

Lancashire County Council

Development Control Committee

Wednesday, 8th May, 2019 at 10.30 am in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No. Item

- 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 6 March 2019** (Pages 1 - 6)

The committee are asked to agree that the Minutes of the last meeting held on 6 March 2019 be confirmed and signed by the Chair.

- 4. Wyre Borough: Application number LCC/2018/0059 Variation of conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033 with a further 12 months to restore the site. Jameson Road Landfill Site, Jameson Road, Fleetwood.** (Pages 7 - 30)

- 5. Fylde Borough: Application LCC/2019/0013 Erection of an extension to the existing waste transfer building. Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.** (Pages 31 - 40)

6. **Fylde Borough: Application number. LCC/2019/0003** (Pages 41 - 58)
Application for redesign and realignment of the southern end of the proposed Heyhouses to M55 link road between the junction with the improved section of the existing North Houses Lane and the proposed intermediate roundabout on the link road. Lytham Moss, Lytham St Annes (M55 to Heyhouses Link Road)

7. **Ribble Valley Borough: Application Number. LCC/2019/0008** (Pages 59 - 74)
Demolition of existing caretakers house to provide 8 car parking spaces with lighting and bin store area. Demolition of Block D building and erection of a single storey building to provide Multi-Functional Activity Studio. Erection of a double storey extension to existing Block G building to provide 10 classrooms. Resizing of existing multi use games area with erection of 3m high ball stop fence. Creation of a new pedestrian entrance and widening of existing vehicular entrance on Turner Street. Erection of 2.4m high weldmesh fencing along northern boundary and south eastern corner of the school site. Ribblesdale High School, Queens Road, Clitheroe.

8. **Lancaster City Council: Application number. LCC/2019/0016** (Pages 75 - 82)
Single storey extension to the front of the school to create a wheelchair store. Bleasdale House School, Emesgate Lane, Silverdale

9. **Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation** (Pages 83 - 86)

10. **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.

11. Date of Next Meeting

The next meeting of the Development Control Committee will be held on Wednesday 19 June, 2019 at 10.30 a.m. in Committee Room B - the Diamond Jubilee Room, County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston

Lancashire County Council

Development Control Committee

Minutes of the Meeting held on Wednesday, 6th March, 2019 at 10.30 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Present:

County Councillor Barrie Yates (Chair)

County Councillors

P Rigby	D Foxcroft
S Clarke	P Hayhurst
M Dad	A Kay
B Dawson	M Pattison
J Eaton	A Schofield
K Ellard	

County Councillor B Dawson replaced Cllr C Crompton at this meeting.

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

3. Minutes of the last meeting held on 23 January 2019

Resolved: That the Minutes of the meeting held on 23 January 2019 be confirmed and signed by the Chair of the Committee.

4. West Lancashire Borough: Application number LCC/2018/0050

Erection of wash plant facility for processing of inert waste materials to produce recycled aggregates. City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

A report was presented on an application for the erection of a wash plant facility for processing of Inert waste materials to produce recycled aggregates at City Centre Commercials, Tower House, Simonswood Industrial Estate, Stopgate Lane, Simonswood, Kirkby.

The report included the views of West Lancashire Borough Council, Knowsley Metropolitan Borough Council, the Environment Agency, the Health and Safety Executive, the county council's Highways Development Control and details of one letter of representation received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a site location plan and photographs of the site from various aspects.

The Officer reported orally that the applicant had submitted further correspondence advising that the proposed wash plant would not include a crushing process. All material would be crushed as a separate process prior to being put into the proposed plant.

The Officer also reported that the local resident, who had objected to the proposals on the grounds of noise levels, dust and hours of operation, had now withdrawn their objection following the submission of the noise assessment and the subsequent withdrawal of objections from West Lancashire Borough Council and Knowsley Metropolitan Borough. The committee was also advised that the same resident had noted the proposed conditions relating to the control of noise, dust and hours of operation.

Following questions to the Officers by the Members with regard to the opening times it was:

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

**5. Wyre Borough: Application Number. LCC/2019/0001
Variation of condition 8 of permission LCC/2015/0082 to allow
extended delivery hours of green waste up to 5pm on Saturdays,
Sundays and bank holidays. Iron House Farm, Lancaster Road, Out
Rawcliffe.**

A report was presented on an application for the variation of condition 8 of permission LCC/2015/0082 to allow extended delivery hours of green waste up to 5pm on Saturdays, Sundays and bank holidays at Iron House Farm, Lancaster Road, Out Rawcliffe.

The report included the views of Out Rawcliffe Parish Council and the county council's Highways Development Control. It was noted that no letters of representation had been received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown a location map and photographs of the site from various aspects.

The officer reported orally that a new version of the Wyre Local Plan had been adopted on 28th February 2019 and consequently the planning policies in the report should be updated.

The officer advised that the wording of the new policies would not have any material effect on the determination of the application. However, it was necessary to change the wording of the reasons for conditions 2, 4 and 7 so that they refer to the updated policies.

The committee agreed that the Head of Service Planning and Environment be given delegated authority to amend the wording of the reasons for these conditions. The amended wording is set out below for completeness:

Condition 2:

Reason: For the avoidance of doubt and 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 Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy SP2 of the Wyre Local Plan 2011 – 2031.

Condition 4 reason:

Reason: In the interests of the visual amenity of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies SP2 and CDMP3 of the Wyre Local Plan 2011 – 2031.

Condition 7:

Reason: To safeguard the amenity of local residents and adjacent properties / landowners and landusers and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy CDMP3 of the Wyre Local Plan 2011 – 2031.

Mr Salisbury, the agent for the applicant, addressed the committee and spoke in support of the application. He advised that the proposal would allow the operator to cater for demand and accept more green waste; that no complaints had been received in the last 5-6 years of operation; and that the LCC Highways Officer had raised no objections to the proposals. The Committee was urged to approve the application.

Following questions to the officers by the Members with regard to traffic impacts and concerns about the additional HGV movements at the weekend and Bank Holidays it was:

Resolved: That subject to the inclusion of the amended wording of the reasons for conditions 2, 4 and 7 as set out above, planning permission be **granted** subject to the conditions set out in the report to committee.

6. 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 23 January 2019, five planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the county council's Scheme of Delegation.

The Head of Service Planning and Environment responded to questions raised by the Members with regard to the scoping request for a proposed energy recovery facility at Red Scar Industrial Estate and the authorisation to allow longer working hours at Whinney Hill Quarry Landfill Site at Altham.

Resolved: That the report be noted.

7. Urgent Business

The Chair informed the committee that he had agreed that the following report should be considered at the meeting as item of urgent business. The special circumstances for the use of the urgent business procedure were set out in the report.

- a. **Fylde and Wyre Boroughs: application number. LCC/2014/0101
Construction and operation of a site for drilling up to four exploratory wells, hydraulic fracturing of the wells, testing for hydrocarbons, abandonment of the wells and restoration, including provision of access roads and improvement of accesses onto the highway, security fencing, lighting and other uses ancillary to the exploration activities, including the construction of a pipeline and a connection to the gas grid network and associated infrastructure to land west, north and east of Roseacre Wood and between Roseacre Road, Roseacre and Inskip Road, Wharles.**

Agricultural land that forms part of Roseacre Hall, to the west, north and east of Roseacre Wood, and land that forms part of the defence high frequency communications service (dhfcs) site between Roseacre Road and Inskip Road, off Roseacre Road and Inskip Road, Roseacre and Wharles, Preston

A report was presented on the Secretary of State's decision to refuse the above application for the construction and operation of a site for drilling of up to four exploratory wells including hydraulic fracturing, testing and site restoration on land at Roseacre Wood near Elswick.

Members were reminded that the committee had refused planning permission for this development in 2015 on the grounds that it would generate an increase in traffic, particularly HGV movements, that would result in an unacceptable impact on the rural highway network and on existing road users, particularly vulnerable road users and a reduction in overall highway safety that would be severe.

This decision was the subject of an appeal which was determined by way of a public inquiry held in February and March 2016. Although the Inspector at the Inquiry agreed with the council's decision, the then Secretary of State, ruled that he was "minded" to allow the appeal if the applicant could address concerns over highways safety.

A second public inquiry into that single issue was re-opened in April 2018 and heard additional highway evidence. The county council maintained its opposition to the planning application on the basis that the revised traffic management proposals did not address the highway safety issues on the local road network. The Planning Inspector presiding over the Inquiry concurred with this view as did the Secretary of State who concluded that the highway impacts were such that overall, planning permission should be refused.

Members welcomed the decision and joined with the Chair in congratulating officers both past and present for recommending that the application be refused, a decision which had proved to be the right decision. Officers were also thanked for their part in preparing the council's case in respect of the two public inquiries.

In response to questions raised by committee members, the Officers advised that despite winning the appeal, the council would not be awarded its costs for the public inquiry as costs were awarded as a result of unreasonable behaviour and did not automatically follow a favourable decision.

Resolved: That the report be noted.

8. Date of Next Meeting

Resolved: That the next meeting of the Committee be held on Wednesday 8 May 2019 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee
Meeting to be held on 8th May 2019

Electoral Division affected: Fleetwood East
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Wyre Borough: Application number LCC/2018/0059
Variation of conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033 with a further 12 months to restore the site. Jameson Road Landfill Site, Jameson Road, Fleetwood.

Contact for further information:
Rob Jones, 01772 534128
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Executive Summary

Application - Variation of conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033 with a further 12 months to restore the site. Jameson Road Landfill Site, Jameson Road, Fleetwood.

Recommendation – Summary

That subject to the applicant entering into a section 106 agreement providing for an extended aftercare period of 15 years following the completion of restoration, provision of a footpath across the restored site and provision of two bird hides for a period of 99 years following restoration of the site, planning permission be **granted** for the variation of conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033 with a further 12 months to restore the site, subject to planning conditions controlling time limits, working programme, phasing of interim and final restoration, tipping levels, site operations, soils and overburden, hours of operation, highway matters, control of noise and dust, water pollution prevention measures, drainage, landscaping, lighting, restoration and aftercare.

Applicant's Proposal

The application is for a variation to conditions 1, 2 and 25 of planning permission 2/99/0704 relating to the landfilling and restoration of Jameson Road Landfill Site, Fleetwood.

Condition 1 requires landfilling operations to cease not later than 31 December 2018.

Condition 2 requires that the site shall be progressively restored in accordance with the conditions of the permission and shall be restored in its entirety by 31 December

2020 or within 24 months from the cessation of landfilling, as defined in the permission, whichever is the earlier.

Condition 25 requires that in the event of there being a cessation of landfilling, as defined in this permission, a scheme and programme for the final restoration of the site shall be submitted to the County Planning Authority for approval in writing within six months of such cessation. The cessation of landfilling is defined as no landfilling having been carried out for a continuous period of 2 years.

The application seeks to vary condition 1 to extend the end date of the landfill operations until 31 December 2033, a further period of 15 years and also to amend conditions 2 and 25 such that progressive restoration of the entire site is achieved within 12 months of cessation of landfilling, this date being when no landfill operations have taken place for 10 years.

A screening opinion for the proposed development determined that it would not be likely to have significant adverse effects on the environment and therefore would not constitute EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Description and Location of Site

Jameson Road Landfill Site covers an area of approximately 63 hectares and is located 1km south of Fleetwood Town Centre. The site is bound by the Wyre Estuary to the east and Jameson Road to the west. To the north is the Fleetwood Marsh Industrial Lands Biological Heritage Site with the former ICI Hillhouse works (lagoons) landfill site at Burn Naze, to the south, which is currently being restored to a nature conservation area via the importation of construction, excavation and demolition waste. Fleetwood Waste Water Treatment Works, and a vacant cleared industrial site are on the west side of Jameson Road. The ICI Hillhouse International Pool Biological Heritage Site and the Jameson Road Saltmarsh Biological Heritage Site adjoin the south-west and the south-east corners, respectively, of the landfill site. The Wyre Estuary is designated as the Morecambe Bay and Duddon Estuary Special Protection Area and Ramsar site, and the Wyre Estuary Site of Special Scientific Interest.

The site is accessed from the A585 (T) via Fleetwood Road (B5268) and Jameson Road. The nearest residential properties are approximately 400m from the north boundary of the landfill site. The Broadwaters Caravan Park and Cala Gran Caravan Park are located approximately 100m to the south-west boundary of the landfill site,

The landfill site is divided into two distinct areas known as 'JRP1' and 'JRP2', that are separated by a valley feature; this has arisen as a result in the change to Environment Agency's Environmental Permitting requirements that required changes to the engineering of landfill sites. The older phases of landfill, JRP1, cover an area of approximately 44 hectares and occupies the majority of the landfill site on its north, west and south sides. They have been largely capped and restoration soils placed, and reach an elevation of around 24m AOD. The site infrastructure (landfill gas management and electricity generation compound, leachate treatment plant, site

office and weighbridge) are located inside the site entrance by the access road from Jameson Road.

A modern engineered containment landfill, referred to as JRP2, covers an area of approximately 19 hectares and is located on the eastern side of the site. The area is divided into three phases, with each of the three phases being sub-divided into three cells. Five of these nine containment cells have been filled, capped and restoration soils placed, and reach an elevation of around 28m AOD. The remaining four cells are the extent of land still to be filled to the approved contours. The footprint of the area to be landfilled is around 7 hectares (increasing to around 11 hectares when taking into account filling against the slopes to the completed phases). The area still to be landfilled was prepared some time ago for landfilling and is occupied by stockpiles of soil with the ground levels ranging from around 2.4m AOD (south) to 4.5m AOD (east).

The four unfilled cells are all located within Flood Zone 2, with some parts being within Flood Zone 3. On the boundary of the site with Wyre Estuary is a flood defence bund.

Background

The site is an established landfill site. The planning permissions that are relevant to this current proposal are as follows:

Planning permission for the landfilling/ landraising operations to a height of 16M AOD, was granted in January 1984 (ref. 2/83/1379 and 2/83/1380).

Planning permission for an extension of the existing landfill, was granted in April 2006 (ref. 02/99/0704). This permission was subject to a Section 106 Agreement providing for an extended aftercare period of 15 years following the completion of restoration, and the provision of a footpath across the restored site and provision of two bird hides for a period of 99 years following restoration of the site.

Planning permission for a variation of Condition 9 of permission 02/99/0704, to alter the operating hours, was granted in June 2007 (ref. 02/07/0406).

Planning Policy

National Planning Policy Framework

Paragraphs 7 - 11, 47, 54 – 55, 80, 108, 110 - 111, 155 - 163, 170, 175 – 177, 180 and 183 are relevant with regard to the following:

Achieving sustainable development - the presumption in favour of sustainable development; Decision making - determining applications and planning conditions and obligations; Building a strong, competitive economy; Promoting sustainable transport – considering development proposals; Making effective use of land; Meeting the challenge of climate change, flooding and coastal change – planning and flood risk, and Conserving and enhancing the natural environment – habitats and biodiversity, and ground conditions and pollution.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document

Policy CS7 Managing Waste as a resource
Policy CS8 Identifying Capacity for Managing our Waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM1 Management of Waste and Extraction of Minerals
Policy DM2 Development Management
Policy WM1 Capacity of Waste Management Facilities
Policy LF1 Sites for Non-Hazardous Landfill

Wyre Local Plan (2011 – 2031)

Policy SP1 Development Strategy
Policy SP2 Sustainable Development
Policy CDMP1 Environmental Protection
Policy CDMP2 Flood Risk and Surface Water Management
Policy CDMP3 Design
Policy CDMP4 Environmental Assets
Policy CDMP6 Accessibility and Transport

Consultations

Wyre Borough Council - Object as the proposed variation of condition 25 would have a harmful impact on the visual amenity of the area by reason of the unspecified time commitment to the restoration of the site in the event of a cessation of land filling. The non-restoration of the site for a period of up to 15 years would be harmful to the character of the area and considered contrary to policy CDMP3 of the adopted Wyre Local Plan (2011-2031).

Fleetwood Town Council - No observations received.

Environment Agency - No objection and comment that the remaining void space (phase 2) has a permit that is still in force. Gas and leachate are collected and treated on site in a separately permitted operation. The closed (phase 1) area has a separate permit that is still in force, with its gas and leachate treated as for phase 2.

LCC Highways Development Control - No objection and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Jacobs (Ecology) – No objection and comment that undertaking a Habitats Regulations Assessment is not required but that surveys of waterbodies within the application site be undertaken prior to the determination of the application to determine the presence of Great Crested Newt and common reptile. The application site is likely to attract ground nesting bird species and standard measures for the avoidance of impacts on nesting birds should be secured by planning condition. Badger checks should be undertaken prior to the commencement of works. As regards restoration, a condition should be included on any consent requiring a revised restoration plan including locally appropriate coastal habitats and a reduction in the woodland component for the remaining area to be restored and that this revised restoration plan is submitted 12 months before any restoration is due to be commence.

Natural England – No objection and comment that the original Habitats Regulations Assessment should be updated to make sure it accounts for current circumstances of the proposal, assesses the impact of the increased timescales and complies with the People over Wind ruling.

The Lancashire Wildlife Trust - No objection.

National Air Traffic Services - No objection.

Ministry of Defence Lands – Safeguardings – No observations received.

Blackpool Airport – No observations received.

Lead Local Flood Authority - No observations received.

