation to archaeological recording and analysis.

National Planning Case Work Unit (Secretary of State) – No comments to make.

Natural England – No objection in terms of assessment against impacts on statutory nature conservation sites. Additionally, there should be opportunities to enhance the biodiversity of the site.

Sport England – No objection subject to controls over ground condition assessment, pitch construction, and management.

Ramblers' Association – No comments received.

Lead Local Flood Authority – No objection subject to conditions relating to flood risk and surface water management.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. 20 representations have been received raising the following summarised concerns:

- Visual impact of the proposal.
- Noise pollution for local residents and schools including the extent of noise mitigation works.
- Air pollution.
- Light pollution.
- Road safety issues for children walking along Liverpool Road/crossing for primary school.
- Need to ensure sports pitches are replaced.
- Parking/drop off areas needed for replacement pitches and access to schools.
- Traffic calming measures also needed on Lindle Lane.
- Damage to existing wildlife and trees.
- Traffic lights will hinder traffic flows.
- The bypass will solve nothing.
- Car parking issues associated with use of the playing fields.
- Road safety concerns for pedestrians/cyclists who will have to cross the bypass junction to cross the A59.
- Impact on Green Belt.
- Loss of a public footpath.
- Incomplete traffic flow and junction assessment data.
- The bypass would only provide the desired outcome with a corresponding proposal to build a road link across the River Ribble.
- Properties at Wingates, Hill Road South, Corncroft and Farfield along the A582 should also benefit from acoustic fencing.

Advice

The primary objectives of the proposed development are to reduce traffic in Penwortham town centre, which experiences very significant peak hour congestion; provide an opportunity to improve the highway environment in Penwortham town centre including measures to promote walking and cycling; improve access from the A59 to the motorway network on an appropriate road that does not pass through Penwortham; and, provide opportunities for bus priority on the A59.

The provision of a new bypass would also bring additional capacity to the network and improve accessibility and journey times into and out of Preston and better connectivity to the wider strategic road network, with accompanying benefits for the potential delivery of new development and economic growth in the wider area.

Policy

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) sets out the Government's Planning Policies and is a material consideration in planning decisions.

Lancashire County Council have also produced a series of Highways and Transport Masterplans. The purpose of the masterplans is to provide integration between the land use planning and transport planning systems and to ensure that investment in new transport infrastructure is properly planned and targeted to support areas of growth. The Central Lancashire Transport Masterplan includes proposals for a number of transport infrastructure improvements including the Penwortham bypass. The Government also awarded the Preston and South Ribble areas City Deal Status in September 2013. City Deal status was introduced by the Government as a way to drive economic growth in a number of targeted locations. The City Deal for Preston and South Ribble plans to deliver an economic regeneration programme over a ten year period. The City Deal allows the County Council to use forward funding to seek to deliver critical highway infrastructure, which in the Central Lancashire area includes the Broughton Bypass, Penwortham Bypass, improvements to the A582, the Preston Western Distributor Road as well as improvements to public transport infrastructure such as Preston Bus Station.

Policy 3 of the Central Lancashire Adopted Core Strategy (CLACS) presents a series of measures to improve travel including reducing the need to travel, opportunities for cycling and walking, improving public transport and improving the road network such as a bypass of Penwortham.

Policy A3 of the South Ribble Local Plan states that land will be protected from physical development for the completion of the Penwortham Bypass, as shown on the Policies Map (which is the same as the alignment subject of this application). Commentary to the policy highlights that the bypass would be an essential piece of infrastructure to enable economic growth, alleviate congestion through Penwortham and divert high levels of commuter traffic accessing Preston, and free up road space for local traffic, buses, pedestrians and cyclists. Future traffic growth is likely to bring increased pressure on the A582 and a need to provide a better link between the A59 and the M65 motorways.

Alternatives

The aims of the proposed development are set out above and therefore the 'do nothing' option would result in a perpetuation of traffic congestion issues through Penwortham town centre, poor access to the motorway network for areas west of Preston and limited opportunities to review alternative travel options in the locality.

The proposed Penwortham Bypass had two alternative alignments - the Blue and Brown Route. The Blue Route would join the A582 Broad Oak Roundabout to a new roundabout junction with the A59 Longton Bypass with a link to Chapel Lane. The Brown Route (as proposed in this planning application) joins the A582 Broad Oak Roundabout to a new junction on A59 Liverpool Road in between Howick C of E Primary School and Blackhurst Cottages.

The brown route is the preferred route over the blue route for the following key reasons:

- The brown route is as direct as possible between A59 and A582.

- The brown route has a minimal impact on land due to the directness of the route. It also avoids existing properties compared to the Blue Route that would require five properties to be demolished.
- The brown route is a more direct route and goes through less Green Belt land than the Blue Route.
- The brown route does not cross Mill Brook, which would generate additional environmental issues.
- The blue route would sever Lindle Lane and Saunders Lane.

Transport matters

The introduction of the Penwortham Bypass would aim to provide a significant net reduction in traffic flow through Penwortham. There would be a corresponding traffic flow increase on the A582 Golden Way, since this corridor would accept traffic diverted off the A59 Liverpool Road via the proposed Penwortham Bypass. The Penwortham Bypass would be anticipated to carry a two-way flow of approximately 22,000 vehicles in the 2019 opening year and 25,000 vehicles in the 2034 design year on average per day.

Baseline existing traffic flows illustrate that to the west, the A59 Liverpool Road has flows of up to 2,300 and 2,800 PCU's (passenger car units) per hour (between Leyland Road and Longton Bypass) across both directions in the AM and PM peak hours, respectively. To the east, the A582 Golden Way has flows of 1,700 and 2,300 PCU's across both directions in the AM and PM peak hours respectively to the north of the proposed Penwortham Bypass junction. Relatively high flows are also noted to the east of the A582 Golden Way on the B5254 Leyland Road, with flows of approximately 1,100 - 1,200 PCU's for both the AM and PM peak hours. Other routes of note are generally rat-runs to avoid congestion in the AM and PM peak hours, with next highest flows at Lindle Lane, Cop Lane, Pope Lane and Wham Lane with the maximum flows of roughly up to 800 PCU's an hour respectively, between the two peak hours.

