

**Development Control Committee**  
Meeting to be held on 1 March 2023

Electoral Division affected:  
Fylde East

**Fylde Council: application number LCC/2022/0007**

**Creation of a Bund. Moss Farm, Salwick Road, Preston**

Contact for further information:  
Helen Ashworth, Tel: (01772) 5300084, Senior Planning Officer  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

### **Brief Summary**

Application – Creation of bund. Moss Farm, Salwick Road, Preston.

### **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling bund construction, landscaping details, implementation and management, highway safety, ecological mitigation measures, arboricultural matters and surface water drainage.

### **Applicant's Proposal**

The proposal is for the construction of a bund within a field to the south of Moss Farm, Salwick Road, Newton. The proposed bund would be approximately 224m long, with a maximum width of approximately 40m where it is closest to the Lancaster Canal to the west, narrowing to 27m wide for around three quarters of its length. It would extend east to west across the southern boundary of the field, adjacent to the boundary with the M55 motorway. The bund would be approximately 1.8m higher than the level of the adjacent motorway (the height increase compared to the existing ground level varying between 4.8m to 8m depending upon the existing ground levels).

The bund would be constructed from inert waste imported to the site. It is estimated that approximately 18,000 cubic metres of waste would be imported over a period of 21.5 weeks. This would necessitate 12 vehicle movements per day of 8-wheeler tipper wagons. Once completed it is proposed to plant approximately 2500 trees to the north and the south of the bund (covering approximately 1 hectares of the field). Existing planting adjacent to the motorway would be retained. A temporary internal road would be constructed within the site to facilitate construction of the bund.



## **Description and Location of Site**

The site lies approximately 3km to the west of Cottam and Lower Bartle and 4km north east of Kirkham. The application site is located in a field to the south of a farmhouse known as Moss Farm, which is accessed from Salwick Road to the north. The site is bounded by the M55 motorway to the south and the Lancaster Canal to the west. The site is located within an area of countryside, as defined in the Fylde Local Plan.

The proposed bund would be approximately 25m from the edge of the canal at its closest point (20m from the site boundary with the canal) and the minimum distance between the bund and the motorway would be approximately 34m, widening to 40m for the majority of its length.

The application site slopes gently from east to west, the western boundary being approximately 4m higher than the land adjacent to the canal. The motorway lies in an elevated position in relation to the application site and associated farm house.

The nearest residential properties not owned by the applicant are Locking Stoops Cottage 430m to the west and Rose Grove Farm 510m to the east.

## **History**

A planning application for the construction of a bund on this site was previously submitted in 2019 (application LCC/ 2019/35) but was later withdrawn.

Fylde Borough Council have granted planning permission for demolition and rebuilding of the existing farmhouse at Moss Farm (application ref. 19/0320) and conversion of existing barn to a two-storey dwelling (application ref. 19/0321). The replacement farmhouse has recently been constructed.

## **Planning Policy**

National Planning Policy Framework (NPPF): Paragraphs 8-14, 84-85, 126-136, 152-169 and 179-182 are relevant in relation to the presumption in favour of sustainable development, supporting the rural economy, the need for good design, climate change and flood risk and conserving and enhancing the natural environment.

Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy Development Plan Document (DPD):

Policy CS7 Managing our 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 (JLMWLP)

Policy NPPF1 Presumption in Favour of Sustainable Development  
Policy DM1 Management of Waste and Extraction of Minerals  
Policy DM2 – Development Management



Joint Lancashire Minerals and Waste Local Plan (JLMWLP):

Policy NPPF1 Presumption in Favour of Sustainable Development

Policy DM1 Management of Waste and Extraction of Minerals

Policy DM2 – Development Management

Fylde Local Plan to 2032 (incorporating partial review)

Policy GD4: Development in the Countryside

Policy GD7: Achieving Good Design in Development

Policy ENV1: Landscape

Policy ENV2: Biodiversity

Policy CL1: Flood Alleviation, Water Quality and Water Efficiency

Policy CL2: Surface Water Run-off and Sustainable Drainage

## **Consultations**

Fylde Borough Council: Object to the proposals for the following reasons: The proposed bund would form a visually prominent feature across a largely flat, open landscape. It would appear as a dominant, incongruous and unnatural feature that would have a harmful impact on the open, rural character and landscape of the area. It has not been demonstrated that these harmful visual effects would be adequately mitigated, and that the bund would achieve the level of noise attenuation set out in the acoustic assessment. The proposed development would introduce an obtrusive and unsympathetic feature.

Lancashire County Council (LCC) Highways Development Control: No objection regarding the proposed creation of a bund 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. It is recommended that conditions are imposed regarding a traffic management plan, surveys of the highway and works to the adopted highway.