Representations – The application has been advertised by site and press notice and neighbours have been notified by letter. Seven objections have been received from residents to the north of the site and from the owner of the Cala Gran Caravan Park raising the following issues:

- Odour and air pollution.
- Contamination of ground water.
- General pollution to the local area from whatever maybe tipped at this site.
- A landfill site so close to the river is a ticking time bomb as the waste could be exposed by erosion over a period of time.
- Vermin infestation.
- The devaluation of the value of residential properties.
- The submitted traffic, odour and noise assessments are out of date as they rely heavily on data that accompanied planning application 02/99/0704.
- Not to install temporary caps on non-operational areas, and not to cap and restore completed areas, as soon as is possible, may create risks associated with fires, pest infestation and odours. To prevent this, a condition should

require the temporary capping of any non-operational areas, and that the site is promptly restored at the earliest.

- Landfilling operations should be restricted to 0700 to 1900 hours, Mondays to Fridays (except Public Holidays), and 0800 to 1300 hours on Saturdays (except Public Holidays).

Advice

Jameson Road Landfill site is an existing major landfill site for the disposal of biodegradable and non-hazardous household, commercial and industrial waste. The landfill site has been operational since the 1970s. Planning permission 02/99/704 provided for the extension of the site and re-profiling by increasing the height of tipping.

The proposals contained within application 02/99/704 were determined to be EIA development and hence the application was accompanied by an Environmental Statement. A screening opinion undertaken for this current proposed time extension planning application determined that it would not constitute EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The application seeks to vary conditions 1, 2 and 25 of planning permission 02/99/0704 to allow the period for landfilling operations to continue until 31 December 2033. The existing planning permission through conditions 2 and 25 also requires the site to be restored if no landfill activities have taken place for a period of two years. The applicant proposes that these conditions be amended such that restoration has to be undertaken if no landfilling activities have been carried out for a period of 10 years.

The landfill site has been moth-balled since April 2017 because Lancashire County Council's residual municipal waste is currently contracted for disposal at Whinney Hill landfill site in Accrington and will continue to do so until approximately 2025. It may be that before or at that time some or all such waste streams revert to Jameson Road landfill for disposal. However, at the current time, the waste volumes available are such that it is not economically viable to keep the site open.

The remaining void space at the site has a volume of around 1,000,000m³. It is the applicant's intention to reserve this void space with a view to recommencing operations when market conditions make it viable or as other void space in the wider area diminishes. The time limits as set out in conditions 1 and 2 of the current permission 02/99/704 require site restoration by 31 December 2020 and therefore would not allow for the remaining void space at the site to be reserved for future use.

This planning application therefore proposes to vary conditions 1 and 2 of the existing permission 02/99/704 to allow the date for final restoration of the site to be deferred until 31st December 2034. It is also proposed to vary Condition 25 so that the trigger for the implementation of final restoration of the whole site is when no landfilling activities have taken place for a period of 10 years rather than the two year period as contained in the existing condition 25.

The applicant has advised that, while the planning application seeks to extend the duration of the permission for nearly 15 years, it is important to stress that the active landfill operations would not be 15 years in duration. A decision to reactivate the site would depend upon market conditions and input rates. At typical previous input rates of 150,000 tonnes per annum, the void would be full in around 6 to 7 years (assuming a density of 1 tonne/m³), but at a lower input rate it could take much longer. As such, the timescale being applied for allows for the continued moth-balling of the landfill and a period of infilling and restoration works to complete the final cells as and when market conditions allow.

The proposal raises a number of planning policy issues: the ongoing need for landfill capacity; the environmental impacts arising from the continuation of the development over a longer period than was originally permitted in relation to landscape and visual, ecology and habitats, traffic, dust, noise and odour, ground and surface water pollution, and flood risk; and the restoration and afteruse of the site.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and the Wyre Local Plan (2011 – 2031).

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling and requires waste to be managed at the highest level possible within the waste hierarchy.

The inability to complete landfilling on this site within the permitted dates has been due to a number of factors. As previously mentioned, Lancashire County Council's residual municipal waste is currently contracted for disposal at Whinney Hill Landfill Site and will continue to do so until approximately 2025. The consequence is that Jameson Road Landfill Site has been moth-balled since April 2017 due to waste inputs being economically unviable. National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling and requires waste to be managed at the highest level possible within the waste hierarchy. The landfill tax also encourages those parties who have to landfill waste to actively minimise the volumes of waste that are landfilled and to maximise the quantities of waste that are removed from the waste stream for recycling, recovery or reuse. It is therefore considered that the diversion of Lancashire County Council's residual municipal waste away from the site combined with the much reduced amounts of landfilled waste is a result of market forces rather than a deliberate attempt by the applicant to run the business in a manner to facilitate its retention longer than would normally be supported by planning policy.

It may be that some or all of such waste streams that are currently deposited at Whinney Hill Landfill Site revert to Jameson Road Landfill for disposal before or at 2025. Therefore, the proposed time extension would allow for the permitted void space to be reserved should it be needed to accept Lancashire County Council's residual municipal waste, as and when the need arises, and also depending on future contractual arrangements.

Policy CS7 of the Lancashire Minerals and Waste Core Strategy seeks to manage our waste as a resource and to ensure that provision will be made for the minimal amount of new landfill capacity for the disposal of residues from the treatment of all wastes where no further value can be recovered. Policy CS8 of the Core Strategy and Policy DM1 of the Joint Lancashire Minerals and Waste Local Plan seek to ensure an adequate provision of suitable waste facilities, including landfill and waste recycling activities, across the county to ensure that waste can be managed as a resource.

Policy LF1 of the Joint Lancashire Minerals and Waste Local Plan supports landfilling of non-hazardous waste at existing permitted sites and states that, where an application is made to extend the time frame of an existing permission, it will be supported subject to conformity with other policies of the development plan.

The proposal would not result in any change to the size and design of the development approved under planning permission 02/99/704 with the footprint of the area yet to be landfilled remaining at around 7 hectares. The permitted void space at this site is already factored into the calculation of required landfill capacity in Lancashire. There will be an ongoing demand for the disposal of biodegradable and non-hazardous household, commercial and industrial waste in Lancashire. Including by landfilling. The maintenance of the permitted void space at Jameson Road would ensure the future availability of a facility to dispose of such waste arisings. In principle, the extension of time of the period for landfilling operations to continue until 31 December 2033 at Jameson Road Landfill Site, with a further 12 months to restore the site, and to also allow the period of cessation of landfilling to be increased to 10 years, is supported by Policy LF1, subject to the impacts being acceptable, and also complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Lancashire Minerals and Waste Core Strategy, and Policies DM1 and WM1 of the Joint Lancashire Minerals and Waste Local Plan.

An extension to the lifespan of the landfill site would generate impacts over a longer period and that have to be assessed.

Landscape and Visual Impact

The landfill site is not within or close to any area of designated landscape or townscape importance. A landscape and visual assessment submitted with the application concludes that there would not be any significant impacts.

The part of the site that would be completed over a longer period is on the east side of the landfill site adjacent to the Wyre Estuary. Views of this area are mainly at distance from the east side of the Wyre Estuary. The views of the future landfill area from Fleetwood are largely screened by the completed parts of the landfill within

area JRP1 which surround JRP2 on three sides. The final contours of area JRP2 form the highest parts of the site but the highest areas have already been completed and therefore the remaining areas of landfill activity should be relatively well screened from most directions by the landforms that have already been created. The landscaping works to be undertaken on the already restored areas will increase the screening to any future landfill activities that are undertaken over the proposed longer time frame.

The northern, western and southern flanks of the landfill site (the JRP1 area) were all filled to final level some time ago and have since been receiving soil materials in order to restore these areas. The restoration works on most of these areas have now been completed although progress is dependent upon the availability of soil materials to complete the restoration works and allow landscaping works (seeding and tree and shrub planting) to be undertaken. It is considered that any new planning permission that is granted should include a condition relating to the ongoing restoration of the JRP1 area so that it is restored and landscaping works completed within an acceptable timescale.

The other unrestored areas of the site are the site access roads on the west and south sides of the landfill site, and the valley feature between areas 'JRP1' and 'JRP2' of the site. Views of works to these areas would be limited due to their scale and distance to the wider areas to the north, south and west in Thornton and Fleetwood.

Ecology and Habitats

The site is not located within any ecological designations of European or national importance. The area of the site remaining to be landfilled has no natural features as it has been cleared in preparation for landfilling. However, there is the potential to indirectly affect the Morecambe Bay SPA and Ramsar site and the Wyre Estuary SSSI, as these sites are immediately to the east of the landfill site. Due to the potential impacts on the adjacent European wildlife sites, the requirements of the Habitats Regulations are therefore engaged.

Natural England have not objected but comment that, because the proposal is adjacent to the Morecambe Bay and Duddon Estuary SPA, Morecambe Bay Ramsar and Wyre Estuary SSSI, an assessment (called a Habitats Regulations Assessment) should be made as to whether the development would have a likely significant effect on the European Wildlife Sites. Natural England consider that the proposed time extension would be likely to have a likely significant effect on the SPA, Ramsar and SSSI, and so the application should be subject to an Appropriate Assessment under the Habitats Regulations.

Jacobs (Ecology) have not objected but comment that undertaking a Habitats Regulations Assessment is not required as both Natural England and LCC's Specialist Advisor for Ecology have previously commented as part of an EIA Screening exercise for this proposal that the site is not located within, or partly within any SSSI, Special Area of Conservation, SPA or Ramsar Site and is not likely to significantly affect the interest features for which they are notified. However, to address the comments of Natural England, the County Council has undertaken a

Habitats Regulations Screening Assessment in order to establish if the proposal would have a likely significant effect on the adjacent European wildlife site. It is the County Council's view that the proposal would not have such an effect as there is no direct loss of protected or supporting habitat, the potential pollution impacts are already mitigated through the engineering of the site and the impacts arising from noise, dust and other disturbance would not have a significant impact on the bird species for which the site is designated.

Based on the above comments, it is considered that that the proposal is not likely to have a significant effect on the internationally important interest features of the site, alone, or in combination with other plans and projects. It therefore follows that an Appropriate Assessment under the Habitats Regulations would not have to be undertaken.

Jacobs (Ecology) also comment that surveys of suitable waterbodies within the application site be undertaken prior to the determination of the application to determine the presence of Great Crested Newt. In response, the only waterbodies on the application site are on land that has been prepared for landfilling operations. These waterbodies are nearly 700m from ponds from where Great Crested Newt have been recorded on the Fleetwood Marsh Industrial Lands Biological Heritage Site to the north of the landfill site. Given this distance and the terrain of the partially landfilled site that Great Crested Newt would have to cross to reach the aforementioned waterbodies, it is considered highly unlikely that there would be any impacts on Great Crested Newt. For similar reasons, it is considered highly unlikely that there would be any impacts on common reptile that have been recorded to the west of the Fleetwood Waste Water Treatment Works which is 600m from the area still to be landfilled.

The application site is likely to attract ground nesting bird species and standard measures for the avoidance of impacts on nesting birds should be secured by planning condition. The whole site is surrounded by fencing and therefore it is unlikely that any badgers would be affected by the continuation of landfilling activities.

It is therefore considered that the proposed development would not have any unacceptable impacts on ecology.

Traffic

There would not be changes in the route of traffic to the site, or an increase in traffic volumes on the surrounding road network associated with the delivery of waste to the site, and its restoration, when compared to the currently approved traffic movements. Control of highway matters can be achieved through the use of planning conditions. The proposed time extension is therefore considered acceptable in terms of the capacity and safety of the local highway network.

Local Amenity Impacts

The main sensitive receptors are residential development in the nearest urban areas and areas of tourist accommodation in particular the caravan parks that are located

on either side of Jameson Road. Since the planning permission for the extension of the site was granted in 2006, there has been substantial areas of new residential development around the Fleetwood Dock area. A number of representations have been received from properties in this area.

A further objection has been received from the owner of the Cala Gran Caravan Park. The owners state that their site accommodates around 200,000 visitors per year and also has around 450 other permanent caravan owners. Cala Gran therefore state that their site makes a considerable contribution to the local economy. Cala Gran object to the application as they are concerned about traffic, odour and noise impacts and request that such impacts are properly assessed as part of this application, Cala Gran also request that the operating hours are more restrictive so that they do not permit landfilling activities on Saturday afternoons and Sundays.

The closest residents in the Fleetwood Dock area are around 750 metres to the north of the area of remaining landfill activity. The nearest caravans on the Cala Gran site are around 660 metres to the south west of the site. Due to these separation distances, any dust and noise would be likely to dissipate to levels that would not significantly affect such areas. The northern, western and southern sides of the landfill has also been restored so that the further landfill operations in Area JRP2 will largely be screened from the properties in the Fleetwood Dock area and from the Cala Gran caravan site. This screening would be further enhanced as landscaping is undertaken and matures on the previously restored areas. It is also important to recognise that it is very unlikely that landfilling operations will be undertaken continuously over the extended permission duration. It is more likely that operations would have an extended period of dormancy and then resume when waste volumes are sufficient for the site to be economically viable. Odours may be generated from areas of previously deposited waste. However, in order for the site to be retained in a dormant state, areas of tipping that have not been finally restored will have to be temporarily capped which will reduce the potential for odours and litter to be produced from the site. Cala Gran request that the temporary capping of semi filled areas is subject to a planning condition. It is considered that this matter would be addressed by the Environment Agency permit. The applicant is willing to accept a limitation to prevent landfilling on Saturday afternoons and Sundays with the exception of waste delivered from household waste centres.

The representation concerning the devaluation of the value of residential properties is not a valid planning issue.

Subject to conditions being imposed regarding noise, dust and hours of operations, it is considered that impacts on local amenity would be acceptable in terms of policy DM2 of the Lancashire Minerals and Waste Local Plan.

Ground and Surface Water Pollution and Flood Risk

There is the potential for the pollution of both ground water and the surface water of the adjacent Wyre Estuary from leachate from deposited waste, and from chemicals, oil or fuel from the use of plant and machinery.

However, the current landfill operations are undertaken within an engineered containment system, whereby the base of the landfill is lined to an agreed specification. The continued operation of the landfill site would not lead to any changes to the design of the existing containment system. Leachate generated by the deposited waste is monitored and managed via an Environmental Permit from the Environment Agency. The provision for the collection, treatment and disposal of all water entering or arising on the site, and the storage of and the prevention of pollution from chemicals, oil or fuel would be achieved through the use of planning conditions.

The area still to be landfilled is located within Flood Zone 2, and partially within Flood Zone 3. On the boundary of the site with Wyre Estuary is a flood defence bund. Undertaking the operations over a longer period than previously approved would not increase flood risk.

Section 106 Agreement

Planning permission 02/99/0704 was subject to a Section 106 Agreement requiring an extended aftercare period of 15 years following the completion of restoration, and the provision of a footpath across the restored site and provision of two bird hides for a period of 99 years following restoration of the site. Providing any new permission is subject to the same aftercare and afteruse controls, the proposal is acceptable in relation to these matters.

Conclusions

This proposal would allow an existing uncompleted landfill site to be retained for a further period to allow it to accept waste materials should a need and demand arise over the period to 2033. It is considered that the proposal is supported by national policy and the policies of the Lancashire Minerals and Waste Local Plan which support the continuation of existing landfill sites as part of a mix of different types of waste management facilities.

Extending the duration of the permission would not have any unacceptable impacts on local amenity, ecology or the local highway network.

Planning conditions attached to the existing permission 02/99/0704 also control the phasing of tipping and interim and final restoration, proposed final tipping levels, site operations, hours of operation, soils and overburden, restoration and aftercare. Provided that these planning conditions are updated and attached to any new permission, it is considered that the extension of time would be acceptable in relation to the amenities of the area, should address the objections and accord with the requirements of the National Planning Policy Framework, Policy CS9 of the Lancashire Minerals and Waste Core Strategy, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Policies SP1, SP2, CDMP1, CDMP2, CDMP3, CDMP4 and CDMP6 of the Wyre Local Plan (2011 – 2031).

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights. Article 1 of the first protocol states that an individual's peaceful enjoyment of their property shall not

be interfered with except as is necessary in accordance with the law and as is proportionate.

If the application were to be approved with the recommended conditions the development would be unlikely to generate such an impact which would breach those rights.

Recommendation

That subject to the applicant entering into a section 106 agreement providing for an extended aftercare period of 15 years following the completion of restoration, provision of a footpath across the restored site and provision of two bird hides for a period of 99 years following restoration of the site, planning permission be **granted** subject to the following planning conditions:-

Time Limits

1. The landfilling operations authorised by this permission shall cease not later than 31 December 2033.

Reason: Imposed pursuant to schedule 5 of the Town and Country Planning Act 1990 and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policies DM2 and LF1 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

2. The site shall be progressively restored in accordance with condition 22 of this permission and shall be restored in its entirety by 31 December 2034 or within 12 months from the cessation of landfilling as defined in this permission, whichever is the earlier.