The transport assessment assesses base line traffic flows in the locality and models the percentage flow change of links in the opening and design years, which confirms that a number of roads, such as the A59 Liverpool Road through Penwortham, Lindle Lane and Pope Lane, surrounding the proposed scheme would experience a very significant reduction in flow of between 40-70% in the AM and PM peak time periods. As expected the traffic flows are forecast to increase on the A582 Golden Way by more than 50%. The bypass would therefore be likely to deliver a significant reduction in traffic on various existing roads in the local area with consequent improvements in noise, air quality and reduction in congestion through Penwortham town centre.

It is recognised that a level of congestion currently occurs on Guild Way as vehicles from Penwortham merge with the main line towards Preston and a proportion of vehicles on Guild Way exit onto Junction Road/Channel Way resulting in lane changing conflict between merging and diverging traffic streams. A reduction in traffic originating from Penwortham and a consequent increase on the A582 would reduce lane changing as the dominant flow on the A582 would be in the appropriate lanes and therefore there would be some safety benefits at this junction

A representation has been received stating that there is no evidence as to the level of model validation and calibration which therefore casts doubt upon all of the conclusions made by its use, and therefore a full local model validation report and a forecasting report should be made available to judge the level of confidence in the reported traffic figures. Concerns are also raised in relation to proposed junction capacity. A local Model Validation report has subsequently been made available, which concludes that the traffic assessment model has been calibrated and validated using recommended measures and criteria. The analysis shows that the model exceeds acceptability guidelines for strategic road network performance, calibration traffic flows, and journey time validation requirements in each time period, which gives more confidence in the model's abilities to represent actual traffic conditions.

A new signalised junction and a signalised roundabout are proposed as part of the scheme, namely the A59 Liverpool Road / Penwortham Bypass signalised junction and the A582 Broad Oak Roundabout. The proposed junctions have been modelled using the industry standard junction modelling software package LinSig in order to measure the impact of traffic following construction of the proposed scheme. Analysis shows that the two signalised junctions would operate satisfactorily.

Assessment of the impact on the existing highway network junctions has been undertaken as a separate exercise for areas outside of the immediate application site. Proposals are in place to provide the necessary modifications to the existing Liverpool Road / Leyland Road T-junction and the A59 / Leyland Road roundabout in line with the traffic flow changes resulting from the Penwortham Bypass. As these works would be undertaken within the highway boundary they form part of a separate commission of works (that do not require planning permission) and would be delivered as a complementary measure in accordance with the proposed bypass.

Representation has been received that greater consideration be given to the crossing at the junction of the bypass and the A59, which is a busy crossing point for children attending Howick Primary, All Hallows and Hutton Grammar Schools. However, the application does provide for a signal controlled junction designed in accordance with the standards outlined in recommended guidelines. The junction would include separate left and right turn lanes from the A59 and the Penwortham Bypass respectively. These lanes would provide the opportunity to control traffic movements into Penwortham and allocate appropriate amounts of pedestrian green time at corresponding crossing points. The signal timing of traffic movements from Penwortham onto the A59 and the Bypass would also provide pedestrian green time at corresponding crossing points. Each crossing would also include a pedestrian push button allowing a crossing stage to be called early.

Users on the south side of the A59 (travelling to Hutton Grammar) currently cross an informal (uncontrolled) crossing at Lindle Lane. Use of this crossing can be awkward, particularly in the AM peak due to the volume of traffic using Lindle Lane as a 'rat run'. The proposed Penwortham Bypass should reduce rat running on Lindle Lane, in turn making the existing crossing at the junction of Lindle Lane easier and safer to navigate.

Under the present network arrangement, the north side of the A59 would appear more suitable for journeys between Hutton and Penwortham as conflicts at informal crossings on Lindle Lane and the Longton By-Pass could be avoided. Based on this, both existing and new users on both the south and the north side of the A59 would be able to safely navigate the proposed formal signal controlled toucan crossing points included in the proposed A59 junction design. There would also be the addition of a formal signalised crossing adjacent to Howick C of E Primary School replacing the existing informal crossing and providing improved north-south crossing opportunities on the A59.

The proposed bypass would involve the temporary closure of Public Footpath number 63 during construction working. On completion the footpath would be incorporated into the new highway arrangement with access maintained from the southern end of Howick Moor Lane to the new road, crossing at the pedestrian facilities (toucan crossings) provided on the A582 Broad Oak signalised roundabout and options of following the definitive route or the realigned combined cycle track between Broad Oak Lane and Golden Way. Interaction with, and proximity to, the road could detract from the attractiveness of the footpath. Conversely the proposed diversion route would result in improvements to the quality of the route as it would utilise dedicated surfaced paths and footways, increasing its amenity value. There would be no footway or cycleway provision along the mainline of the Penwortham Bypass itself apart from a small section close to the A582 Broad Oak Roundabout.

As footpath FP63 would be incorporated within the road scheme during operation there would not be a requirement to divert or stop up the footpath as previously anticipated. The existing cycleway and footway on the A59 Liverpool Road would be realigned to tie in with the Penwortham Bypass junction. Toucan crossings would be provided at the new junction with the A59, on Broad Oak Roundabout and adjacent to Howick C of E Primary School.

Cycle users would be encouraged to use Howick Moor Lane as opposed to the bypass as this would offer a quieter and more attractive route. A new combined cycle-track would be provided from Howick Moor Lane to the Broad Oak Roundabout thus providing a through route.

A representation has been received requesting traffic calming measures along Lindle Lane. However, it is considered that the bypass would result in a general reduction in use of Lindle Lane and therefore traffic calming measures on this road would be unreasonable and unnecessary.

During the construction phase of the development, there is the potential for debris to be tracked onto the highway. It is therefore reasonable to recommend a condition to seek to ensure that construction vehicle wheels would be clean prior to use of the public highway.