Newton with Clifton Parish Council: Object to the proposals. The bund by reason of its size and scale is considered excessive. In combination with its prominent setting it would appear as a dominant, incompatible and unnatural feature that would have a detrimental impact on the open rural character and landscape context of the locality. The application does not demonstrate how these harmful visual effects would be mitigated satisfactorily and fails to demonstrate that the design of the proposed bund would achieve the level of noise attenuation set out in the Acoustic Assessment.

Treales, Roseacre and Wharles Parish Council: Object to the proposals. The bund is considered to have an excessive size and scale in a prominent location. The proposal does not respect the local landscape and character of the area and would cause a significant and harmful impact, creating a visual intrusion which would not be softened by planting schemes. The proposal is inappropriate development within the area and the information within the application does not adequately demonstrate it can provide improvements to the local amenity with regard to visual impact, noise attenuation and dust control. Access roads are unsuitable for heavy goods vehicles (HGVs) and the proposals would encourage traffic growth.



Canal and Rivers Trust: Confirm that they have no objection to the proposals and recommend the imposition of a number of planning conditions. These conditions should address details of root barriers and tree species to be planted; final drainage details; details in relation to vehicle movements over the canal bridge and a construction and environmental management plan.

Lancashire County Council (LCC) Ecology: The County Planning Authority should be satisfied prior to determination of the application that existing trees/hedgerows/shrubs would be adequately protected from the works. The passing places proposed on the whole are existing field gateways, where there will already be vehicle movements and a degree of disturbance. Review of ecological records available show a verge of good biodiversity value, designated a biodiversity verge for its grassland interest, in the vicinity (opposite verge and to the south) of one of the proposed passing places. It does however seem reasonably unlikely that the proposed passing places would result in any damage to biodiversity verges. A number of conditions are recommended to ensure that there are no undue impacts on existing trees, shrubs and hedgerows and to control working practices.

Environment Agency: Confirm that they have no objections to the proposals and note that the importation of waste to create the bund will require an Environmental Permit.

National Highways: Confirm that they have no objections to the proposals and recommend the imposition of a number of planning conditions. These would require details of temporary fencing to protect the adjacent motorway and a construction and environmental management plan to be provided in order to ensure that the approach to construction does not pose any risks to the operation of the motorway.

Lead Local Flood Authority: No objections to the proposals.

Ministry of Defence: The application site occupies the statutory safeguarding zones surrounding RNAS Inskip and Warton Aerodrome. No objections to the proposals.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations objecting to the proposal have been received.

Two letters of support from neighbouring schools have been submitted as they consider that the nature area that would be created would be beneficial to their curriculum.

County Councillor Jones has confirmed that he agrees with the comments expressed by the Borough Council and both Parish Councils.

## **Advice**

The application is for the construction of a screening bund adjacent to the M55 motorway. The applicant has planning permission to carry out various building works to the original farmhouse and to convert an adjacent barn to a residential dwelling. The bund is proposed in order to reduce noise levels from the M55 motorway at these proposed dwellings.



The main issues associated with the application are considered to be the principle of the development, impacts on highway safety (including impact on the motorway network), landscape impacts, impacts on ecology, impact on the canal and matters of drainage and flood risk.

### *Principle of the development*

The application site is located within the countryside, as defined the Fylde Local Plan. Policy GD4 of the Local Plan sets out the types of development that will be considered to be acceptable in the countryside. These include (in summary):

- a) Where it is needed for the purposes of meeting local business and community needs.
- b) The re-use or rehabilitation of existing permanent and substantial buildings.
- c) Extensions to existing dwellings and other buildings.
- d) Development essentially needed for the continuation of an existing enterprise, facility or operation.
- e) Isolated new homes on the countryside which meet specific criteria.
- f) Entry level exception sites for first time buyers.

Policy GD7 of the Fylde Local Plan refers to the importance of achieving good design in development.

The applicant has stated that the reason for the application is to reduce the noise impacts of the motorway on the residential properties (the replacement farmhouse and proposed barn conversion). The applicant considers that the proposal is in accordance with policy CS7 of the Joint Lancashire Minerals and Waste Development Framework (JLMWDF) Core Strategy as it would use inert waste that cannot be reused for any other purpose and would also therefore reduce the amount of waste that would end up in land fill (in accordance with policy DM1 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP)).