Reason: To ensure the progressive restoration of the site in the interests of visual amenity and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough 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) Planning Permission No. 02/99/704, as amended by Planning Application LCC/2018/0059 and accompanying Planning Statement received by the County Planning Authority on 10 December 2018.

b) Submitted Plans and documents accompanying planning permission 02/99/704:

Drawing Ref. 02/288/8/001 - Site Plan
Drawing Ref. 02/288/8/002 - Existing Landform & Internal Leachate Control System
Drawing Ref. 02/288/8/003 - Stage 1
Drawing Ref. 02/288/8/004 - Stage 2
Drawing Ref. 02/288/8/005 - Stage 3
Drawing Ref. 02/288/8/006 - Stage 4
Drawing Ref. 02/288/8/007 - Stage 5
Drawing Ref. 02/288/8/008 - Stage 6
Drawing Ref. 02/288/8/009 - Stage 7
Drawing Ref. 02/288/8/010 - Development Quantities
Drawing Ref. 02/288/8/012 - Restoration Contours
Drawing Ref. 02/288/8/017 - Dividing Bunds
Drawing Ref. 02/288/8/018 - Environmental Monitoring Points/Boreholes
Drawing Ref. 02/288/8/020 - Deployment of Odour neutralising Sprays
Drawing Ref. 02/288/8/021 - Perimeter Leachate Extraction/Collection System
Drawing Ref. L04/00/38B - Location of Leachate Wells
Drawing Ref. LO4/00/55 - Proposed Restoration Contours & Cross-sections
Drawing Ref. 302/0/0 - Landscape Proposals

Submitted Plans and documents received by the County Planning Authority on 10 December 2018 accompanying planning application LCC/2018/0059:

Drawing No. JR 2/1 - Site Location Plan
Drawing No. JR 2/2 - Application Plan

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 CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policies NPPF 1, DM1, DM2, WM1 and LF1 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, Policy SP2 of the Wyre Borough Local Plan.

Phasing of Landfill Operations

4. Within three months of the date of this permission, a scheme and programme for the phasing and progressive restoration and landscaping of the site shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall contain details of the following:
 - a) a phasing programme for the completion of restoration within area JRP1 and implementation of the landscaping works required by condition 22 to this permission.
 - b) the phasing of landfill operations within area JRP2 and progressive restoration.

Reason: To secure the phased and progressive infilling and restoration of the site and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

Site Operations

5. A copy of this permission and all the documents referred to in condition 3 shall be available for inspection at the site office at all times throughout the development.

Reason: For the avoidance of doubt and to ensure all site operatives are aware of the planning conditions and approved documents and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

6. A topographical survey of those areas of the site where wastes have been deposited shall be submitted to the County Planning Authority within one month of each anniversary of the date of this permission until the completion of restoration works. The survey shall have been carried out within the two months preceding that date and shall consist of a plan drawn to the same scale as that submitted under the requirements of condition 7 and which identifies all surface features within the site and a 10 metre grid survey identifying levels relating to ordnance datum.

Reason: To enable the County Planning Authority to monitor the site to ensure compliance with the planning permission and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

7. Within six months of the date of this permission, a plan showing the proposed final tipping levels across the site shall be submitted to the County Planning Authority for approval in writing. The plan shall be at a scale of 1:1000 and shall show the final tipping contours at 1 metre intervals across all parts of the site where wastes are to be deposited.

Reason: In order to control the final tipping levels in the interests of visual amenity and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

8. The site shall be the final place of deposit for all waste and no waste shall be removed from the site once it has been deposited within the landfill area.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and prevent the pollution of adjacent land and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

Hours of Working

9. No landfilling operations shall take place outside the hours of:

0730 to 1730 hours, Mondays to Fridays (except Public Holidays)
0800 to 1300 hours on Saturdays.

No landfill operations shall take place on Sundays or public holidays.

These hours shall not apply to the landfilling of waste originating from Household Waste Disposal Centres or to engineering or site restoration works which shall be undertaken between the hours of 0700 to 1900 hours on Mondays to Saturdays.

This condition shall not, however, operate so as to prevent the use of pumping equipment and the carrying out, outside these hours, of essential repairs to plant and machinery used on site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

Highway Matters

10. The wheel cleaning facilities at the site shall be maintained in working order and shall be used by all HGVs leaving the site during 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 conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation

and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

11. Any internal haul road or private way between the wheel cleaning facilities and the boundary of the site shall, throughout the development, be metalled and drained and kept clear of debris along its entire length at all times.

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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

12. The sole access to and egress from the site shall be from the existing access on Jameson Road.

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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

Control of Noise

13. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

14. Noise emitted from the site shall not exceed 55 dB LAeq (1 hour) (free field), as defined in this permission, when measured from the northwest corner of the caravan site on the south side of Jameson Road (NGR 328 455).

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals

Dust

15. The dust suppression measures contained in the scheme and programme approved under the requirements of condition 18 of planning permission 2/99/704 shall be employed at all times during the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

Safeguarding of Watercourses and Drainage

16. Measures for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall no discharge of contaminated or polluted drainage to ground or surface waters shall be undertaken at all times in accordance with the scheme and programme approved under the requirements of condition 19 of planning permission 2/99/704.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

17. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

Soils and Overburden

18. Spreading of top and subsoils shall be restricted to occasions when the soil is dry and friable and the ground is sufficiently dry to allow the passage of heavy vehicles, plant and machinery over it without damage to the soils.

Reason: To ensure the proper handling, storage and replacement of soils to ensure satisfactory restoration and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

Landscaping

19. Any trees within the site which are either removed or damaged, become diseased or which die at any time during the development, restoration and the aftercare period as provided for in this permission shall be replaced during the first available planting season, as defined in this permission, after which such condition is discovered with trees of a similar type, number and species so affected.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

20. No trees or hedgerows shall be removed during the bird-breeding season between 1 March and 31 July inclusive unless they have been previously checked and found clear of nesting birds in accordance with Natural England's guidance and if appropriate, an exclusion zone set up around any vegetation to be protected. This also applies to ground nesting birds. 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 CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

21. All areas of the site left undisturbed, and all topsoil, subsoil, soil making material and overburden mounds shall be kept free from noxious weeds throughout the development including the restoration and aftercare periods.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation

and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

Restoration

22. The final restoration of the site shall be undertaken in accordance with the scheme and programme approved under the requirements of condition 28 of planning permission 2/99/704.

The landscaping works including tree and hedge planting within any phase shall be undertaken in the first planting season following the restoration soils in that phase being respread to the depths proposed in the approved restoration scheme.

Reason: To secure the proper restoration of the site and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One and Policy SP2 of the Wyre Borough Local Plan.

23. In the event of there being a cessation of landfilling as defined in this permission, a scheme and programme for the final restoration of the site shall be submitted to the County Planning Authority for approval in writing within six months of such cessation.

The scheme and programme shall provide for the restoration of the site using on-site material plus imported capping material, subsoil and topsoil only and shall include details of:

- a) The removal of all plant, machinery, buildings, structures, erections and their foundations including the removal of all internal haul roads, subsidiary site roads and hardstanding areas.
- b) The final levels and landform of the site.
- c) Surface water drainage in order to demonstrate that the site will be free draining, identifying appropriate discharge points.
- d) The respreading and depth of soil making materials and seeding specification.
- e) Native tree and shrub planting and seed specification and their cultivation and protection.
- f) The methods to be employed to promote normal plant growth.
- g) Amendments to the restoration scheme previously approved under this permission to provide for the restoration of the site to a similar standard and

land use as contained in the hitherto approved scheme and programme, taking into account the information above.

h) Monitoring of settlement and remedial measures to be adopted.

The scheme and programme shall be implemented within a period of 24 months from the date of written approval by the County Planning Authority.

Reason: To secure the proper restoration of the site within a reasonable and acceptable timescale and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan,

24. If, following the restoration of any part of the site, differential settlement occurs that requires remediation, the details of the necessary remediation works shall be submitted to the County Planning Authority for approval in writing. The details shall include information on the area to be subject to remediation works, the materials to be used, timescale and details of restoration following completion of the works. The approved details shall be carried out in their entirety.

The scheme and programme shall include details of the duration of the regrading works, the materials to be used and the restoration of the surface of the land.

Reason: To secure the proper restoration of the site in accordance with an approved scheme and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan

Monitoring

25. A monitoring report shall be submitted to the County Planning Authority by 31 March of each year and at annual intervals thereafter until the end of the aftercare period referred to in this permission as defined in this permission. The report shall record in detail, as appropriate, the operations carried out on the land during the previous 12 months in respect of landfilling and measures taken to implement the restoration and aftercare provisions and setting out the intended operations for the next 12 months.

Reason: To enable the site to be monitored and to ensure compliance with the planning permission and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals

Aftercare

26. Upon certification in writing by the County Planning Authority of the completion of restoration, as defined in this permission, in phase JRP1 or any of the 3 phases of JRP2, aftercare works shall take place in that phase for a period of five years in accordance with the scheme and programme approved under the requirements of condition 28 of planning permission 2/99/704.

Reason: To secure the proper aftercare of the site and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy SP2 of the Wyre Borough Local Plan.

Definitions

Cessation of landfilling: no landfilling having been carried out for a continuous period of 10 years.

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Free field: At least 3.5 metres away from the facade of a property or building.

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in in phase JRP1 and in any of the three phases of JRP2 have been completed satisfactorily.

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

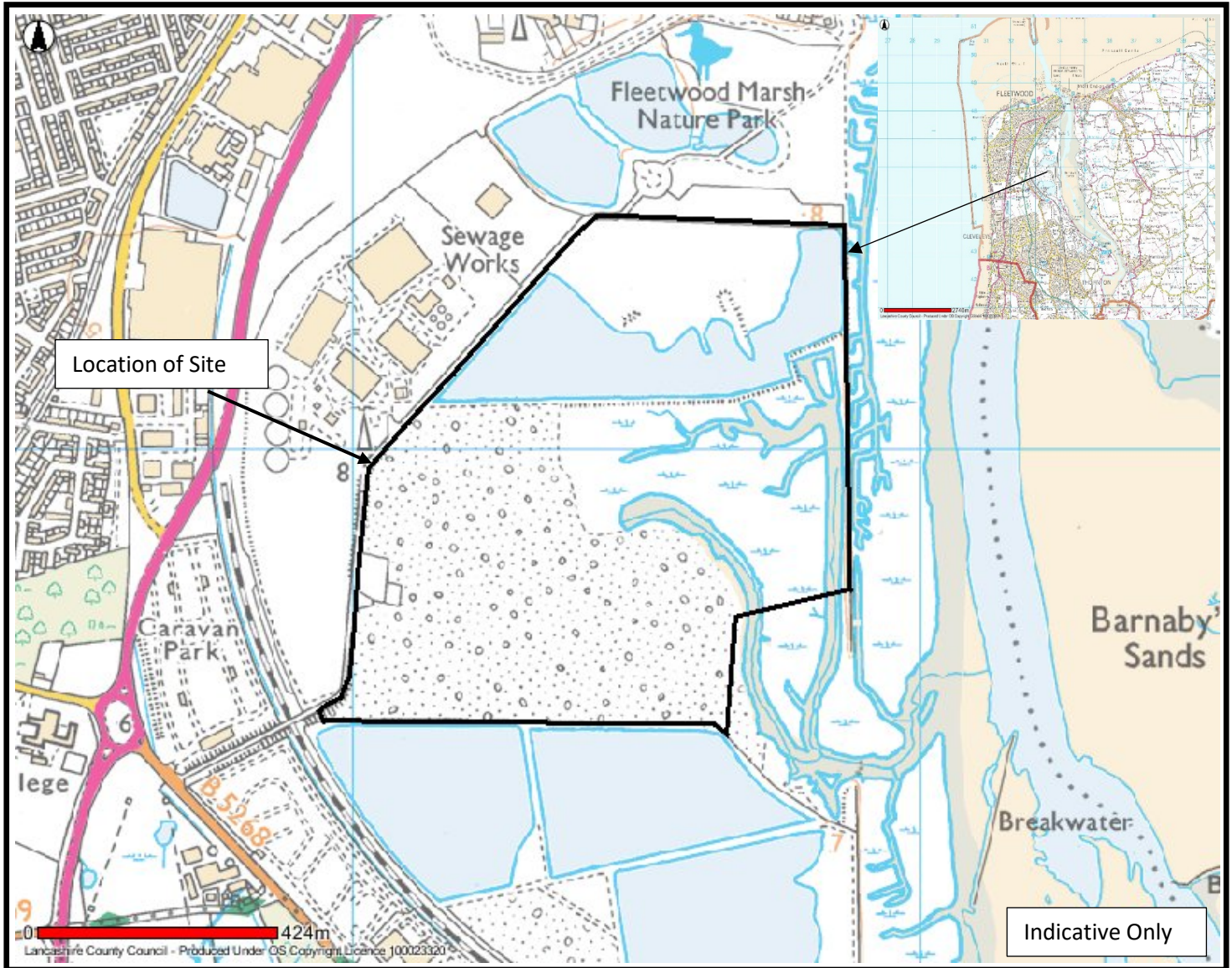
Paper	Date	Contact/Directorate/Ext
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None

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2018/0059 VARIATION OF CONDITIONS 1, 2 AND 25 OF PERMISSION 02/99/0704 TO CONTINUE LANDFILLING OF THE SITE UNTIL 31 DECEMBER 2033 WITH A FURTHER 12 MONTHS TO RESTORE THE SITE. JAMESON ROAD LANDFILL SITE, JAMESON ROAD, FLEETWOOD



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Development Control Committee
Meeting to be held on 8th May 2019

Electoral Division affected: Lytham
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Fylde Borough: Application LCC/2019/0013
Erection of an extension to the existing waste transfer building. Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

Contact for further information:
Rob Jones, 01772 534128
DevCon@lancashire.gov.uk

Executive Summary

Application - Erection of an extension to the existing waste transfer building. Land at Lidun Park Industrial Estate, Off Boundary Road, Lytham.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour of building and floodlighting.

Applicant's Proposal

The proposal is for the erection of an extension to the existing waste transfer building for the handling of non-hazardous inert household, commercial and industrial waste.

The building would measure 17 metres by 9 metres and with a mono-pitched roof to measure 7.2 metres high and 4.9 metres high at their respective highest and lowest points. The building would be of steel framed construction with 2.2 metre high blockwork from ground level and profile coated metal cladding above. The building would be fully enclosed except on the eastern elevation that would be fully open to enable vehicle access to the interior during working hours but would be closed at other times by two roller shutter doors. The metal cladding and roller shutter doors would be coloured juniper green.

Description and Location of Site

The site is at an existing waste transfer station on the Lidun Park Industrial Estate approximately 2 km north-east of Lytham town centre. Access to the industrial estate is from Boundary Road that leads onto the A584 Lytham Road.

The site is a flat area of land with an area of 0.35 ha. Vehicular access is halfway along the western boundary of the site with a weighbridge on the road immediately in front of the access. An enclosed waste transfer building and an associated open sided extension that covers storage bays, a conveyor belt and a trommel screen, are

located along the southern boundary of the site. Movable concrete 'lego' type concrete bays are located along the south-east boundary of the site. A building used as an office and by site staff is located along the north-west boundary of the site by the access. A small area between the front of the building and Boundary Road is used for the parking of staff vehicles. The remainder of the site is a hard surfaced yard area used for the storage of skips and processing of waste. A 2.4 metre high metal fence and access gates are located along the western site boundary between the two existing site buildings.

The proposed extension would be located on the north side of the waste transfer building and along the western boundary of the site up to the vehicle access with the consequence that the site would be fully enclosed (except for the access) on the north, south and west sides.

The site is bordered to the east by a tidal watercourse known as the Main Drain that forms a part of the Lytham Coastal Changes Site of Special Scientific Interest (SSSI) beyond which there are flat and open fields in agricultural use. To the south, north and partially to the west are existing units within the industrial estate.

The site lies within Flood Zone 3.

The nearest residential dwellings are on Cheviot Avenue that back onto a railway line that separates them from the industrial estate. The curtilage of the closest property is 75m to the west of the proposed building.

Background

Planning permission for the change of use of vacant land to a Waste Transfer Station and the erection of an associated industrial building, was granted on 22 May 2008 (ref. 05/08/0326).

Planning permission for the erection of a detached office building and an open sided extension to the existing waste transfer building to cover a conveyor belt and two outside storage bays (retrospective application), was granted on 13 July 2016 (ref. LCC/2016/0013).

Planning permission for the change of use of land and building as an extension to the existing waste transfer station and for the storage of skips (retrospective application), was granted on 13 July 2016 (ref. LCC/2016/0014).

Land adjacent to the railway line is subject to a planning permission for the change of use of land for the storage of empty skips, granted on 07 May 2015 (ref. 15/0152) by Fylde Borough Council. The permission is temporary for a period of five years.

Planning Policy

National Planning Policy Framework

Paragraphs 7- 12, 47, 54 – 55, 80, 108, 127, 155 - 163, 180 and 183 are relevant with regard to achieving sustainable development - The presumption in favour of

sustainable development; Decision making - Determining applications and planning conditions; Building a strong, competitive economy; Promoting sustainable transport – Considering development proposals; Achieving well-designed places; Meeting the challenge of climate change, flooding and coastal change – Planning and flood risk; and Ground conditions and pollution.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications.