The scheme would be lit along its junctions and approaches only. The bypass lighting columns would vary between 8 – 15m in height with the lower heights closer to the electricity transmission overhead lines. The extension of National Cycle Route 62 would also be lit and would tie into the existing lighting scheme at Howick Moor Lane. The lighting columns would be 5m in height and fitted with shields to mitigate

any light spillage and avoid impact on neighbouring residential properties. The applicant has provided light contour drawings that illustrate that the lighting levels would not cause unacceptable light pollution at neighbouring residential properties.

Lancashire County Council's Development Control (Highways) has raised no objection and has suggested a number of suitable conditions controlling construction, operation and management of the bypass. Conditions are recommended accordingly to include the necessary and appropriate controls. A condition is also recommended in relation to the delivery of highway works to deter the passage of through-traffic at Penwortham town centre and to give sufficient assurance that the by-pass would achieve its aims.

Air Quality

Policy 30 of the Central Lancashire Core Strategy aims to improve air quality through delivery of green infrastructure initiatives and through taking account of air quality when prioritising measures to reduce traffic congestion.

The Environmental Statement includes an air quality assessment to consider the effects of air quality from the construction and operation of the new road. The report concludes that there would not be a significant effect on local air quality as a result of the scheme, and there would be no properties in exceedance of Government set Air Quality Objectives. Importantly, there is predicted to be an overall improvement in local air quality through Penwortham as a consequence of reduced traffic flows. This could result in the revocation of a South Ribble Borough Council Air Quality Management Area (From Kingsway to the north of Priory Lane; Queensway to Kingsway along the A59 Liverpool Road and up to and including property number 32 of Cop Lane).

South Ribble Borough Council, which has responsibility for environmental health functions has raised no objection and recognises that the bypass should substantially improve air quality along Liverpool Road. A condition is recommended in relation to the management of dust from construction working and a condition is recommended accordingly. With such a condition, the proposal would meet the requirements of Policy 30 of the Core Strategy.

Noise

One of the main concerns raised relates to the potential for unacceptable noise pollution. Paragraph 123 of the NPPF states that *planning policies and decisions should aim to:*

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*

- *Identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

Assessment of 'significant adverse impacts' is directed to the DEFRA publication *Explanatory Note to the Noise Policy Statement for England*.

In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

The following effect levels are noted:

- Significant observed adverse effect level (SOAEL): This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level (LOAEL): this is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level: this is the level of noise exposure below which no effect at all on health or quality of life can be detected.

The Environmental Statement includes a noise assessment which considers local existing ambient noise levels and predicted noise levels from construction working and operational use of the proposed bypass. The noise assessment was undertaken with reference to nationally accepted guidance, methodology and standards including that contained within the Highway's England document 'Design Manual for Roads and Bridges', guidance issued by the World Health Organisation, appropriate British Standards and the Noise Insulation Regulations (as amended 1988).

For the operational noise assessment, appropriate noise level criteria (in terms of LOAEL and SOAEL noise levels) have been defined with reference to the above guidance resources for the purposes of identifying potential significant effects that could arise from the operational phase of the proposed scheme. An SOAEL is identified as 68 dB LA10,18hr (façade)/ 63 dB LAeq,16hr (free-field) during the day and 55 dB Lnight, outside (free-field) for night time, and an LOAEL of 55 dB LA10,18hr (façade) / 50 dB LAeq,16hr (free-field) day time and 40 dB Lnight, outside (free-field) night time. The assessment concludes that with the proposed mitigation measures in place there would be no exceedance of SOAEL at sensitive receptors during the day or at night. The assessment also demonstrates that the increase in noise at Howick C of E Primary School would be negligible, primarily due to the existing noise climate at Liverpool Road. A number of representations have also queried why some sections of highway at Golden Way are to be bound by acoustic fencing while other sections further north are not, despite concerns being raised regarding noise nuisance. Acoustic fencing is and would only be incorporated into the design where the noise assessment has indicated that there would be a

significant breach of LOAEL and where mitigation would be practicable and reasonable in relation to the scope of the proposal.

There is the potential for significant temporary noise and vibration effects to occur during the construction phase of the proposed scheme, both at residential properties and other sensitive receptors alongside the proposed scheme. BS 5228: 2009 + A1: 2014 - Code of Practice for Noise and Vibration Control on Construction and Open Sites. This provides guidance on the prediction and assessment of noise and vibration from construction related activities, and also measures to mitigate noise and vibration as far as possible. The guidance provides methods of predicting noise levels from various demolition and construction works, and provides noise emission data for typical plant items. Corrections are applied to the noise level to account for likely percentage on-time, the effect of intervening barriers, ground effects and distance to the assessment location. The noise assessment concludes that there is the potential for significant noise effects for construction working at the nearest noise sensitive receptors, particularly those at the eastern extent of the scheme and potential eligibility for noise insulation and temporary rehousing.

In planning terms predicted noise levels for operational noise are considered acceptable taking into account the relevant guidance and standards and the mitigation measures that are proposed. Construction working noise would be an inevitable consequence of approving the development and best practice measures could be imposed to reduce the impact. Primarily this could be achieved by the imposition of a condition, which is recommended, to control the hours of construction working to minimise the impact on the existing highway network and neighbouring residents and sensitive land uses.

Ecology and nature conservation

The application site is currently characterised by agricultural land and school playing fields designated as Green Belt. The site contains a range of trees and field boundary hedgerows, and a pond feature. The area supports a range of habitats, including Habitats of Principal Importance in England (section 41 NERC Act 2006), although none are of intrinsically high biodiversity value. Habitats do however support a range of species, including protected species (European and domestic) and Species of Principal Importance in England. Particular concerns in this location include impacts on bats and breeding birds, including barn owl.