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD

Policy CS7 Managing Waste as a resource
Policy CS8 Identifying Capacity for managing our waste
Policy CS9 Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1 Presumption in favour of sustainable development
Policy DM2 Development Management

Fylde Local Plan to 2032

Policy NP1 Presumption in favour of sustainable development
Policy GD1 Settlement Boundaries
Policy GD7 Achieving Good Design in Development
Policy EC1 Overall Provision of Employment Land and Existing Employment Sites
Policy CL1 Flood Alleviation, Water Quality and Water Efficiency
Policy CL2 Surface Water Run-Off and Sustainable Drainage

Consultations

Fylde Borough Council – No objection.

LCC Highways Development Control – No objection and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Environment Agency – No objection.

Ministry of Defence Lands – Safeguardings – No observations received.

Representations – The application has been advertised by press and site notice and local residents informed by individual letter. One objection has been received from a local resident commenting that the existing site creates noise disturbance to nearby residential properties. Three other representations have been received from local residents that do not specifically object to the application but refer to impacts of noise, dust and vibration from the existing site and from the loading/unloading of

skips adjacent to the railway line. The residents comment that noise and dust emissions should be monitored prior to the building being constructed and following its construction and that the results of the monitoring be made available to residents and that the operators should invite local residents to attend a board meeting to promote neighbour relations.

Advice

Planning permission is sought for an extension to a building at an existing waste transfer station. The new building would receive mixed skip waste as it arrives on site, allowing the existing building to be used just for the sorting process.

Currently, waste arriving onsite is tipped and sorted in the existing waste transfer building. However, this creates problems as tipped waste sometimes overlaps partially sorted and fully sorted loads with the result that material is sometimes sorted more than once. The applicant advises that the new building for receiving waste would improve both efficiency and the safety of the working environment as staff can sort in the current building without having to stop to allow incoming skip wagons to tip loads. The current workable tipping/sorting area is no more than 50 sq. metres of the existing building as the remainder must be kept clear for access to stockpiles of already segregated/post-trommelled waste and to allow staff movement through the building safely. The new building would provide approximately 130-140 sq. metres of tipping space with the potential for removing large bulky materials by machinery away from staff working by hand.

The principle issues associated with the application concern visual impact and the potential for the development to cause nuisance or disturbance to the nearest residents.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process.

The Development Plan for the site is made up of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and the Fylde Local Plan to 2032.

National Planning Policy encourages recycling and the re-use of waste to reduce reliance on land filling.

The NPPF seeks to ensure that the planning system helps businesses to invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Policy CS7 of the Core Strategy DPD seeks to manage our waste as a resource, while Policy CS8 of the Core Strategy DPD seeks

to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource.

The proposal would result in the provision of better facilities on an existing waste management site for the collection and recycling of inert and non-hazardous commercial and industrial waste materials and complies with the principle of National Planning Policy and with Policies CS7 and CS8 of the Core Strategy DPD in terms of waste management strategy.

The site is located within Lidun Park Industrial Estate that is subject to Policy EC1 of the Fylde Local Plan. The policy seeks to retain land and premises within the existing industrial estate for B1 (a –c), B2 and B8 use classes. The site already benefits from planning permission for the management of waste. The building would be ancillary to that use and is therefore acceptable in principle. The structure would not be overly large and is of a design and size necessary for its purpose. The building would be coloured juniper green to match the existing building that it would adjoin. Subject to the imposition of a condition to require that the building is constructed from the proposed materials, it is considered that the visual impacts would be acceptable.

One objection and three other representations have been received from local residents who comment that the existing site creates noise, dust and vibration disturbance to nearby residential properties, and that the proposed building would exacerbate these impacts.

In relation to these comments, the building would not enclose any mechanised sorting machinery and therefore noise emissions from the site would not be any greater than they are at present. The extension would not have an open side facing the nearest houses and effect of the building would be to more fully enclose the yard areas leaving only the access open. The applicant states that this would result in improvements to both visual and acoustic screening of the site and so reduce the transmission of noise from the sorting activities beyond the boundary. It would also reduce the wind speed across the yard and hence reduce the potential for dust emissions both internally and beyond the boundary. The applicant has also very recently replaced all 'bleeping' reversing alarms on plant and machinery on the site with quieter 'white noise' reversing alarms. The applicant has also previously fitted sleeves to the skip lifting chains of HGV's to reduce noise arising from this source.

It is considered that the proposal would help to address any issues of noise and dust that may be associated with the site by providing better enclosure of the processing activities and hence has the potential to improve environmental impacts. It must also be remembered that noise and dust are matters that are the subject of the Environmental Permit issued by the Environment Agency.

In relation to the loading/unloading of skips adjacent to the railway line, planning permission for the change of use of land adjacent to the railway line to the west of the application site for the storage of empty skips was granted on 07 May 2015 (ref. 15/0152) by Fylde Borough Council. The permission is temporary for a period of five years. Any issue relating to this would be a matter for Fylde Borough Council.

LCC Highways Development Control have no objection and are satisfied that the development should have a negligible impact on highway safety and capacity in the immediate vicinity of the site.

The site is located within Flood Zone 3. However, it is already hard surfaced and the development would not increase flood risk or the run-off rate from the site to the surrounding area including to the Main Drain along the eastern site boundary. An advice note is to be included in relation to the Environment Agency's comments.

The existing permission 05/08/0326 for the waste transfer and sorting operations contains a number of conditions relating to hours of operation, noise, dust and litter, and site operations. These conditions would adequately control the use of any sorting equipment and buildings that are the subject of this application and hence there is no need to duplicate them. A condition is considered appropriate, however, to minimise light spill from any floodlighting that may be attached to or used in association with buildings and equipment approved by this permission. The development is therefore considered acceptable in terms of residential amenity and complies with Policy CS9 of the Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies NP1, GD1, GD7, EC1, CL1 and CL2 of the Fylde Local Plan to 2032.

In view of the scale, location and nature of the proposed development it is considered that no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Recommendation

That 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 received by the County Planning Authority on 27th February 2019, and the email received from the applicant on 28 March 2019.
 - b) Submitted Plans and documents received by the County Planning Authority on 27th February 2019:

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 CS7, CS8 and CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policies NP1, GD1, GD7, EC1, CL1 and CL2 of the Fylde Local Plan to 2032.

Building Materials

3. The external faces of the metal profile sheeting used for the elevations and roof of the extension shall be coloured juniper green and these materials shall be retained throughout the lifespan of the development.

Reason: In the interests of the visual amenities of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GD7 of the Fylde Local Plan to 2032.

Floodlighting

- 4 Any flood lighting to be used during the operational life of the site shall be angled into the site, downwards, shaded to minimise light spill and only illuminated during the authorised working hours of the site.

Reason: To minimise light spill beyond the boundaries of the compound and to safeguard the amenity of the area and to conform with Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy DPD, Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One, and Policy GD7 of the Fylde Local Plan to 2032.

Notes

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

The Environment Agency also include the following advice:-

Flood risk management – advice to applicant

It is recommended that the applicant review any flood warning and evacuation plan procedures. By getting an advanced warning it will allow protection measures to be implemented as well as evacuating people off site. However, registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. To sign up to for flood warnings please visit the GOV.UK website:

<https://www.gov.uk/sign-up-for-flood-warnings>.

Environmental permitting (flood risk activities) – advice to applicant

Main Drain, the watercourse adjacent to the application site, is designated a main river.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact the Environment Agency's National Customer Contact Centre on 03702 422549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and should consult the Environment Agency at the earliest opportunity.

It is recommended the applicant considers the following guidance on the rights and responsibilities of riverside ownership:

<https://www.gov.uk/government/publications/riverside-ownership-rights-andresponsibilities>

Pollution prevention – advice to applicant: To prevent pollution, run-off waters containing silt generated during the construction stage should be prevented from entering the adjacent watercourse.

It is recommended the applicant refers to the following pollution prevention advice which is available on the GOV.UK website at: <https://www.gov.uk/guidance/pollution-preventionfor-businesses>.

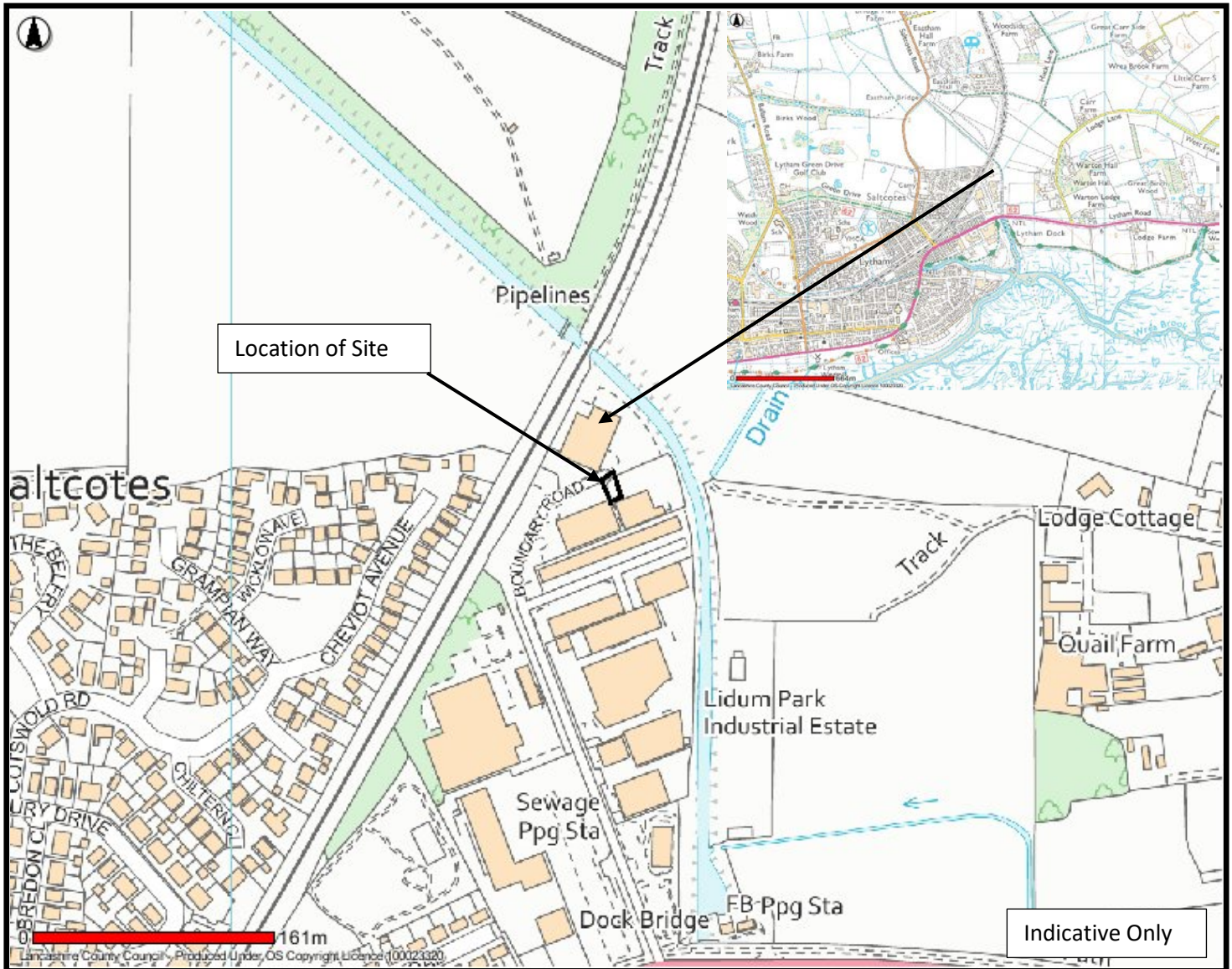
**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
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None

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

APPLICATION LCC/2019/0013 ERECTION OF A STEEL FRAMED METAL CLAD SHELTER TO FACILITATE WASTE PROCESSING. LIDUN PARK INDUSTRIAL ESTATE, BOUNDARY ROAD, LYTHAM ST ANNES.



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Development Control Committee

Meeting to be held on 8th May 2019

Electoral Division affected: St Annes South, Fylde West
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Fylde Borough: Application number. LCC/2019/0003

Application for redesign and realignment of the southern end of the proposed Heyhouses to M55 link road between the junction with the improved section of the existing North Houses Lane and the proposed intermediate roundabout on the link road.

Lytham Moss, Lytham St Annes (M55 to Heyhouses Link Road)

Contact for further information:

Jonathan Haine, 01772 534130

DevCon@lancashire.gov.uk

Executive Summary

Application - Application for redesign and realignment of the southern end of the proposed Heyhouses to M55 link road between the junction with the improved section of the existing North Houses Lane and the proposed intermediate roundabout on the link road.

Lytham Moss, Lytham St Annes (M55 to Heyhouses Link Road)

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, water resources, landscaping, archaeology and ecology.

Applicant's Proposal

The application is for a re design of the southern end of the approved M55 to Heyhouses Link Road between the proposed junction with the already improved section of North Houses Lane at the southern end and the proposed intermediate roundabout at its northern end, a distance of around 720 metres. The design of the remainder of the road would remain as currently permitted.

The proposed road would consist of a 9.3 metre wide single carriageway road made up of two 3.65 metre wide running lanes with 1 metre wide hard strips along either side. The road would be constructed partly on the alignment of the existing North Houses Lane. The unaffected section of North Houses Lane at the northern end of the application site would be retained for use as an off road cycle / pedestrian route which would then cross the new road via a Pegasus crossing to where a completely new cycle / pedestrian footway would be constructed on the western side of the new

highway to join with the existing cycle / footway provision at the southern end of the scheme.

The application also provides for the minor repositioning and redesign of an intermediate roundabout at the northern end of the application site.

The intermediate roundabout and the section of road subject to this application would be illuminated with lighting columns.

The new section of road would be constructed on embankment up to 2 metres above the level of the adjacent land and would incorporate some areas of false cutting to provide landscape mitigation. A drainage swale / ditch would be provided along the eastern side of the new road.

Description and Location of Site

The proposed Heyhouses to M55 Link Road would run from the Heyhouses area of Lytham St Annes in a northerly direction to the existing roundabout at the junction of Cropper Road and Whitehills Road lying 1 km to the south west of Junction 4 of the M55 Motorway. The current application is only for the southern part of the link road between its junction with the already improved section North Houses Lane and a proposed intermediate roundabout approximately 720 metres further north.

The application site occupies an area of 7.3 hectares of mainly flat agricultural land but also including a section of the existing North Houses Lane. North Houses Lane and its continuation known as Wild Lane, is a single track road with passing places which form a link between Cropper Road / Whitehills Road and the northern edge of Lytham St Annes. This road has been closed to through traffic for some years due to subsidence of the road surface.

The new road would pass through an area with very few residential properties. The nearest houses are those on the northern edge of Lytham which have views over Lytham Moss and which are at least 150 metres from the southern end of the proposed road. A national air traffic control radar station is located directly to the west of the existing Wild Lane approximately 200 metres north of the proposed intermediate roundabout. A farm track, which is also a bridleway, would be affected by the development.

Part of the application site lies within the Green Belt. Part of the site also lies within Flood Zone 3.

Land on either side of the existing road within Lytham Moss is designated as a Biological Heritage Site given its value for over wintering birds, some of which are associated with the Ribble and Alt Estuary Special Protection Area.

Background

History

Planning permission for the construction of the central section of the M55 to Heyhouses Link Road was granted in March 2002 (ref 5/01/0211). The planning permission was never implemented and lapsed.

Planning permission for the southern section (North Houses Lane) of the M55 to Heyhouses Link was granted in May 2004 (ref 5/04/0150). The improvement of this section of road was completed in 2004.

A planning application (ref 5/10/779) for the development of the remainder of the Heyhouses to M55 Link Road was considered by the County Council in 2011. The County Council resolved to grant planning permission for the scheme but the application was called in by the Secretary of State due to its relationship with another planning application for housing on a nearby site (the Queensway site) which was subject to a planning appeal due to non determination by the Borough Council. The Secretary of State granted planning permission for the road and for the Queensway housing development in June 2012 subject to conditions together with a section 106 agreement and unilateral undertaking. The unilateral undertaking relates to the provision and maintenance of the nature park and farmland conservation area, the funding of the link road and various other measures that are particular to the housing development. The section 106 agreement relates to the creation of the compensatory floodplain, payment and implementation of landscaping alongside the link road, the carrying out of obligations in respect of the farmland conservation area and the securing and implementation of a scheme for the protection of water voles.

Planning Policy

National Planning Policy Framework : Paragraphs 7 – 11, 83, 127 -130, 143 – 146, 155 – 163, 175 – 177 and 193 - 199 are relevant with regard to achieving sustainable development, supporting economic growth, achieving quality design, green belts, flooding, biodiversity and heritage impacts.

Fylde Borough Local Plan

Policy GD2 Green Belt
Policy GD4 Development in the Countryside
Policy GD7 Achieving good design in Development
Policy T1 Strategic Highway Improvements
Policy CL1 Flood alleviation, water quality and water efficiency
Policy CL2 Surface water run of and sustainable drainage
Policy ENV1 Landscape
Policy ENV2 Biodiversity
Policy ENV 5 Historic Environment.

Consultations

Fylde Borough Council: The Borough Council comment that the road is central to the delivery of the Fylde Local Plan as it would provide a much needed link between the main settlement of the Fylde and junction 4 on the M55 and will also unlock a number of key development sites as well as relieving congestion on the existing highway network.

St Annes on the Sea Parish Council: No observations received.

LCC Highways: No highway objections.