The application provides for a new road with a scheme that would create and enhance habitat across the site. This includes coarse wildflower grassland, marginal plants, native shrubs, eight new wildlife ponds, wetland and marsh habitats. It is proposed to create artificial refugia and/or hibernacula from felling of mature trees for amphibians to the south and west of the bypass. There would also be bird and bat boxes proposed throughout the scheme. 38 scattered broadleaved trees would be removed as part of the scheme but would be replaced with approximately 180 trees. In addition, to the scattered broad-leaved trees, the landscape proposals include the planting of standard and heavy standard trees within areas of proposed native woodland (40,002m²) and shrub planting (10,000m²). 221m of species rich hedgerow would be removed as part of the scheme but would be replaced with 2186.5m of new species-rich hedge and species-rich hedgerow and trees. Existing

species rich hedgerow would be translocated adjacent to the scheme, where practicable.

Paragraph 118 of the NPPF states that if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, than planning permission should be refused.

Policy 18 of the CLACS looks to manage and improve environmental resources through a green infrastructure approach including securing mitigation and/or compensatory measures where development would lead to the loss of, or damage to, part of the Green Infrastructure network.

Policy 22 of the CLACS refers to conservation, protection and seeking opportunities to enhance and manage the biological and geological assets of the area.

Policy 16 of the SRBC seeks to protect, conserve and enhance the borough's biodiversity and ecological network.

The County Council's Ecology Service has undertaken a comprehensive assessment of the submitted ecological assessment and has highlighted that the effects of roads on biodiversity have been widely studied and are known to include direct loss of habitat; barrier effects; fragmentation and isolation; disturbance, degradation and pollution; and traffic collision, therefore it is likely that any new dual carriageway would result in adverse effects on biodiversity. The County Council Ecology Service recommend that should the application be approved, then mitigation and compensation for the impacts would need to be secured by planning conditions as would biodiversity protection during construction working.

In respect of nature conservation matters, it is considered that the applicant has satisfactorily demonstrated the nature of potential impacts at the site, measures to avoid impact, and recommendations for mitigation and compensation including the indicative restoration and landscaping details. Conditions are recommended in relation to further details for landscaping and habitat establishment and management and protection of nesting birds, and for protection of biodiversity interests during the construction working. A condition for monitoring of the outcomes of the mitigation/compensation measures is also considered reasonable and necessary, particularly in relation to the impacts on bats and barn owls, to seek to ensure that the proposed mitigation and compensation measures achieve the desired effect. If not then additional/alternative measures would have to be considered. With such conditions, it is considered that the development is acceptable in terms of Policies 18 and 22 of the CLACS and Policy 16 of the SRBC.

Water Management

Paragraph 103 of the NPPF requires that development should not increase flood risk elsewhere and that a sequential test should be applied to ensure that development is located in areas with the least probability of flooding. Where a development cannot be located in a lower flood risk area, an exception test must be passed where development has to provide wider sustainability benefits to outweigh the flood risk

together with a demonstration that the development will not increase flood risk elsewhere and where possible will reduce overall flood risk.

Policy 29 of the CLACS aims to improve water quality, water management and risk of flooding by, amongst other things, appraising, managing and reducing flood risk in all new developments, managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity, encouraging the adoption of sustainable drainage systems and by seeking to maximise the potential of green infrastructure to contribute to flood relief.

The construction of new roads can adversely impact the water environment in a variety of ways through the contamination of water and the disruption of hydrological, hydromorphological and hydrogeological processes. There are risks during construction working and through the operation of the road through contaminants such as fuel and oil, road salt, de-icers, brake pad and tyre debris.

The proposed scheme is located adjacent to Mill Brook, a direct tributary of the Ribble Estuary and designated as 'Main River'. There are also two unnamed tributaries of Mill Brook, one of which is culverted at the Broad Oak roundabout. There is also one existing pond feature that would be lost through the development of the road. The proposed scheme would have impacts associated with the construction of a new culvert, removal of a culvert, diversion of a watercourse and drainage ditch, a drainage scheme for the road that would route runoff into Mill Brook, via two new outfalls from the highway drainage, following treatment including an attenuation pond, and the construction of replacement playing fields / sports pitches on agricultural land to the north of the proposed road scheme. These pitches would include a drainage system that would discharge into Mill Brook.

The Environmental Statement includes an assessment of the potential impacts on the quality of surface water, on water resources, groundwater, flood risk and the geomorphology of watercourses.

The site falls within flood zone 1 and as the site is over 1 hectare there is a requirement for a flood risk assessment to demonstrate that the proposed development would not be affected by flooding and would not increase flooding elsewhere.

The design and construction of a drainage scheme in accordance with the principles described in the Flood Risk Assessment would ensure that risk of flooding as a result of surface water is negligible as is the risk of the scheme increasing flood risk elsewhere through changes in runoff rates. However, there would remain a residual risk that extreme rainfall events could exceed the capacity of the drainage infrastructure, resulting in shallow flooding of the highway. However, this would occur beyond the point during which other roads in the locality would also be subject to surface water ponding.

Under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010), consent would be required from the Lead Local Flood Authority for the construction of culverts or structures (such as a weir) or 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. Should permission be granted it does not mean that land drainage consent would also be granted.

Both the Environment Agency and the Lead Local Flood Authority have raised no objection subject to conditions relating to flood risk and surface water management. With such conditions, it is considered that the development is acceptable in relation to impacts on flooding and surface water courses

Cultural Heritage and Archaeology

The Environmental Statement includes a cultural heritage desk based survey with reference to archaeological remains, historic buildings, and historic landscape. A total of 27 heritage assets have been identified for assessment, comprising 15 archaeological remains, seven historic buildings and five historic landscape types. The findings of the assessment are that there would be no significant impact on any heritage assets. It is therefore considered that impacts on archaeological interests would be unlikely. Lancashire Archaeological Advisory Service (LAAS) is satisfied the approach taken in the Environmental Statement is appropriate and that relevant guidance has been quoted. LAAS recommend that a programme of archaeological investigation be required by condition for a detailed walk-over survey prior to commencement of development and the establishment of a contingency plan for the discovery of unexpected remains during initial groundworks. A condition is recommended accordingly.

Sports pitches

The proposed development would require the loss of an existing playing field incorporating sports pitches on land adjacent to Liverpool Road/Howick Moor Lane. Like for like replacement is proposed on existing agricultural land alongside Howick Moor Lane to ensure continuity of provision. Ball stop fencing would be provided close to the new road and 2m high perimeter fencing would be provided to prevent unauthorised access to the playing fields. The new playing field would be located closer to the primary user of the pitches, All Hallows High School.

Paragraph 74 of the NPPF states *'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the Open Space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a sustainable location; or*
- *the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss.'*

Policy G7 of the South Ribble Local Plan seeks to protect and enhance existing green infrastructure and its loss should not be permitted unless, amongst other things, alternative provision will be implemented locally.

It is considered that the proposed replacement pitches would satisfy the terms of the policy and also NPPF subject to a condition requiring further details of ground condition assessment, pitch construction and management and requiring the new pitches to be constructed prior to bypass works commencing. Sport England has raised no objection subject to the aforesaid conditional information.

Representations have been received on the basis that dedicated car parking for the sports pitches has not been proposed. However, the replacement playing fields would not generate any additional usage than the current situation and therefore it would be unreasonable to insist on new parking provision to make the development acceptable in planning terms.

Cumulative Impacts

The potential for cumulative impacts from other developments either in the past, present or reasonably foreseeable future along with those from the proposed bypass have been considered in the environmental statement. These developments have been assessed as part of the traffic and transport assessment, and subsequently the noise and air assessments. No significant cumulative transport, air quality or noise impacts have been identified and therefore no additional mitigation measures have been proposed in this respect.

Green Belt and visual impact

The proposed highway is located in the Green Belt. Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 80 of the NPPF explains that the purposes of including land in Green Belt include checking the unrestricted sprawl of large built up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Paragraph 87 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 88 of the NPPF advises that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 90 of the NPPF states that local transport infrastructure, which can demonstrate a requirement for a Green Belt location is not inappropriate provided that the openness of the Green Belt is preserved and that it does not conflict with the purposes of including land in Green Belt.

It is considered that the scale of the engineering works, acoustic fencing and other fencing, and the loss of open land would not maintain the openness of the Green Belt nor safeguard the countryside from encroachment. Consequently, the proposal is inappropriate development within the Green Belt. The scheme would generate substantial harm on the Green Belt and other harm would also exist by way of increased noise exposure and air pollution to some residents and land users albeit with reduced noise exposure and air pollution to many others. There would also be moderate harm to ecological interests and landscape in the short term, reducing to minor in the longer term. However, the scheme would deliver significant benefits as outlined above including substantially reducing through traffic on the A59 through Penwortham and other local roads, improving air quality within an existing AQMA and reducing noise and other general local amenity impacts. These factors are considered to amount to very special circumstances to outweigh the harm to the Green Belt subject to recommended conditions, particularly in relation to the delivery of highway works to deter the passage of through-traffic at Penwortham town centre and to give sufficient assurance that the by-pass would achieve its aims. Furthermore, there are no alternative routes for a bypass in the locality that would avoid land allocated as Green Belt.

The proposed scheme would generate adverse effects on the landscape during the construction phase. However, this effect would reduce with the passage of time when mitigation planting would provide for screening and landscape integration.

There would be an adverse effect on the visual amenity for people living, working or pursuing leisure activities along the route. Construction activities would result in the largest visual effects but they would be for a shorter period of approximately 18 months. Operational effects would be greatest at the opening year, before the proposed tree and shrub planting has had time to grow and assimilate development features into the surrounding landscape. Over time the planting would achieve sufficient height and density to screen the acoustic fencing and aspects of sports pitch fencing, although some features such as lighting columns at the junctions would still be visible above the canopy but these would be comparable to the existing lighting environment.

Human Rights

The proposal raises potential issues relating to the protection of amenity and property under Article 1 of the 1st Protocol and Article 8 of the Human Rights Act 1998.

Rights under Article 1 of the 1st Protocol concern the protection of property and state that everyone is entitled to the enjoyment of possessions and that no one should be deprived of possessions except in the public interest.

Article 8 provides that everyone has the right to respect for family and private life. Interference in this Right can only be justified where it is in accordance with the law and is necessary in a democratic society for the economic wellbeing of the country or for the protection of the rights and freedoms of others.

In terms of this site, the construction of a new highway and associated development and use of that highway by vehicles would have the potential to affect landowners/land users in the vicinity of the site and adjacent to the site through issues such as noise, air pollution, vehicle movements and visual intrusion. However, it is considered that the mitigation measures within the scheme and the imposition of planning conditions would reduce the potential impacts of the proposals so that any rights under these articles would not be infringed. If there were any interference in these Rights, such interference would be justified as the development would improve highway connectivity and potentially reduce traffic congestion within the local area, and would reduce air pollution and noise pollution impacts currently being experienced within the local community in the vicinity of existing busy roads. The development would therefore be in the public interest and justified in terms of the environmental well-being of the area. Moreover, any such interference would be proportionate to the benefits that would be derived from the development.

Conclusion

The application is for a new bypass, which seeks to reduce traffic in Penwortham town centre thereby providing an opportunity to improve the highway environment in Penwortham town centre including measures to promote walking and cycling. It would also improve access from the A59 to the motorway network; and, provide opportunities for bus priority on the A59. The proposed route is protected in the South Ribble Local Plan following many stages of consultation and review of alternative options.

The route is in the Green Belt and other route options that have also been explored would also involve development in the Green Belt. The development would be inappropriate development in the Green Belt but it is considered that very special circumstances exist to outweigh the harm to the Green Belt by reason of inappropriateness, and other harm including potential harm to wildlife interests and noise pollution. The very special circumstances are considered to include the opportunities referred to above and in seeking to reduce noise pollution and air pollution impacts along the existing A59 through Penwortham.

The loss of playing fields would be satisfactorily compensated for with a proposed playing field and sports pitches in the locality and closer to All Hallows High School, as primary user of the field.

Many local residents and landowners would experience improved air quality and reduced noise pollution. Those that would experience increased noise levels in close proximity to the bypass would not be subject to levels that would be unacceptable in view of accepted guidance and best practice. There would be no unacceptable adverse impacts on water resources or in terms of flood risk, cultural heritage, or visual impact.