Lancashire Archaeological Advisory Services: The scheme of investigation that has previously been submitted in relation to planning permission 5/10/779 is generally satisfactory. The measures in that scheme should be applied during the development of the modified road proposal.

Jacobs (Landscape Comments): The landscape proposals for the amendment to the design for the southern part of the scheme are generally in keeping with those that have been previously agreed for the remainder of the road and would be in keeping with local landscape character. The temporary working area to the west of the new road has the potential to impact upon some of the planting that has been undertaken as part of the nature park area within the Queensway permission. If any of this planting is removed during construction activities it should be replaced. Some of the proposed planting adjacent to the cycle way contains thorny species and these should be replaced with alternative species or the planting set back from the cycleway. Other detailed comments are made with regard to the planting techniques and specifications.

Jacobs (Ecology Comments): Impacts related to the amended scheme on the Ribble Estuary Special Protection Area appear to have been adequately addressed and there is unlikely to be any additional adverse effects considering the mitigation that is already in place. The applicant's shadow Habitats Risk Assessment appears to be adequate to be adopted by the determining authority. The conclusions of the applicant's ecological survey of the additional land that would be affected by the redesigned scheme are accepted. There are some omissions within the surveys but these have been addressed through the provision of further information.

Environment Agency: Initially raised objection to the application on the basis that the application does not appear to be in compliance with the flood risk assessment that was prepared previously for this scheme. Most particularly the proposed road design does not include the use of box culverts under the road which were originally proposed in order to allow flood waters to pass under the road therefore preserving the function of the flood plain. In a further response, the Environment Agency notes the applicant's view that the box culverts are no longer required due to the presence and retention of the existing North Houses Lane which already acts as a barrier to the passage of flood waters and is above the modelled 1 in 100 year fluvial flood event level. The Environment Agency accept this position and consider that the proposed development will not be at unacceptable risk of flooding or result in further flooding elsewhere and therefore withdraw their objection to the scheme.

Comments are also made with regard to the landscaping proposals and planting within 8 metres of the top of the Main Dyke which could prevent emergency access and restrict essential maintenance to the main river.

Highways England: No objection.

Natural England: The proposed development will not have any additional significant adverse impacts on designated wildlife sites including the Ribble and Alt Estuaries Special Protection Area. The applicant has produced a Habitats Regulations Assessment. Natural England has provided ecological advice on the proposal on the assumption that it is the determining authority's intention to adopt this assessment.

LCC Lead Local Flood Authority: No objection

Ministry of Defence Lands – Safeguardings: No objection subject to a condition being imposed requiring details of the sustainable drainage measures that would be incorporated into the scheme.

National Air Traffic Services Ltd: No objection

Representations – The application has been advertised by press and site notice. Three representations have been received which do not object to the application but which raise the following issues:-

- The agent for the owner of the land on which part of the road would be located is concerned that the justification for the road in the Green Belt is unclear and relies upon the argument presented by the Inspector and Secretary of State when they originally approved the road in 2012. The agent does not consider that this is adequate given that the current application is for an amended scheme. He considers that very special circumstances must be set out to justify the inappropriate development in the Green Belt.
- The Lytham St Annes Cycle Group request confirmation that the existing North Houses Lane would still be retained for future use by non motorised traffic and asks what further works would be undertaken to bring the road back into a condition suitable for future use. Their other comment concerns the use of hawthorn and blackthorn in the landscape planting mix alongside the cycle way and request that these species are replaced with others more conducive to cyclists.
- The other representation is a request for provision for horsebox parking to be included within the scheme to allow access onto the local bridleways.

Advice

Planning permission for the construction of the Heyhouses to M55 Link Road was granted by the Secretary of State in 2012 following a public inquiry.

The road scheme would be a replacement for the existing North Houses / Wild Lane which is an existing single track road which links the northern side of Lytham with junction 4 of the M55. North House Lane / Wild Lane runs across Lytham Moss and has now been closed for a number of years due to subsidence issues. The proposed highway would provide a high standard link road between Lytham and the motorway network.

The road scheme is also related to a large development for circa 1000 houses on nearby land (the Queensway scheme) which was approved by the Secretary of State at the same time as the link road. The Queensway scheme includes a spur road which would join the M55 to Heyhouses link road at an intermediate roundabout. There are also controls within the Queensway planning permission that require funding for part of the costs of the link road at appropriate trigger points. Some preliminary works to construct the road have taken place and therefore it is considered that the 2012 permission for the link road has been implemented.

When the link road was originally designed, the section of road running from the intermediate roundabout to the southern end of the scheme was designed to a lower standard than the remainder of the scheme due to land ownership constraints. Most particularly, this part of the road had a restricted width of 6.5 metres and no separate cyclist / pedestrian provision apart from on that part of the existing North Houses Lane which was not affected by the new road. In undertaking further design work on the road, the land owner to the side of the road alignment has indicated that he may now be willing to make some of his land available which would allow the road to be redesigned so that its width and general standard would match that proposed for the northern part of the scheme. The current planning application has been submitted to gain approval for the redesign.

The principle of constructing the whole link road has already been established through the granting of the planning permission in 2012. It is considered that the benefits of building the road that were considered to weigh in favour of the scheme in 2012 in terms of a reduction in congestion on other part of the network and unlocking land for further development would still apply today. The Fylde Local Plan was recently reviewed and the adopted plan contains policy T1 relating to strategic highway improvements which maintains support for the construction of the M55 to Heyhouses Link road. The redesign now proposed would allow the road to be constructed to a uniform standard along its whole route therefore having highway capacity and safety benefits and also allowing better provision for non motorised and pedestrian travellers. The principle of the redesign now proposed is therefore considered acceptable.

However, it is necessary to consider the impacts of the amended design against the relevant planning considerations including Green Belt, drainage and flooding, ecology and landscape.

Green Belt

The section of the proposed highway to the south of the Main Dyke for approximately 400 metres is located within the Green Belt. Paragraph 143 of the National Planning Policy Framework states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 146 of the Framework states that certain other forms of development including engineering operations (which would include new roads) are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. However, it is considered that a new road of the scale proposed would by definition affect openness and would

therefore be inappropriate development. Very special circumstances must therefore be demonstrated.

In relation to the previous 'called in' application, the Inspector and the Secretary of State considered the impact of the road on the Green Belt and considered that very special circumstances were demonstrated to support the scheme. These factors would continue to apply to the current proposal. However, the land take of the proposed redesign is greater than that arising from the approved design; the additional land take within the Green Belt amounts to approximately 0.6 ha and therefore it is necessary to also demonstrate the very special circumstances that would justify the additional land take above and beyond the approved scheme. Whilst, the additional land take should be noted, it is considered that the actual visual impact of the proposed design compared to the approved design would be minor and therefore additional impacts on openness of the Green Belt would be minor.

The proposed design would allow the construction of a scheme of a uniform standard throughout its full length as the design of the southern part would not be constrained due to land ownership boundaries. It would avoid the requirement for a section of reduced width and therefore speed limit which would have safety and highway capacity benefits compared to the approved design. It would also provide for separate cyclist and other non motorised user provision throughout its full length. This was an issue that was identified in the road safety audits that have been undertaken on the approved design and would have safety and other amenity benefits for such users compared to the approved design. There would also be other benefits in that the increased land availability would allow the sides of the road to be supported by embankment rather than piling and capping beam thereby reducing the duration and costs of construction. The increased scheme width would also allow the use of a different drainage strategy with increased drainage gradients thereby reducing siltation and reducing maintenance liabilities. The combination of these factors is considered to amount to very special circumstances which would justify the additional impact of the proposed scheme on the Green Belt compared to the existing approved design.

Flooding

A large part of the application area lies within Flood Zone 3 (the area with highest risk of flooding). As part of the original planning application for the road, a Flood Risk Assessment was carried out. This recognised that the road would be raised on embankment so that it was above the flood level but that the effect of the development would be to reduce flood storage capacity and also prevent the natural operation of the flood plain. To address these impacts, the road design incorporated box culverts to allow flood waters to pass below the road and also a flood mitigation area where land levels were lowered to create additional storage capacity to replace that lost to the road embankments. The Environment Agency were satisfied with these proposals and the flood mitigation area was constructed in 2016.

The revised design for the road does not incorporate the use of box culverts. The Environment Agency therefore originally raised objection to the application on the basis that the flood mitigation measures that had previously been agreed had not been incorporated into the new road design. However, the applicant's justification for

this is that the existing North Houses Lane is already raised on embankment and therefore the new road does not present any greater impediment to the passage of flood waters than the existing situation. The Environment Agency have accepted this position and have now withdrawn their objection to the application.

The widening of the road would result in an increase in volume of lost floodplain compared to the approved design. However, the level of compensation that has been provided through the mitigation works considerably exceeds the floodplain volume that would be lost to the amended road design and there is no requirement to provide additional flood plain capacity.

Ecology

The Heyhouses to M55 link road, including the section subject to the current application, would cross Lytham Moss, a large area of which is designated as a Biological Heritage Site. The area is designated due to its value in supporting over wintering birds, some species of which are associated with the nearby Ribble and Alt Estuary Special Protection Area.

The construction of a new road across the Biological Heritage Site has the potential to impact upon the integrity of the European wildlife site for which the highest level of protection applies. Where a development would be likely to have a significant effect on a European wildlife site, the Habitats Regulations require that an assessment (called an Appropriate Assessment) has to be made of the implications of the development for the integrity of the European wildlife site. Consent for a project should only be granted where it can be demonstrated that there would be no adverse effects on a European site.

The impacts of the road on the Biological Heritage Site designation and on the Ribble and Alt Estuaries Special Protection Area were assessed as part of the 2011 planning application, both by the County Council and Secretary of State following the public inquiry. An Appropriate Assessment was undertaken to investigate the combined impacts of the link road and the Queensway housing development. As part of that assessment a range of mitigation measures were developed to off set the impacts on over wintering birds. These included the development of a farm land conservation area on land to the east of the road alignment where a range of physical and management works were proposed in order to increase the value of the farmland for over wintering birds. These works have now been carried out and its ongoing management is the subject of a unilateral undertaking which forms part of the planning permission for the Queensway site. With the mitigation measures, it was concluded that there would be no adverse effects on the bird species for which the Ribble and Alt Estuary Special Protection Area is designated.

As part of the current application for revisions to the design of the southern section of the Link Road, further ecological surveys have been undertaken of the land that would be directly affected and the wider area, in particular for over wintering birds. No features or species of particular conservation note were found as part of these surveys in the additional areas of land that would be directly affected by the current proposals. No trees or hedgerows would require removal and the additional land take is comprised of agricultural grassland. Therefore the additional land take

required to build the wider road would be unlikely to have any direct significant impacts on ecology. In terms of the impacts on over wintering birds and impacts on the Biological Heritage Site and Special Protection Area, the applicant has prepared a Habitats Regulations Assessment. The purpose of this is to carry out an initial screening assessment of whether the proposed development would have a likely significant effect on the Ribble and Alt Estuary Special Protection Area. The findings of the initial screening assessment is that in the absence of mitigation measures, the construction of the new road would have a likely significant effect. It has therefore been necessary to conduct a full Appropriate Assessment which can include consideration of any mitigation measures. The Appropriate Assessment has taken into account any mitigation measures for birds that might be secured through planning conditions and also the measures that were secured through the Queensway development, most notably the farmland conservation area. The Appropriate Assessment refers to a Condition Report that has been prepared in relation to the farm land conservation area which confirms that the required works have been undertaken and that the area is in favourable condition for over wintering birds. The conclusion of the Appropriate Assessment is therefore that the proposed development including mitigation would not have an adverse impact on the Ribble and Alt Estuaries Special Protection Area.

Natural England have considered the Habitats Regulations Assessment that has been undertaken by the applicant and consider that development would not have any additional significant impact on designated sites and that the County Council could adopt the assessment for decision making purposes. It is considered that the applicant's Habitats Regulations Assessment is a robust evaluation of the impacts of the development on the European wildlife site and should therefore be adopted by the County Council for development control purposes.

Landscape

The proposed modifications to the design of the southern part of the road would increase the land take. However, it would not require the removal of any additional landscape features as the land on either side of the approved alignment is comprised of agricultural farm land. No additional loss of mature trees or hedgerows would be required.

Although the benefits of widening the road and including separate pedestrian / non motorised user provision are significant in safety and capacity terms, the visual impacts of these widening works would be minor. When viewed from the road itself or more significantly from land or rights of way on either side of the road, the visual impacts of the wider road would be very similar compared to the approved scheme.

A number of comments and representations have been raised regarding the landscaping proposals. The construction works may impact upon an area of recent tree planting that was carried out as part of the Queensway scheme to create a nature park. It is considered that a condition should be imposed to require any planting in this area to be replaced if it is damaged or removed as part of road construction operations.

The comments of the cycling organisation are noted. The landscaping schemes for the highway have been amended to remove the spine bearing species from the planting mixes from the areas adjacent to the cycleway.

Planning Controls

The previous planning permission for the road included a section 106 agreement dealing with the provision of the compensatory floodplain, the funding of the landscaping works, provision of the farm land conservation area and mitigation for water voles. Some of these works such as the compensatory floodplain and the farmland conservation area have already been carried out. The current application would not result in any changes to these works being required and therefore there is no need to further amend these requirements in the section 106 agreement. With regard to the landscaping and water vole mitigation, this application is only for a part of the new road and therefore would not fully supersede the existing permission. The obligations in the existing section 106 agreement would therefore still apply and the existing controls are therefore considered sufficient and do not require any further amendment.

Conclusions

The principle of constructing the M55 to Heyhouses Link Road has previously been established through the granting of the planning permission in 2012. The design changes that are now proposed would ensure that the road is constructed to a uniform standard throughout its length and would remove the design limitations that are inherent in the currently permitted design. It is considered that very special circumstances are demonstrated to justify the additional land take within the Green Belt especially given that the current proposals would have only a very minor impact on the openness of the Green Belt compared to the approved design. The impacts of the proposals on ecological interests are considered acceptable including on the Ribble and Alt Estuaries Special Protection Area.

Subject to the conditions set out below being attached to any planning permission, it is considered that the proposals comply with the policies of the National Planning Policy Framework and the Development Plan.

In view of the scale, location and design of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That 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 received by the County Planning Authority on 21st January 2019.

b) Submitted Plans and documents:

Drawing LE13594-02-SK008 T6-1 Planning Boundary
Drawing LE13594-02-0171 General Arrangement Sheet 1 of 2
Drawing LE13594-02-0172 General Arrangement Sheet 2 of 2
Drawing LE13594-02-571 Drainage General Arrangement Sheet 1 of 2
Drawing LE13594-02-0572 Drainage General Arrangement Sheet 2 of 2
Drawing LE13594-02-0150 Typical Highway Cross Sections Sheet 1 of 2
Drawing LE13594-02-0151 Typical Highway Cross Sections Sheet 2 of 2
Drawing LE13594-02-0700 Typical Highway Construction Details
Drawing LE13594-02-1201 Traffic signs and road markings Sheet 1 of 6
Drawing LE13594-02-1202 Traffic signs and road markings Sheet 2 of 6
Drawing 3946-1300-02-01 New Road Lighting 1 of 4
Drawing 3946-1300-02-01 New Road Lighting 2 of 4
Drawing 3946-1300-02-01 New Road Lighting 3 of 4
Drawing 3946-1300-02-01 New Road Lighting 4 of 4
Drawing 3003.D6322.02.009 Typical cross sections Sheet 1 of 2
Drawing 3003.D6322.02.010 Typical cross sections Sheet 2 of 2
Drawing 3001.D6322.02.001D Landscape Masterplan sheet 1 of 7
Drawing 3001.D6322.02.006D Landscape Masterplan Sheet 6 of 7
Drawing 3001.D6322.02.007D Landscape Masterplan Sheet 7 of 7
Drawing 3002.D6322.02.008C Boundary Treatments

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies GD2, GD4, GD7, T1, CL1, CL2, ENV1, ENV2 and ENV5 of the Fylde Borough Local Plan.

3. Site construction compounds used in connection with the construction of the development shall only be located in the positions detailed in the scheme and programme submitted under the requirements of condition 4 of planning permission 5/10/779 and approved by the County Planning Authority on 28th October 2016. No construction compound shall be located within the proposed Lytham Moss Biological Heritage Site, within the Farmland Conservation Area shown on drawing TEP1879.01011A or within the land designated as swan feeding clusters on drawing TEP 1879.01.003A.

Reason: In the interests of ecology and to conform with Policy ENV2 of the Fylde Borough Local Plan.

4. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment

or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy GD7 of the Fylde Borough Local Plan.

5. Measures shall be taken at all times during the highway construction operations to minimise the creation of dust. Such measures shall include the watering of all haul and access roads, the spraying of stockpiles containing dust generative materials and the suspension of activities during dry windy conditions when other mitigation measures are ineffective.

Reason: In the interests of local amenity and to conform with Policy GD7 of the Fylde Local Plan.

6. All plant used in the construction of the new highway shall be fitted with and use the types of reversing alarms specified in the scheme and programme submitted under the requirements of condition 7 of planning permission 5/10/0779 and approved by the County Planning Authority on 28th October 2016.

Reason: In the interests of local amenity and to conform with Policy GD7 of the Fylde Borough Local Plan.