There would be significant impacts on ecological interests in the short term due to loss of habitat but the proposal includes mitigation and compensation by way of a comprehensive landscape scheme that has the potential to provide a more diverse range of habitats in the long term. There remains a threat to wildlife following the commencement of the operation of the bypass through vehicle collisions and the

proposal includes measures to minimise this risk but this would have to be carefully monitoring and evaluated through the provisions of a recommended condition.

Overall it is considered that the benefits of the proposal outweigh the impacts subject to recommended conditions and the development therefore complies with the policies of the NPPF and the policies of the development plan.

Recommendation

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to the Secretary of State not calling in the application for determination, planning permission be **granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

2. Notice of commencement of the authorised development shall be given to the County Planning Authority in writing not later than 7 days after the date on which the authorised development is commenced.

Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to conform with Policy G17 of the South Ribble Local Plan.

Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

- a) The Planning Application form dated 6.12.2016

- b) Submitted Plans and documents:

Drawing no. CLM03-DEV-040-008 - Location Plan

Drawing no. CLM03-DEV-010-24, Rev H (sheet 1) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev H (Sheet 2) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-010-24, Rev H (sheet 3) - Proposed Environmental Masterplan.

Drawing no. CLM03-DEV-040 -011 - Location of Typical Cross Sections

Drawing no. CLM03-DEV-040- 010 - Typical Cross Sections (Sheet 1 of 2)

Drawing no. CLM03-DEV-040- 010 - Typical Cross Sections (Sheet 2 of 2)

Drawing no. CLM03-DEV-040- 013 - Location of Long Sections

Drawing no. CLM03-DEV-040- 012 - Long Sections of Route (Sheet 1 of 2)

Drawing no. CLM03-DEV-040- 012 - Long Sections of Route (Sheet 2 of 2)

Drawing no. CLM03-DEV-040- 016 - Junctions - Indicative Signal and Lane Arrangement (Sheet 1 of 2)

Drawing no. CLM03-DEV-040- 016 - Junctions - Indicative Signal and Lane Arrangement (Sheet 2 of 2)

Drawing no. CLM03-DEV-010- 1300 - New Road Lighting and Illuminated Traffic Sign Cabling Works (Sheet 1 of 6)

Drawing no. CLM03-DEV-010- 1300 - New Road Lighting and Illuminated Traffic Sign Cabling Works (Sheet 2 of 6)

Drawing no. CLM03-DEV-010- 1300 - New Road Lighting and Illuminated Traffic Sign Cabling Works (Sheet 3 of 6)

Drawing no. CLM03-DEV-040-007 - Site Compounds and Storage Areas.

Drawing no. CLM03-DEV-010-040 - Retaining Wall Planning General Arrangements

c) All details approved in accordance with this permission.

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 3, 18, 22, 24, 29 and 30 of the Central Lancashire Adopted Core Strategy and Policies A3, G1, G7, G13, G16, and G17 of the South Ribble Local Plan.

4. The development shall be carried out in accordance with the details set out in the Flood Risk Assessment (FRA) undertaken by Jacobs, November 2016 including the construction of the new road at a level above that of the modelled 1 in 100 year plus climate change flood event, and ensuring that, during construction, all stockpiled material is located outside of the flood zones.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure safe access and egress from and to the site and to conform to Policy 29 of the Central Lancashire Core Strategy.

5. No development shall commence until details for the management of surface water and pollution prevention during the construction phase of the development have been submitted to and approved in writing by the County Planning Authority. Thereafter, the management of surface water and pollution prevention during the construction phase of the development shall be carried out in accordance with the approved details.

Reason: To ensure that the construction phase of the development does not pose an undue flood risk on site or elsewhere, and to ensure that any

pollution arising as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies, and to conform to Policy 29 of the Central Lancashire Core Strategy.

6. All attenuation basins and flow control devices shall be constructed and operational prior to the commencement of bitumen road surfacing and shall thereafter be maintained in full working order throughout the operation of the road.

Reason: To ensure site drainage does not enter the watercourses at un-attenuated rate, and to prevent a flood risk and to conform to Policy 29 of the Central Lancashire Core Strategy.

7. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) A method statement of measures (both physical measures and sensitive working practices) to avoid or reduce impacts on biodiversity during construction.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: In the interests of biodiversity and to comply with Policy G16 of the South Ribble Local Plan.

8. No clearance or soil stripping works shall take place until details of a written scheme of archaeological investigation including survey, recording, and analysis, have been submitted to and approved in writing by the County Planning Authority. Thereafter, development works shall be carried out in accordance with the approved scheme of archaeological investigation.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological importance associated with the site and to confirm to Policy G17 of the South Ribble Local Plan.

9. No development shall commence until details of replacement playing field and sports pitch construction, including an assessment of existing ground

conditions, drainage provisions, soil structure, cultivation, and sports turf establishment and management have been submitted to and approved in writing by the County Planning Authority. Details shall be consistent with Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the Football Association.

Thereafter the replacement playing field shall be provided and managed in accordance with the approved details and the replacement playing field and sports pitches shall be made available for use prior to the loss of the existing playing field.

Reason: To secure suitable alternative playing field provision and to comply with Policy 24 of the Central Lancashire Core Strategy and Policy G7 of the South Ribble Local Plan.

10. Within twelve months of the commencement of development, details of highway works to discourage through-traffic passing through Penwortham Centre from the junction of the bypass at the A59 and along the A59 to its junction with Hill Road, shall be submitted to the County Planning Authority for approval in writing.

Thereafter the highway works contained in the approved details shall be undertaken within a one year of the bypass being opened to traffic.

Reason: To further discourage through-traffic using the A59 through Penwortham centre and to provide additional justification for the construction of the bypass in the Green Belt, to seek to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policies G1 and G17 of the South Ribble Local Plan.