7. No construction development including the delivery or removal of materials associated with any pre loading operations shall take place outside the hours of:

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
07.30 to 13.00 hours on Saturday.

No construction development including the delivery or removal of materials associated with any pre loading operations shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the use of pumping equipment and the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform to Policy GD7 of the Fylde Borough Local Plan.

8. The construction site shall only be accessed by way of the access points specified in the scheme and programme approved by the County Planning Authority under the requirements of condition 9 to planning permission 5/10/779 on 28th October 2016.

Reason: In the interests of highway safety and local amenity and to conform with Policy GD7 of the Fylde Borough Local Plan.

9. Any chemical, oil or fuel storage containers on the site shall be sited on an impervious surface with bund walls; the bunded areas shall be capable of containing 110% of the container or containers' total volume and shall enclose within their curtilage all fill and draw pipes, vents, gauges and sight glasses. There must be no drain through the bund floor or walls. Double skinned tanks may be used as an alternative only when the design and construction has first been approved, in writing, by the County Planning Authority.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with Policy CL1 of the Fylde Borough Local Plan.

10. Repair, maintenance and fuelling of plant and machinery shall, where practical, only take place on an impervious surface drained to an interceptor and the contents of the interceptor shall be removed from the site completely.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy CL1 of the Fylde Borough Local Plan

11. The highway shall be surfaced in accordance with the details contained in the scheme and programme approved by the County Planning Authority under the provisions of condition 12 to planning permission 5/10/779 on 28th October 2016.

The approved surfacing materials shall thereafter be used in the maintenance of the wearing course of the highway.

Reason: In the interests of local amenity and to conform with Policy GD7 of the Fylde Borough Local Plan.

12. The creation of the multi user bridleway along the route of the existing North Houses Lane shall be undertaken in accordance with the details contained in the scheme and programme approved by the County Planning Authority under the requirements of condition 13 to planning permission 5/10/779 and approved on 28th October 2016.

Reason: In order to secure the provision and improvement of the existing North Houses Lane as a multi user route and to conform with Policy GD7 of the Fylde Borough Local Plan.

Site Operations

13. All available topsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy goods vehicles. All topsoil shall be retained on the site and stored in separate mounds for use in the landscaping of the highway.

Reason: In the interests of the landscaping of the highway and to conform with Policy GD7 of the Fylde Borough Local Plan.

14. No movement of topsoil or subsoil shall occur during the period from the 1st of October to the 30th April (inclusive) without the prior written consent of the County Planning Authority. At other times the stripping, movement and respreading of top and subsoils shall be restricted to occasions when the soil is dry and friable and the ground is sufficiently dry to allow the passage of heavy vehicles, plant and machinery over it without damage to the soils.

Reason: To ensure the proper removal, storage and replacement of soils to ensure satisfactory landscaping and to conform with Policy GD7 of the Fylde Borough Local Plan.

15. No topsoil or peat shall be sold or otherwise removed from the site without the prior written approval of the County Planning Authority.

Reason: To ensure satisfactory restoration and to conform with policy GD7 of the Fylde District Local Plan.

16. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site during construction operations to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to conform with policy CL1 of the Fylde Borough Local Plan.

Archaeology

17. Any excavation of soil or peat that is undertaken as part of the development of the road shall be undertaken in accordance with the written scheme of archaeological investigation submitted under the requirements of condition 22 of planning permission 5/10/779.

Reason: In the interests of archaeology and to conform with Policy ENV5 of the Fylde Borough Local Plan.

Landscaping

18. The landscaping of the highway shall be undertaken in accordance with the details shown on drawings 3001.d6322.02.006D Sheet 6 of 7 and 3001.D36322.02.007D sheet 7 of 7.

The landscaping works shall be carried out in the first available planting season following the completion of the development and shall thereafter be maintained for a period of five years including replacement of failures, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenity of the area and to ensure the proper landscaping of the scheme and to conform with Policy ENV1 of the Fylde Borough Local Plan.

19. Any trees or shrubs within the Nature Park area undertaken under the requirements of planning permission 5/2008/0058 (The Queensway scheme) that are removed as part of highway construction operations shall be replaced with similar species of trees and shrubs so removed. The replacement planting shall be implemented in the first planting season following the completion of the development.

The requirements of this condition shall only relate to tree and shrubs that are located with the areas hatched green on drawings 3001.D6322.02.006D Sheet 6 of 7 and 3001.D6322.02.007D sheet 7 of 7.

Any replacement planting that is undertaken shall be maintained for a period of five years including replacement of failures, maintenance of protection measures and weed control.

Reason: In the interests of the visual amenities of the area and to conform with Policy ENV1 of the Fylde Borough Local Plan.

Ecology

20. No construction operations including any pre loading works, shall take place within 200 metres of the Farmland Conservation Area between the dates of 31st October to 30th March in any year.

Reason: In the interests of ecological mitigation, to minimise disruption to overwintering birds and to conform with Policy ENV2 of the Fylde Borough Local Plan.

21. The measures for ecological mitigation approved under the requirements of condition 27 of planning permission 5/10/779 shall be implemented in the design and landscaping of the development

Notes

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

Definitions

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Local Government (Access to Information) Act 1985

List of Background Papers

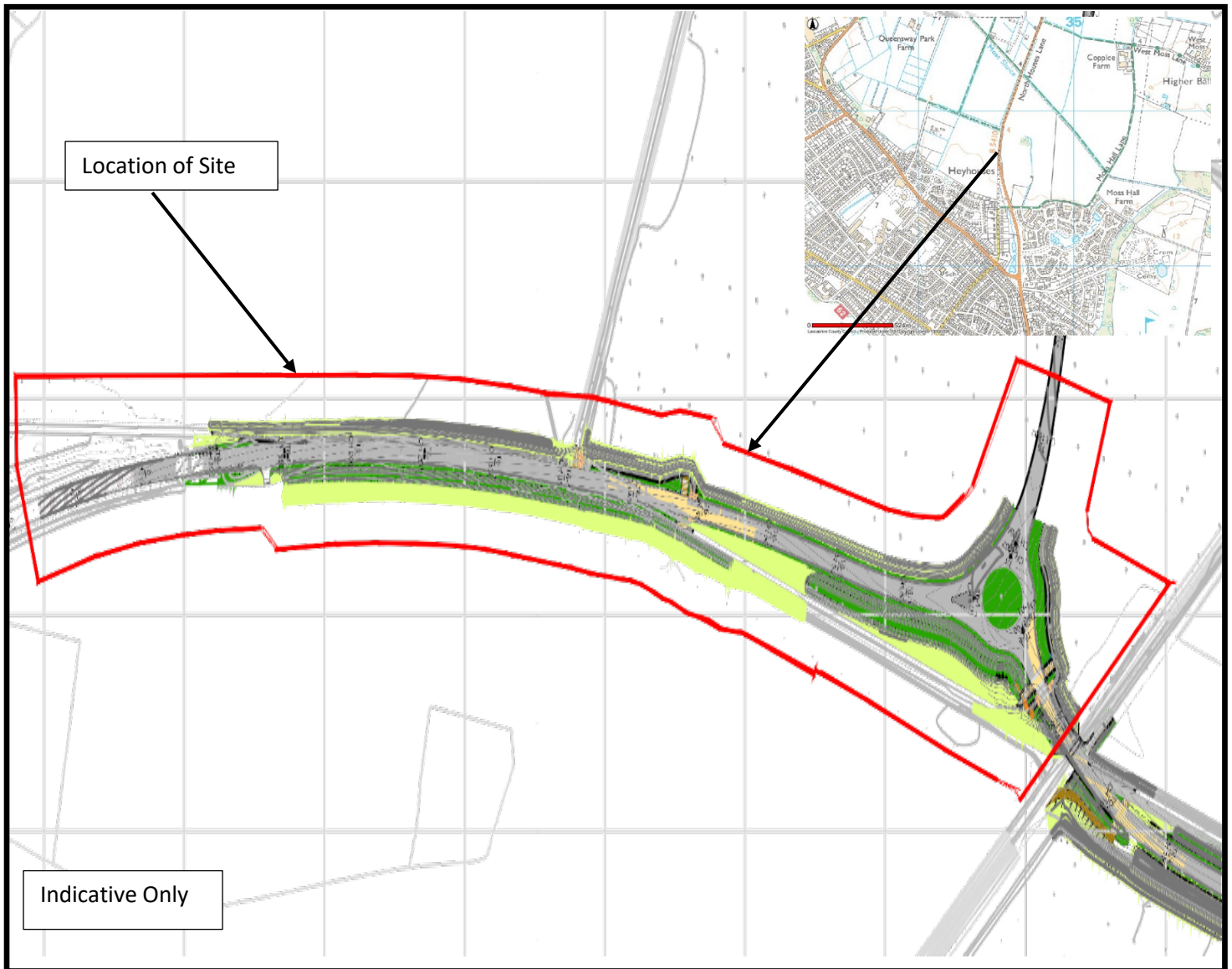
Paper Date Contact/Directorate/Ext

None

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2019/0003 APPLICATION FOR REDESIGN AND REALIGNMENT OF THE SOUTHERN END OF THE PROPOSED HEYHOUSE TO M55 LINK ROAD BETWEEN THE JUNCTION WITH THE IMPROVED SECTION OF THE EXISTING NORTH HOUSES LANE AND THE PROPOSED INTERMEDIATE ROUNDABOUT ON THE LINK ROAD. LYTHAM MOSS, LYTHAM ST ANNES (M55 TO HEYHOUSES LINK)



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Development Control Committee

Meeting to be held on 8th May 2019

Electoral Division affected: Clitheroe

Ribble Valley Borough: Application Number. LCC/2019/0008

Demolition of existing caretakers house to provide 8 car parking spaces with lighting and bin store area. Demolition of Block D building and erection of a single storey building to provide Multi Functional Activity Studio. Erection of a double storey extension to existing Block G building to provide 10 classrooms. Resizing of existing multi use games area with erection of 3m high ball stop fence. Creation of a new pedestrian entrance and widening of existing vehicular entrance on Turner Street. Erection of 2.4m high weldmesh fencing along northern boundary and south eastern corner of the school site. Ribblesdale High School, Queens Road, Clitheroe.

Contact for further information:

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Executive Summary

Demolition of existing caretakers house to provide 8 car parking spaces with lighting and bin store area. Demolition of Block D building and erection of a single storey building to provide multi functional activity studio. Erection of a double storey extension to existing Block G building to provide 10 classrooms. Resizing of existing multi use games area with erection of 3m high ball stop fence. Creation of a new pedestrian entrance and widening of existing vehicular entrance on Turner Street. Erection of 2.4m high weldmesh fencing along northern boundary and south eastern corner of the school site.

Ribblesdale High School, Queens Road, Clitheroe.

Recommendation - Summary

That subject to the application being referred to the Secretary of State and him confirming that the application will not be called in, planning permission be **granted** subject to conditions controlling time limits, working programme, hours of working, highway matters and landscaping.

Applicant's Proposal

The planning application is for a number of developments at Ribblesdale High School, Queens Road, Clitheroe to allow the yearly admission at the school to be increased from 255 to 285 pupils increasing the total number of pupils at the school from 1305 to 1425 over a four year period.

The application included the following proposals:-

- the demolition of the existing caretaker's house located on Turner Street to allow the extension of the car park to provide 8 additional spaces. The proposed car park area would have lighting and an adjacent bin store surrounded by a 1.8m high timber fence.
- The demolition of an existing two storey building (Block D) off Turner Street followed by the erection of a single storey Multi Functional Activity Studio building. The proposed building would measure approximately 23m x 17m with a maximum height of 7m. The building would be constructed from a mix of materials including glazing, brick masonry and insulated metal panel's coloured grey and green. The side of the building facing Turner Street would be mainly glazed with the rear being in brick. The roof of the building would be a mono pitch design constructed from insulated single ply roof deck with a mid-grey finish. The maximum height of the roof would be 7m above ground level falling to 6 m at its lower end. The soffit boards and rainwater pipes would also be coloured grey.
- The erection of a double storey extension to the existing G Block building to provide an additional 10 classrooms at the school. The extension would measure approximately 33m x 18m with a maximum height of 9m, matching the height of the existing building. The building would be constructed from brick to match the existing building and would have a pitched roof with a lightweight tile effect metal roofing system also to match the existing building. The windows would be white plastic UPVC with polyester powder coated aluminium doors to match existing.
- The proposal includes the resizing of the existing Multi - Use Games Areas at the school to form four pitches marked out for netball, basketball, tennis and football. Three of the Multi Use Games Areas would measure approximately 37m x 18m with the other measuring 32m x 18m. All four of the pitches would be surrounded by 3m high green weldmesh ball fencing and would have a bitmac macadam surface coloured black.
- Improving the security at the school by erecting a 2.4m high green weldmesh fencing along the northern boundary of the school to the rear of gardens of properties on Highfield Road. The fencing would measure a linear distance of 150m and would continue from the existing fencing located north west of the school towards the north eastern boundary of the school site. The new boundary fence would be installed as close as possible to the existing garden fences to properties on Highfield Road. Once the proposed demolition works have been carried out to the caretaker's house and the Block D building, 2.4m high fencing would also be erected around the south eastern corner of the school and the existing vehicular access on Turner Street would be widened to accommodate the proposed car park area. The existing pedestrian entrance on Turner Street area would also be widened for access purposes.

Description and Location of Site

Ribblesdale High School is located approximately 400m to the south of Clitheroe town centre. The school site is located in a predominantly residential area surrounded by residential properties with Turner Street forming the southern

boundary, Queens Road to the west, Highfield Road to the north and Littlemoor Road to the east. Vehicular access to the school site is gained from the south off Turner Street with pedestrian accesses to the west from Queens Road. The school site consists of existing school buildings with hardstanding areas and small areas of amenity grassland. There are some scattered trees around the boundary of the school.

The caretaker's house which is proposed to be demolished is located within the school site on Turner Street adjacent to the existing school car park. The existing vehicular entrance off Turner Street would be widened to accommodate vehicles into the proposed car park area. The proposed Multi Functional Activity Studio would be located in the south east corner of the school site. The site is currently occupied by the Block D building which is in poor condition. This building would be demolished to accommodate the proposed studio building. The nearest residential properties to this building are located approximately 30m away on Turner Street and Littlemoor Road.

The school site currently includes six multi use games areas used for a number of different sports. These areas are located on the eastern side of the school site approximately 20m away from the nearest properties on Littlemoor Road. The applicant proposes to resize and resurface these areas creating four multi use games areas with 3m high fencing. The school also has formal playing fields located approximately 150m away from the site on Langshaw Drive.

The double storey extension would be located on the northern boundary of the school site on existing hardstanding which currently forms part of a multi-use games area. The proposed extension would match the height of the existing building and the nearest properties from this building would be located approximately 30m away on Highfield and Littlemoor Road. The proposed 2.4m high fencing would be located north of the proposed double storey block measuring a linear distance of 150m and would continue from the existing fencing located on the north west boundary of the school towards the north eastern boundary of the school site.

Background

The site is an established educational facility.

Planning permission was granted at the school in January 2015 for a dining room extension and creation of an outside seating area. (LCC/2018/0168)

Planning Policy

National Planning Policy Framework

Paragraphs 11-12, 94, 97, 108 – 111, 124 - 131 are relevant with regards to the definition of sustainable development, the need for new school places, open space and recreation, promoting sustainable transport and achieving well designed places.

Ribble Valley Core Strategy

Policy DMG1 - General Considerations

Policy DS1 - Development Strategy

Policy DS2 - Sustainable Development

Policy DME1 - Protecting Trees and Woodlands
Policy DME3 - Site and Species Protection and Conservation
Policy DME6 - Water Management
Policy DMI2 - Transport Considerations
Policy EN2 - Landscape

Consultations

Ribble Valley Borough Council - No objection. The lighting on the proposed car parking area should not have detrimental effect to properties on Turner Street and Littlemoor Road. No other concerns are raised regarding the proposed development.

Clitheroe Town Council - No objection. The status of the construction access route / ownership and status of the roads affected by the development needs to be checked.

Landscape Advice (Jacobs) - No objection to development. However a condition should be added requiring a landscape maintenance plan to be submitted prior to the completion of the development.

Ecology Advice (Jacobs) - Planning conditions are advised to secure precautionary mitigation for nesting birds and for the ecological enhancements which are recommended within the submitted ecology report.

LCC Highways Development Control - No objection. The status of the construction access road / route should be resolved. Provision of electric charging points to the proposed development need to be added to the scheme and a school travel plan should be submitted. A construction management plan should also be submitted prior to the commencement of development.

Sport England - Initially objected to the application due to the loss of the multi use games area space resulting from the development and the applicant not demonstrating this area would be surplus to the requirements of the school. The school have since provided further information to demonstrate this area would not be needed and the objection has been removed subject to conditions being imposed requiring further information and a community use agreement being agreed for the proposed multi use games areas.

Lead Local Flood Authority - No comment.

United Utilities – No objection. The foul and surface water drainage systems should be separate and surface water should be drained in accordance with a scheme to be submitted based upon the hierarchy of drainage options in the National Planning Policy Framework.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter. Four objections have been received from local residents. Three relate to the proposed construction access using a side road off Littlemoor Road and the impact that construction vehicles would have on parked cars due to the narrow nature of the road. It is also stated that the side road is a private road and not adopted and therefore the school should not be allowed to gain access through this area. The other representation relates to the new build double storey block and concerns that it would block sunlight and result in loss

of privacy to properties on Highfield Road and how the closest trees and associated wildlife would be impacted by this element of the development and disturbance during construction.