11. No site clearance works or soil stripping works shall take place where there may be an impact on nesting birds during the bird-breeding season between 1st March and 31st July inclusive. If areas cannot be cleared outside this time, they should be checked for breeding birds in accordance with Natural England's Guidance, and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

Reason: To protect nesting birds and to conform with Policy G16 of the South Ribble Local Plan.

12. No construction working, importation of materials or removal of materials off-site shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)
0800 to 1300 hours on Saturdays

No construction development, importation of materials or removal of materials off site shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G17 of the South Ribble Local Plan.

13. All mobile plant/vehicles retained on site to be used in connection with the construction phase of the development shall be fitted with broadband/non-audible reversing systems, which shall be employed at all times during the operation of the mobile plant.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G17 of the South Ribble Local Plan.

14. Wheel cleaning facilities shall be made available at the site for use at all times during the construction of the development, so as to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy G17 of the South Ribble Local Plan.

15. Any vehicles transporting excavated materials, soils and/or subsoils from the site shall have securely sheeted or enclosed loads.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G17 of the South Ribble Local Plan.

16. Measures shall be taken to prevent dust or wind blown material being carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather conditions, at all times during construction development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy 30 of the Central Lancashire Core Strategy.

17. All available topsoil and subsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy vehicles, plant or machinery. All stripped topsoil and subsoil shall be stored in separate mounds for use in the final landscaping of the site and shall be located as shown on drawing no. CLM03-DEV-040-007 - 'Site Compounds and Storage Areas'. No topsoil storage mound shall be greater than 2m high and no subsoil storage mound shall be greater than 3m high.

Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to comply with Policy G16 of the South Ribble Local Plan.

18. The bypass shall not be opened to traffic until a highway monitoring and management strategy has been submitted to and approved in writing by the County Planning Authority. The strategy shall include details for a programme of surveys, observations and defined targets, and a mechanism where targets are not achieved, to deliver further highway change. The approved highway monitoring and management strategy shall be employed for a period of three years commencing on the 1st anniversary of the scheme opening.

Reason: In the interest of highway safety, the satisfactory operation of the highway network, to safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with Policy G17 of the South Ribble Local Plan.

19. Within twelve months of the commencement of development, details of a landscaping and habitat management plan of the site, in general accordance with drawing nos. CLM03-DEV-010-24, Rev H (sheet 1), CLM03-DEV-010-24, Rev H (Sheet 2), and CLM03-DEV-010-24, Rev H (sheet 3) - Proposed Environmental Masterplan, shall be submitted to the County Planning Authority for approval in writing.

The submitted details shall include:

- a) The respreading of soil making materials and grass seeding specification.
- b) The design, construction and planting of waterbodies.
- c) Native tree/shrub planting and seed specification; and their cultivation.
- d) The methods to be employed to promote normal plant growth.
- e) Details of habitat establishment, management, monitoring, and review and reporting methods.
- f) Details of tunnels, culverts, headwalls, retaining walls, and acoustic fencing.
- g) Details of hard surfacing materials.
- h) Details of the type, number and location of bird and bat boxes.
- i) The maintenance and management of the landscaping for a period of 10 years following the completion of the bypass and any associated earthworks.

Thereafter the development shall be carried out in accordance with the approved landscape and habitat management plan. The acoustic barriers shall be erected in accordance with the approved details prior to the opening of the bypass and shall be retained in position thereafter.

Reason: To secure the proper landscaping of the site, for biodiversity interests and mitigation, noise mitigation, and to comply with Policy 18, 22 and 24 of the Central Lancashire Core Strategy and Policy G7, G13, G16 and G17 of the South Ribble Local Plan.

20. No development shall take place, including ground works and vegetation clearance, until a biodiversity monitoring strategy has been submitted to, and approved in writing by, the County Planning Authority. The purpose of the strategy shall be to establish the effectiveness of proposed bat and barn owl mitigation measures by monitoring the numbers of bats and barn owls that approach the road and that cross the road at safe vs unsafe height, monitoring bat and barn owl activity in habitats maintained and enhanced for bats and barn owls, and monitoring uptake/ use of bat roosting features and barn owl nest sites. The content of the Strategy shall include the following:

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the County Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the County Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

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

Reason: In the interests of biodiversity and to comply with Policy G16 of the South Ribble Local Plan.