Advice

This planning application includes a number of development proposals at Ribblesdale High School, Queens Road, Clitheroe to allow the yearly admission at the school to be increased from 255 to 285 pupils thereby increasing the total number of pupils at the school from 1305 to 1425 over a four year period. The main elements of the development are a double storey extension creating 10 new classrooms, a multi-functional activity studio building and the demolition of the existing caretaker house creating 8 further car parking spaces at the school and reconfiguration of the existing multi use games areas.

Paragraph 94 of the National Planning Policy Framework states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities and Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. The National Planning Policy Framework also requires that planning authorities should give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.

Lancashire County Council has a statutory duty to provide a school place to every child of statutory school age, living in Lancashire who requests one. A combination of sustained increase in the number of births together with the development of new housing in the area has resulted in an increase in demand which the current high schools in the area cannot accommodate. The county council's general strategy towards providing new education provision is to provide additional places at existing schools rather than construct new schools in order that new places can be delivered more quickly and to achieve best value for money by reducing infrastructure and land acquisition costs. However, it is also important to balance the need for the proposal against the impacts of the development which relate to traffic and associated impacts, protecting residential amenity to the nearest houses and other environmental considerations.

Policy DMG1 of the Ribble Valley Core Strategy identifies the general considerations that development proposals must comply with. This includes a high standard of building design which is sympathetic to existing and proposed land uses in terms of size, intensity, nature, scale, style and use of building materials. There should be consideration of traffic and parking issues and that adequate day lighting and privacy distances should be provided. The policy also requires that consideration should be given to the likely effect on existing trees and other natural features on the site, visual appearance and relationship to surroundings and local landscapes and landscaping.

The school stands on an area of land in between Queens Road, Turner Street, Littlemoor Road, and Highfield Road in a predominantly residential area in Clitheroe. The majority of the existing school consists of traditional build and detached two storey buildings mainly consisting of brick with later additions using more modern materials such as glazing and render. Other parts of the school contain small

grassland amenity areas as well as hardstanding areas. The school playing fields are located approximately 150m away from the main school site on Langshaw Drive.

The site of the proposed two storey extension is located in the north east corner of the school, adjacent to the existing Block G building on a tarmac area consisting of paths and tennis courts. North of this area is a grassed area containing some mature trees which then slopes down to residential gardens of properties on Highfield Road. The applicant has chosen this area so that the new classrooms are closely related to the existing classrooms at the school as Block G is the main teaching area. The height and materials for the extension would match the existing building and are therefore considered to be acceptable in terms of general design and visual amenity considerations.

The nearest properties to the G Block extension are located approximately 35m away on Highfield and Littlemoor Road. An objection has been received from a property on Highfield Road that the proposed double storey building would block the light and detract from the privacy of the nearest properties which would impact residential amenity. The extension would be 9m high matching the height of the existing building. However, the houses on Highfield Road do benefit from long back gardens so that the rear elevation of the houses would be at least 30 metres from the new extension. There are also some trees located on the boundary of the school and the houses on Highfield Road. The applicant states that the orientation or location of the building cannot be changed due to constraints of the site and the wish to link into the existing teaching spaces. As the school site is surrounded on all sides by residential development, it is likely that any site would be relatively close to houses. It is probable that there would be some additional shading of gardens arising from the extension but this would only be during the late afternoon / evening where there is already some shading from the existing trees. Ribble Valley Borough Council have been consulted on the application and raised no concerns in relation to the impact on the nearest properties. Taking into account these factors, it is considered that the impact of the extension would be acceptable in relation to privacy and light / shading issues and that this aspect of the development complies with Policy DMG1 of the Local Plan. In relation to the other concerns raised by this resident, the new building would not require the loss of existing trees or shrubs and therefore the impacts on local ecology would be negligible.

The other main aspect of the development includes the erection of a multi-functional activity studio which would be located in the south eastern corner of the school site. The building would be single storey with a mono pitched roof to a maximum height of 7m. The nearest residential properties to this building would be located approximately 30m away on Turner Street and Littlemoor Road. No representations have been received from local residents to this aspect of the proposal and given that there is currently a two storey school building and a two storey caretaker's house in this location, both of which would be demolished, the impact of the new building on the adjacent residents is considered acceptable. The design of the studio building is contemporary with extensive use of glazing but is considered acceptable. The roof design is particularly novel but is constructed to allow rainwater to discharge quicker into the existing underground drainage system located within the front entrance area to the multi-functional activity studio.

The proposals would result in the removal of one tree, two hedges and an area of ornamental shrubs alongside Turner Street. None of the trees within the site are

protected by a Tree Preservation Order and the application site is not located within a Conservation Area. The applicant has proposed to plant three new trees in the newly extended grass verge at the north-east corner of the site which would comply with Policy DME1 of the Ribble Valley Core Strategy. Further hedging would also be established between the proposed car park extension and the outdoor dining area, providing privacy for dining and screening from the adjacent parked cars. The applicant has proposed a series of tree protection measures during construction, to protect trees in close proximity to the development sites. A condition can be added to ensure these measures are maintained at all times during the construction stage of this application.

The key ecological consideration is the potential impact on bats due to the demolition of two buildings. The submitted ecology report includes details of tree and building inspections for bats. None of the buildings being demolished or the tree to be felled contained evidence of bats, potential bat roosting features or access points and therefore no further survey or mitigation requirements are required. A condition can be included for the protection of nesting birds.

The development proposals would allow the yearly intake at the school to be increased from 1305 to 1425 over a four year period. Even though the increase would be gradual, the impacts of the additional traffic arising from the expansion of the school on highway safety and residential amenity should still be considered. Currently there are three pedestrian accesses to the school. There are also signal-controlled pedestrian crossings located at the T-junction of the A671 Queensway and Queens Road and at the A671 Whalley Road / Turner Street Junction to assist staff, pupils and visitors to access the school on foot. The existing school car park is situated off Turner Street and the proposed development would provide an additional eight parking spaces which would help alleviate the issue of school staff parking on the residential streets around the school. LCC Highways have also requested the school to submit a school travel plan which would promote other forms of transport during peak times and for wheel cleaning facilities to be available during construction. All of these matters can be controlled through planning condition.

Three objections have been received from local residents concerned that the proposed construction access point for the development off Littlemoor Road should be changed due to likely conflict with resident's vehicles. The objections also comment that the proposed construction access is not an adopted highway but a private road and therefore legally the construction vehicles would not be able to gain access to the school grounds through this area. The applicant has provided a detailed response why the proposed construction access route is the most suitable and would avoid impacting on trees or busier roads around the school site.

Private rights of access are not a valid planning consideration but are matters for negotiation between the applicant and the landowner concerned subject to the usual planning considerations relating to highway safety. The proposed construction access road is not an adopted highway on County Council records but on inspection of the road it shows features that would indicate maintenance by the County Council. The applicant is currently in negotiation with the resident over gaining access into the school using this road and managing residents parking so construction vehicles can gain access into the school site. LCC Highways have not raised an objection to the application but have requested further details of traffic management during construction of the development. This can be controlled through planning condition

which would need to include details of the confirmed construction access prior to the commencement of development.

Overall any highway impacts that are currently experienced by residents close to the school would not be made materially worse by the development and the increase in pupils would probably only extend existing parking impacts over a slightly wider area than currently occurs. It should also be recognised that these impacts occur for a comparatively small part of the day and that it would take a number of years for the full traffic impacts of the development to materialise. Also the school is located within the main urban area of Clitheroe and is therefore proximate to the locations where many children attending the school will reside and therefore there is potential to encourage children to travel to school by means other than private car. The traffic impacts during the construction phase are temporary and it is considered that these can be adequately managed and mitigated through the use of planning conditions. With regard to the installation of electric charging points, the school have requested that such facilities are not installed as part of this application due to their cost. There is no requirement within the National Planning Policy Framework or in local policy that requires such facilities to be installed as part of car parking developments.

In relation to surface water and flooding, Policy DME6 of the Ribble Valley Core Strategy recognises that there should be a promotion of designs that adopt principles of sustainable construction including Sustainable Drainage Systems. The applicant has confirmed 27m³ of surface water attenuation is provided within an underground tank to the north of the site for the current G Block which was constructed approximately 15 years ago. The existing impermeable area draining to this attenuation is approximately 1000m². The proposed development will therefore increase impermeable area above those already existing by around 600m². The existing attenuation system will be increased by a further 27m³ in a similar tank to maintain existing flow rates to sewer of 4.5l/s. It is proposed that a pumping station is to be installed at the outfall of this attenuation to pump the water to the existing site drainage system at the required rate.

The proposed multi use games areas are to be constructed on areas already laid out for sports and are existing hardstanding. The new layout would provide no increase in area or flows and drainage will remain unchanged.

On the southern edge of the school, the total impermeable area would be increased by approximately 100m² due to the proposed car park extension. This area is currently occupied by the caretaker's house which is proposed to be demolished. This building drains to the combined sewer to the south of the site and the existing site connections will be utilised. Due to the minor increase in impermeable surface, this is considered acceptable and the proposals comply with Policy DME6.

The school currently has six outdoor tennis courts with further outdoor playing fields at an off – site location. The proposed two storey extension would be constructed on an area currently occupied by two of these courts. To compensate for the loss of provision, the school is proposing to revise the layout of the remaining outdoor play space to include four outdoor multi use games areas that can be used for five a side, netball, basketball and tennis. These areas would be re-fenced with new 3 metre high ball stop fencing. Sport England initially objected to the application due to the reduction in recreation space at the school. However, the existing facilities are in poor condition and Sport England now recognise that the proposed changes would

improve the area of recreational space located at the school. Sport England recommended a condition to be included to control the details for the construction and use of the games areas to ensure that they are suitable for the various sporting activities that are proposed. These conditions can be attached to any decision notice. Sport England also request that a condition be imposed to secure community use of the multi-use games area outside of school hours. However, community use was not included within the planning application and therefore a condition requiring such would introduce a method of operation for which no consultation has been undertaken with local residents and which may give rise to local amenity impacts. Furthermore there is no loss of community use due to the proposed development. It is therefore considered that such a condition would not meet the tests for conditions as it is not necessary to make the development acceptable. However, if the condition requested by Sport England is not imposed, it will be necessary to refer the application to the Secretary of State.

In conclusion, Lancashire County Council has a statutory duty to provide a school place to every child of statutory school age, living in Lancashire who requests one. Due to the sustained increase in population in Ribble Valley, there is an increase in demand for school places which the current high schools in the area cannot accommodate. The provision of the additional school places should be given great weight and there is a lack of alternative sites. The layout, scale and design of the development would ensure a suitable and modern educational setting. The new car parking area would relieve some of the existing parking deficiencies at the school and help use some unused space within the school grounds.

The impacts in terms of highways would have a comparatively short duration and are not considered to be of such severity that the development is unacceptable. Overall through the imposition of planning conditions, the disruption to local residents from the proposed development would be minimised and would be acceptable. The new buildings are also considered acceptable in terms of the amenity of local residents. It is therefore considered that the proposal is acceptable in terms of the policies of the Development Plan.

In view of the scale, location and nature of the development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That subject to the application being referred to the Secretary of State and him confirming that the application will not be called in, 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 in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 7th February 2019.

b) Submitted Plans and documents:

Drawing No - A01A / Proposed Area of Development Plan

Drawing No - 00875-UVP-ELS-XX-DR-L-0001 (Rev PL01) / General Arrangement

Drawing No - 008785-UPV-ELS-XX-DR-L-0001 (Rev PL03) / Proposed Site Plan

Drawing No - A59 - Proposed Multi-Functional Activity Studio Proposed Elevations

Drawing No - A60 - Proposed Multi Functional Activity Studio Proposed Roof Plan

Drawing No - A26 - Proposed G Block Proposed Elevations

Drawing No - A27 - Proposed G Block Extension Roof Plan & Details

Drawing No - CW/9320-P-TP - Tree Protection Plan

Drawing No - A06 - Proposed External Drainage Layout Master Plan

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policy DMG1 of the Ribble Valley Core Strategy.

Hours of Working

3. No construction development shall take place outside the hours of:

08.00 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 14.00 hours on Saturday.

No construction development shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent the carrying out, outside of these hours, of essential repairs to plant and machinery used on the site.

Reason: To safeguard the amenity of local residents and adjacent properties and land users and to conform with Policy DMG1 of the Ribble Valley Core Strategy.

Highway Matters

4. No development shall commence until a construction management plan has been submitted to and approved in writing by the County Planning Authority.

The construction management plan shall contain details of the following:-

- a) details for the routing of construction vehicles to the site
- b) details of the access points to be used by construction traffic from the public highway into the school site
- c) measures to be taken to control the routing and timing of HGV movements to avoid school opening and closing times
- d) details for the parking of construction traffic during construction activities

The measures contained in the approved scheme shall be implemented at all times during the duration of construction works.

Reason: In the interests of highway safety and local amenity and to conform with Policy DMI2 of the Ribble Valley Local Plan.

5. Measures shall be taken at all times during construction works to ensure that no mud, dust or other deleterious materials are tracked onto the public highway by vehicles leaving the site.

Reason: In the interests of highway safety and local amenity and to conform with Policy DMI2 of the Ribble Valley Core Strategy.

6. Within three months of the development being brought into use, a School Travel Plan, as defined by this permission, shall be submitted to the County Planning Authority for approval in writing

The School Travel Plan shall include details of the measures to be implemented to reduce the highway impacts of the school and to encourage sustainable modes of travel and shall include:

- a) A brief description of the school, its location and a summary of the particular transport and road safety issues at the site;
- b) Evidence and results of consultation with staff, parents and other interested parties;
- c) Targets and measures to minimise the impact of/reduce private car use for the journey to and from the school by staff, parents and other visitors;
- d) A summary of the school's current road safety policies and practices, details of any new or proposed initiatives including a planned timetable of introduction;
- e) Proposals for monitoring progress of the School Travel Plan including a timetable for its review.

The measures contained in the approved travel plan shall thereafter be implemented throughout the operation of the school.

Reason: In the interests of highway safety and to conform with Policy DMI2 of the Ribble Valley Core Strategy.

Landscaping

7. The landscaping works described in the 'Arboricultural Statement together with Drawing No - 008785-UPV-ELS-XX-DR-L-0001 (Rev PL03) / Proposed

Site Plan shall be implemented within the first planting season, as defined in this permission, following the completion of the development and shall thereafter be maintained for a period of five years including replacement of dead and dying species, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with Policy DME1 of the Ribble Valley Core Strategy.

8. No trees other than those identified for removal on Drawing No - CW/9320-P-TP - Tree Protection Plan shall be removed as part of the development. All other trees shall be retained and protected from damage throughout the duration of construction works as detailed in the submitted Arboricultural Statement.

Reason: To protect existing trees within or adjacent to the site in the interests of the visual amenities of the area and to conform with Policy ENV1 of the Fylde Local Plan.

9. The development shall not be brought into use until the area edged green on drawing no. 008785-UVP-ELS-XX-DR-L-0001 has been constructed as an outdoor sports facility in accordance with a scheme and programme to be first submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details for the construction, surfacing and marking out of the games areas.

Thereafter, the multi use games areas shall be constructed in accordance with the approved details.

Reason: In the interests of maintaining sports provision at the school and to conform with Policy DMG1 of the Ribble Valley Core Strategy.

10. No development shall commence until a scheme and programme for the management and attenuation of surface water from the development has been submitted to and approved in writing by the County Planning Authority.

The measures for the management and attenuation of surface water from the development shall be implemented as part of the construction works and maintained in operational condition thereafter.

Reason: In the interests of surface water control and to prevent flooding and to conform with Policy DME6 of the Ribble Valley Core Strategy.

11. The development shall not be brought into use until the additional car parking spaces shown on drawing no. 008785-UVP-ELS-XX-DR-L-0001 have been marked out on the surface of the car park in the positions shown on the drawing.

Reason: In the interests of highway safety and to conform with Policy DMG1 of the Ribble Valley Core Strategy.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Notes

The applicant's attention is drawn to the observations of Cadent and United Utilities letters dated 26th February and 5th March respectively.

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

Local Government (Access to Information) Act 1985

List of Background Papers

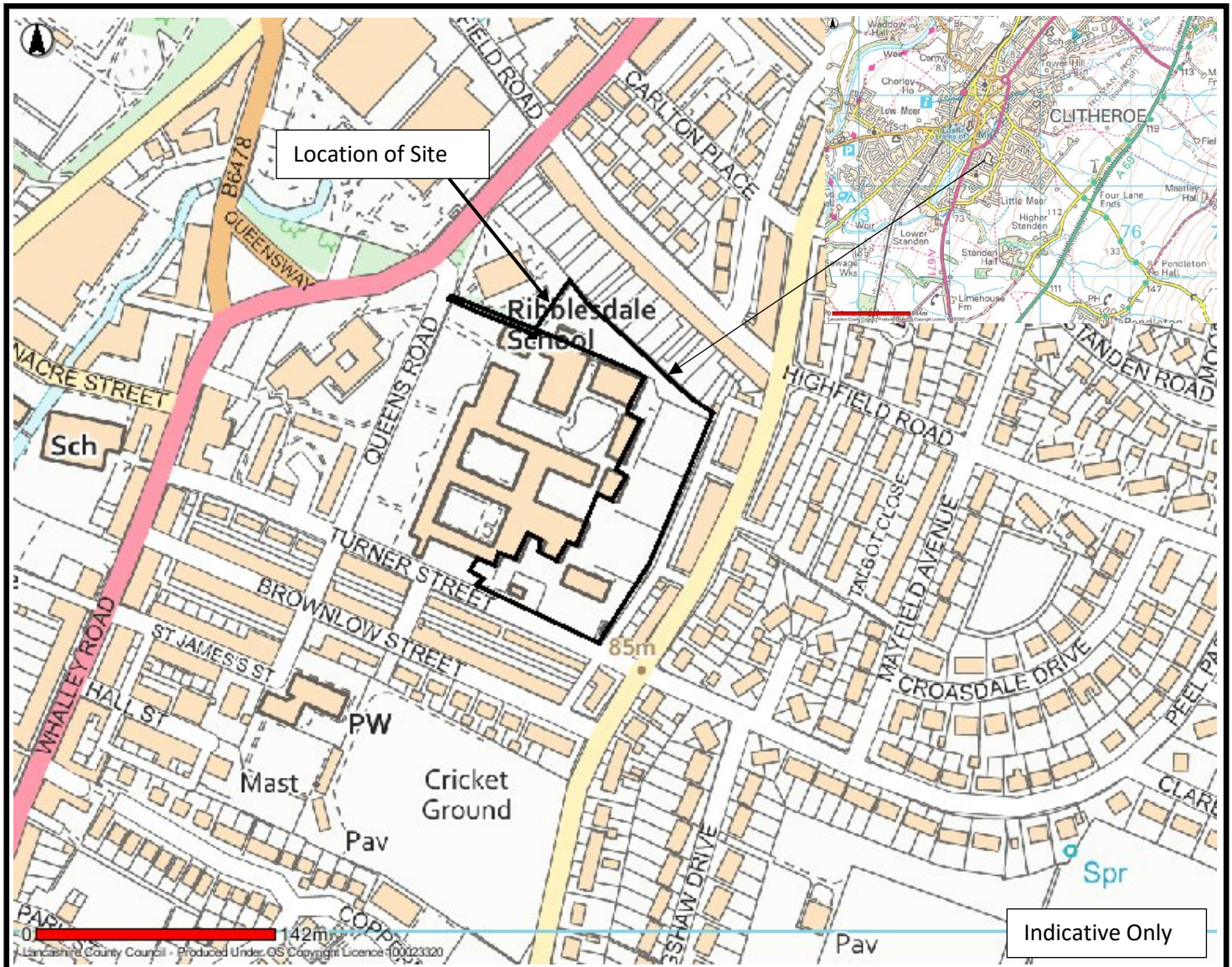
Paper	Date	Contact/Ext
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None

Reason for Inclusion in Part II, if appropriate

N/A

APPLICATION LCC/2019/0008 DEMOLITION OF EXISTING CARETAKERS HOUSE TO PROVIDE 8 CAR PARKING SPACES WITH LIGHTING AND BIN STORE AREA. DEMOLITION OF BLOCK D BUILDING AND ERECTION OF A SINGLE STOREY BUILDING TO PROVIDE MULTI FUNCTIONAL ACTIVITY STUDIO. ERECTION OF A DOUBLE STOREY EXTENSION TO EXISTING BLOCK G BUILDING TO PROVIDE 10 CLASSROOMS. RESIZING OF EXISTING MULTI USE GAMES AREA WITH ERECTION OF 3M HIGH BALL STOP FENCE. CREATION OF A NEW PEDESTRIAN ENTRANCE AND WIDENING OF EXISTING VEHICULAR ENTRANCE ON TURNER STREET. ERECTION OF 2.4M HIGH WELDMESH FENCING ALONG NORTHERN BOUNDARY AND SOUTH EASTERN CORNER OF THE SCHOOL SITE. RIBBLESDALE HIGH SCHOOL, QUEENS ROAD, CLITHEROE



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Development Control Committee

Meeting to be held on 8 May 2019

Electoral Division affected: Lancaster Rural North

Lancaster City Council: Application number. LCC/2019/0016
Single storey extension to the front of the school to create a wheelchair store.
Bleasdale House School, Emesgate Lane, Silverdale

Contact for further information:

Susan Hurst, 01772 534181

DevCon@lancashire.gov.uk

Executive Summary

Application – Single storey extension to front of school to create a wheelchair store.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling commencement and working programme.

Applicant's Proposal

The planning application is for a single storey extensions to the front of the school to create a wheel chair store.

The proposed wheelchair store extension would extend from the southern western elevation of the existing flat roof toilet extension, measuring 3.245m x 2.96m with a flat roof to a maximum height of 2.9m. The building would be finished with render to match the existing building.

The application also initially provided for the construction of a new classroom but this has now been withdrawn from the application.

Description and Location of Site

Bleasdale House School is located on Emesgate Lane in the village of Silverdale, immediately north of the village centre and approximately 6km north of Carnforth. The site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty. The school itself is bordered to the west by Emesgate Lane, to the north by a fire station and to the east and south by residential properties the nearest being approximately 35 metres from the proposed development. The school is divided into two sites, one on each side of Emesgate Lane.

The proposed development immediately adjoins Emesgate Lane from where it is separated by a boundary wall.

Background

The site is an established educational facility.

Planning permission was granted at Bleasdale School, Emesgate Lane, Silverdale in June 2016 for a single storey extension.

Planning permission was granted at Bleasdale School, Emesgate Lane, Silverdale in April 2018 for a single storey rebound therapy room with ramp access.

Planning Policy

National Planning Policy Framework

Paragraphs 8 -11, 124 – 132 and 170 – 177 of the NPPF are relevant in terms of achieving sustainable development, the need to achieve well designed places and to conserve and enhance the natural environment

Lancaster City Council Development Management DPD (2014)

Policy DM35 – Key Design Principles

Policy DM36 – Sustainable Development

Arnsdale and Silverdale Development Plan Document

Policy AS08 - Design

Consultations

Lancaster City Council – Object to the application due to concerns relating to the design of the proposed extensions and the highly visible location along the frontage of Emesgate Lane. It is considered that the flat roof design approach results in development that is poorly related and incompatible with the structure of the original main school building. Consideration should be given to Policies DM35 of the Lancaster City Council Development Plan Document and Policy AS08 of the Arnsdale and Silverdale Development Plan Document.

Silverdale Parish Council – No objection. However it is noted that the application states the intention to connect to the mains drainage but the Parish wish to point out that Silverdale does not have a mains drainage connection.

LCC Highways Development Control – No objection

Silverdale and Arnsdale AONB - No comments received

Representations: The application has been advertised by site notice. One representation has been received from an adjacent resident who does not object to the application but questions why he was not consulted on the application.

Advice

Bleasdale School is a specialist school which caters for children with special educational needs. The proposed extension would be used as a store for wheelchairs as the school does not currently have a separate space for such use. The proposed extensions would be sited on existing hardstanding.

The main school building has rendered elevations with a hipped roof covered with slate. Attached to the north facing elevation of the building and extending as far as the boundary wall with Emesgate Lane is a later single storey flat roofed extension which provides toilet facilities.

Policy DM35 of the Lancaster City Local Plan seeks to ensure that there is no significant impact in relation to overshadowing and loss of visual amenity from development. Similarly Policy AS08 of the Arnsdale and Silverdale Area of Outstanding Natural Beauty (AONB) states that for development proposals within the AONB, the highest standards of design and construction will be required to conserve and enhance the landscape, built environment, distinctive settlement character and historic, cultural and architectural features. In particular criteria h) of Policy AS08 states that development proposals should avoid using existing development that is harmful to landscape and settlement character to inform the design of new development or proximity to it as justification for further poor quality or harmful development.

The original planning application provided for two extensions to either side of the toilet extension; the wheelchair store and also a larger classroom extension. Both extensions were proposed to have flat roofs to match the toilet block to which they would have been attached. However, the classroom extension would have also wrapped around the outside of the existing main school building.

The City Council object to the application as they consider that both extensions are located in a prominent position on the road frontage and that the flat roofed design would result in a development that is poorly related and incompatible with the existing structure therefore conflicting with the above policies.

Due to the size and position of the proposed classroom extension, it is considered that there is some merit in the City Council's objection. In view of this, the classroom extension has been withdrawn from the application and the applicant has agreed to investigate other options for this new provision.

In relation to the wheelchair store, it is accepted that the roof design would be different from that of the main school building and that a pitched roof design would be more in keeping with the design of the existing school. However, the roof design would be the same as the existing toilet block and to provide a pitched roof design would require extensive works to tie in with the hipped roof on the existing building. The applicant therefore states that it would not be practicable or cost effective for the extension to have a pitched roof design.

Alongside Emesgate Lane, there is a boundary wall, the height of which rises in steps so that at its maximum height it is a similar height to the existing toilet block.

To some extent this wall conceals the existing toilet block from the road and it would have a similar effect for the wheelchair store extension although it would be less effective due to the way that the height of the wall steps down. However, it should be noted that the wheelchair store is relatively minor in scale and that its design in terms of roof height would tie in with the existing toilet block and the materials for the external elevations would match that of the main school building. It is therefore considered that the wheelchair store extension would not give the impression of a further extension that was completely unrelated to the other structures on the site.

On balance, it is considered that the wheelchair store extension would be acceptable in terms of design, would not cause significant harm to the scenic quality of the Area of Outstanding Natural Beauty and complies with Policy AS08 of the Arnside and Silverdale Development Plan Document.

The development would not have any mains foul drainage requirement so the comments of Silverdale Parish Council would not apply to this development.

In view of the scale and nature of the development it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than three 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 received by the County Planning Authority on 14 March 2019.

- b) Submitted Plans and documents:

Drawing No 01 Rev A - Location Plan

Drawing No 03 Rev A - Part Plan as Existing and Proposed

Drawing No 05 Rev A- Elevations as Proposed

Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies DM35 and DM36 of the Lancaster City Development Management DPD and Policy AS08 of the Arnside and Silverdale DPD.

3. The colour of the render used for the external elevations of the extensions shall match the render used on the existing school building.

Reason : In the interests of the visual amenities of the area and to conform with Policies DM35 and DM36 of the Lancaster City Development Management DPD and Policy AS06 of the Arnside and Silverdale DPD.

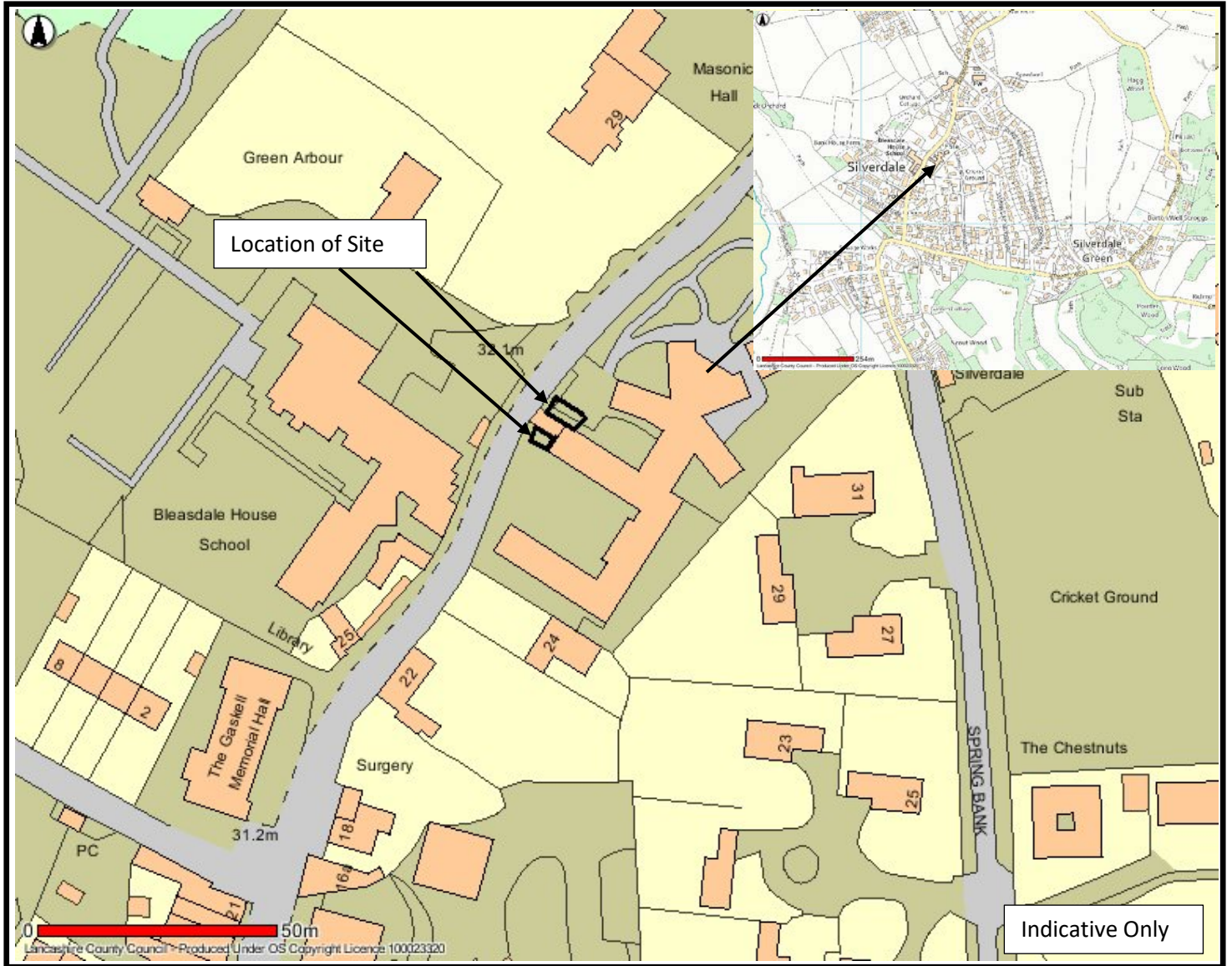
**Local Government (Access to Information) Act 1985
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
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None

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

APPLICATION LCC/2019/0016 SINGLE STOREY EXTENSION TO FRONT OF SCHOOL TO CREATE A WHEELCHAIR STORE, SINGLE STOREY EXTENSION TO REAR OF BUILDING TO CREATE A CLASS BASE. BLEASDALE HOUSE SCHOOL, EMESGATE LANE SILVERDALE



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Development Control Committee
Meeting to be held on 8th May 2019

Electoral Division Affected:
All

Planning decisions taken 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 decisions taken 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 6 March 2019, the following decisions on planning matters have been taken in accordance with the County Council's Scheme of Delegation.

Lancaster

LCC/2019/0011

White Cross Industrial Estate, The Gatehouse Restaurant, South Road, Lancaster.
Change of use from restaurant to storage units.

LCC/2019/0010

Westgate Primary School, Langridge Way, Morecambe.
Provision of multi use games area with 3m high ball stop fencing and gates.

Ribble Valley

LCC/2018/0028/1

St Mary's RC Primary School, Whalley Road, Langho, Blackburn.
Compliance with condition 9 - drainage and condition 10 highway matters of permission LCC/2018/0028.

LCC/2018/0003/1

Whalley C of E Primary School, Church Lane, Whalley, Clitheroe.
Compliance with condition 9 of permission LCC/2018/0003 - construction management plan details of HGV routing, timing of HGV movements and parking of construction traffic

LCC/2018/0003/2

Whalley C of E Primary School, Church Lane, Whalley, Clitheroe

Compliance with condition 4 - building materials, condition 5 - fencing, condition 6 - landscaping and condition 13 - archaeology for permission LCC/2018/0003

Fylde

LCC/2019/0004

Lytham St Annes Technology And Performing Arts College, Worsley Road, Lytham St Annes

New single storey replacement building comprising of 5 classrooms, associated tarmac and grassed areas and relocation of bike sheds to promote increased use.

Preston

LCC/2019/0002

Preston Bus Station, Tithebarn Street, Preston.

Closure of the bus station western apron to create a public square with associated change of levels and disabled access with landscaping.

LCC/2017/0062/1

Gracemire Farm, Treales Road, Newton with Clifton

Compliance with condition 3 of planning permission LCC/2017/0062 to provide full details of the bat barn including dimensions, materials, orientation and mitigation measures.

West Lancashire

LCC/2018/0058

Ainsdale Waste Water Treatment Works, Meadow Lane, Halsall, Southport

Erection of solar photovoltaic panels and associated works including inverters and integral connection to the Ainsdale WWTW.

LCC/2014/0008/2

Ravenhead Quarry, Ibstock Brick, Chequer Lane Upholland

Compliance with condition 5 of permission LCC/2014/0008 - water monitoring.

Burnley

LCC/2019/0009

Worsthorne County Primary School, Brownside Road, Worsthorne-with-Hurstwood

Replace existing timber fence with new 1.8m high mesh fence including access gates.

Recommendation

That the report be noted.

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

None

Reasons for inclusion in Part II

N/A