Notes

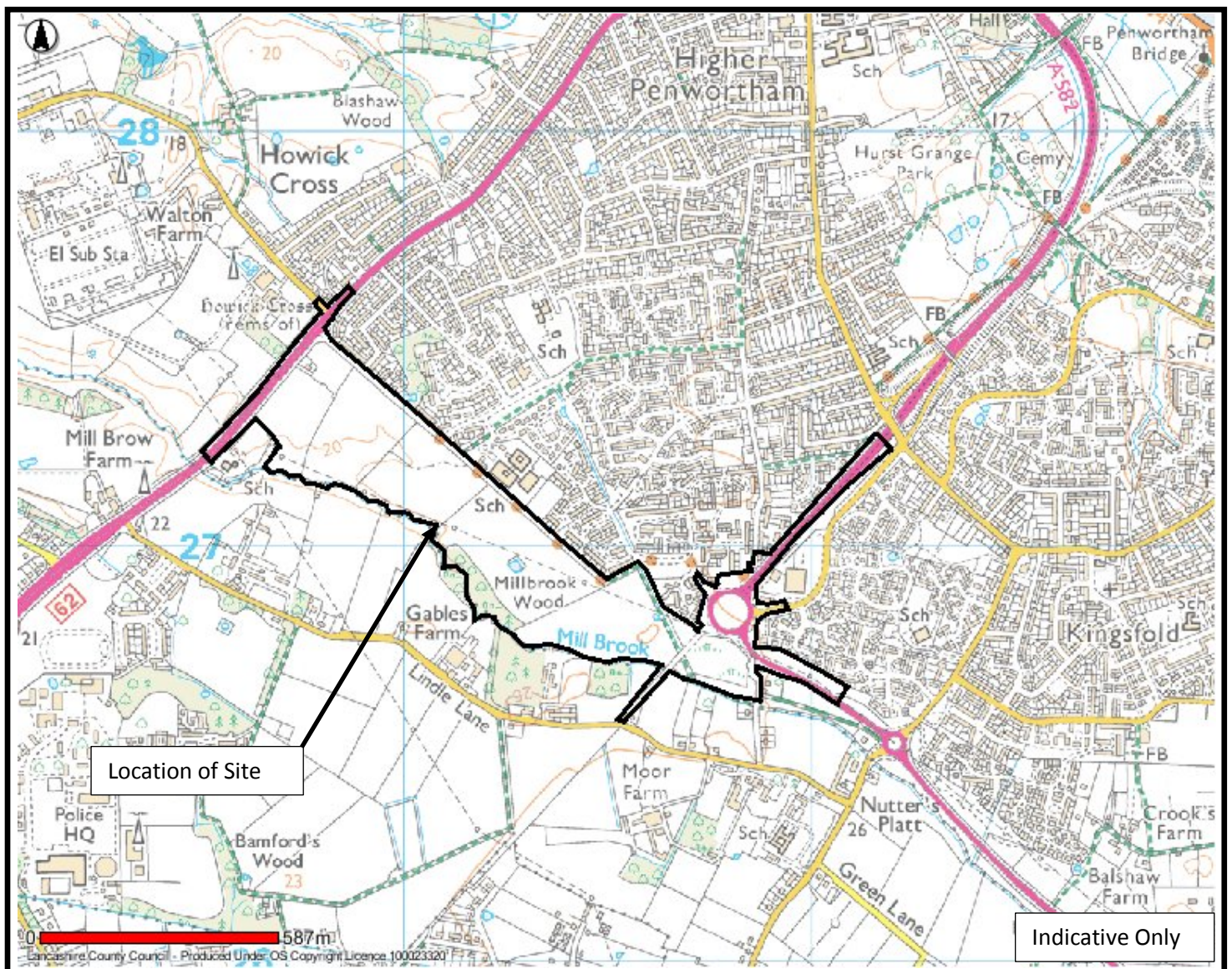
The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency/Lead Local Flood Authority.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
LCC/2017/0001	August 2017	R Hope/34159

Reason for Inclusion in Part II, if appropriate
N/A

APPLICATION LCC/2017/0001 CONSTRUCTION OF A NEW HIGHWAY CONSISTING OF PENWORTHAM BYPASS (1.3 KM LONG DUAL CARRIAGEWAY) TOGETHER WITH TEMPORARY SOIL STORAGE AND CONTRACTOR AREAS, THE RELOCATION OF SCHOOL PLAYING FIELDS, COMBINED CYCLE TRACK CONNECTING TO HOWICK MOOR LANE, WATER ATTENUATION POND, DIVERSION/STOPPING UP OF PUBLIC RIGHT OF WAY, LANDSCAPE AND ECOLOGICAL MITIGATION AREAS. FROM A582 BROAD OAK ROUNDABOUT CONNECTING TO A59 BETWEEN HOWICK C OF E PRIMARY SCHOOL AND BLACKHURST COTTAGES.



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Development Control Committee

Meeting to be held on 13 September 2017

Electoral Division Affected: All

Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:
Susan Hurst 01772 534181
DevCon@lancashire.gov.uk

Executive Summary

Planning applications determined by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 19 July 2017, the following decisions on planning matters have been taken in accordance with the County Council's Scheme of Delegation.

Lancaster

Application: No. SCR/2017/0005
Claughton Brickworks, Lancashire
Screening request for the continued development of the brickworks beyond the cessation date of 31 December 2020.

Application: No. LCC/2017/0051
Dallas Road Primary School, High Street, Lancaster.
External works to create a level access and the fitting of aluminium glazed doors to replace the existing solid doors.

Wyre

Application: No. LCC/2017/0056
Shakespeare Primary School, Manor Road, Fleetwood
Replacement of existing railings and gates to manor road by the erection of 1.8m high railings including vehicle access gates and two pedestrian access gates.

Fylde

Application: No. LCC/2017/0053

Strike Lane Primary School, Strike Lane, Freckleton

Erection of a multi - use games area including 3m high ball stop fencing.

Preston

Application: No. LCC/2017/0050

D13 and D14 Redscar Industrial Estate, Longridge Road, Preston

Extension to existing transfer station and relocation of the weighbridge.

Application: No. LCC/2017/0049

Unit D12 Redscar Industrial Estate, Longridge Road, Preston

Creation of a new access point to serve suez logic operations. The new access will provide a stand alone access and avoid traffic conflicts which currently occur with the single access via the transfer station.

South Ribble

Application: No. LCC/2017/0057

Coppice School, Ash Grove, Bamber Bridge

Proposed extension to the existing car park and access drive including seven 6m high lighting columns and two new canopied external play areas to the front of the school.

Application: No. LCC/2017/0029

Blackburn Waste Water Treatment Works, Cuerdale Lane, Samlesbury

New primary, secondary and tertiary treatment plant with new sludge treatment plant, extension of the waste water treatment works, ground reprofiling with surplus excavated material, and landscaping.

West Lancashire

Application: No. LCC/2017/0054

Viridor Polymer Recycling Ltd, Gerrard Place, Skelmersdale

Erection of a 12m high vent stack.

Application: No. CRT/2017/0012

White Moss Horticulture, North Perimeter Road, Knowsley Industrial Park, Kirkby

Application for a lawful development certificate for the existing use of building for offices.

Application: No. CRT/2017/0011

White Moss Horticulture, North Perimeter Road, Knowsley Industrial Park, Kirkby

Application for a lawful development certificate for the existing use of factory building for the processing and bagging of finished horticultural products.

Recommendation

That the report be noted.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper

Contact/ /Ext

Susan Hurst, Ext: 34181

SCR/2017/0005
LCC/2017/0051
LCC/2017/0056
LCC/2017/0053
LCC/2017/0050
LCC/2017/0049
LCC/2017/0057
LCC/2017/0029
LCC/2017/0054
CRT/2017/0012
CRT/2017/0011