In support of the application the applicant has also provided an acoustic assessment with the proposals. This states that previous monitoring has identified that existing background sound levels will result in a significant adverse impact on the properties at Moss Farm (existing and proposed). However, in order to achieve the 10 dB(A) reduction in sound levels experienced at the properties a bund 4m higher than the motorway is recommended. This is higher than the current proposals. A previous application was submitted by the applicants for a larger bund that would have been sited 20m further south, closer to the motorway, and 4m above the motorway level. However, this proposal was considered to be unacceptable due to impacts on the motorway, canal and would have given rise to harmful visual impacts and was withdrawn by the applicant. Therefore, whilst the proposals as they currently stand would not provide the optimum level of noise attenuation, this has been balanced with other material considerations.

In addition to the local planning policies mentioned above, Paragraph 130 of the National Planning Policy Framework (NPPF) sets out that planning decisions should be sympathetic to the local character, including the surrounding landscape setting



and that developments should be visually attractive as a result of good layout, and appropriate and effective landscaping.

In respect of policy GD4 of the Fylde Local Plan it is considered appropriate to examine the proposals under criteria (d):

*'Development essentially needed for the continuation of an existing enterprise, facility or operation, of a type and scale which would not harm the character of the surrounding countryside'.*

The applicant asserts that the bund is necessary to allow the occupants of Moss Farm, and future occupants of the approved barn conversion at the site to enjoy a satisfactory level of amenity. In order to assess compliance with the above policy it must therefore be considered whether the development is of a type and scale which would not harm the surrounding countryside.

### *Landscape impacts*

Fylde Borough Council have objected to the proposals on the basis that the proposed bund would, by reason of its excessive size and scale, in combination with its prominent siting, appear as a dominant, incongruous and unnatural feature that would have a harmful impact on the open, rural character and landscape context of the area. They state that the justification for the development, to provide noise attenuation for the occupants of Moss Farm, does not justify the harm that would be caused to the character and appearance of the area. Furthermore, they consider that the submitted acoustic assessment does not demonstrate that the proposed bund would achieve the aims of the proposals. They consider that the proposed tree planting would not mitigate the harmful visual effects of the proposed bund. They therefore consider that the proposal is contrary to policy GD4 (Development in the Countryside) of the Fylde Local Plan and GD7 (Achieving Good Design in Development) and ENV1 (Landscape).

Policy GD4 sets out the types of development that can take place in the countryside and is set out above. In order for the development to comply with criteria (d) of policy GD4: development essentially needed for the continuation of an existing enterprise; it must also be of a type and scale which would not harm the surrounding countryside.

Policy GD7 refers to general principles of good design and includes various criteria that development needs to comply with. It states that development should relate well to the surrounding context, be sympathetic to surrounding land uses, avoid harm to the visual amenity of the area and take the opportunity to make a positive contribution to the character and distinctiveness of the area. Policy ENV1 states the development should have regard to its visual impact within its landscape context and landscape type in which it is situated. Development will be assessed to consider whether it is appropriate to the landscape character, amenity and tranquillity within which it is situated. In this instance the land in this application is situated with the Lancashire Coastal Plain (area 15d). The primary characteristics of this area is gently undulating farmland, large fields and field boundaries with low clipped hedges.



The applicant considers that the proposals would accord with policy GD7 as it would improve the amenity of nearby residential properties, the bund would be screened by the proposed planting which would improve the landscape and biodiversity, and there would be no adverse impacts on highway safety and surface water drainage as a result of the proposals. They consider that the improvement in tranquillity of the area would be of benefit to the environment of the adjacent canal would improve the rural quality of the area and complement local land uses.

The motorway lies in an elevated position to the south of the application site. The crest of the proposed bund would be approximately 1.8m higher than the motorway. Views of the bund would be afforded from the motorway, adjacent canal and surrounding roads particularly Salwick Road. Views from the motorway would however be screened by existing tree planting, and the applicant proposes an extensive landscaping scheme of tree planting both north and south of the bund, approximately 30m north and south of the bund, and between the bund and boundary with the canal.

The site is not set within any specially designated landscape area and there are numerous copses and groups of trees within the local area. There are also other prominent man-made features commonly within the local area (such as numerous farm buildings, bridges and the motorway itself). The bund would be viewed in the context of the elevated motorway when viewed from Salwick Road to the north and east, and the canal to the west. The bund would form a visible feature within the landscape, particularly during construction. However, the volumes to be imported are not particularly large and the construction works would be completed over a relatively short period. For these reasons it is not considered that the visual impacts would be so detrimental as to warrant refusal of the proposals.

### *Highway Safety*

It is proposed that vehicles would access the site via an existing access from Salwick Road. A temporary internal access road, with a wheel wash adjacent to the site exit, is proposed in order to facilitate the construction of the bund.

The applicant originally proposed to route heavy goods vehicles (HGVs) to this site using a one-way system using Treales Road, Harbour Lane and Salwick Road. Several parts of this route are comprised of single-track unclassified roads with 90° bends. Although Lancashire County Council (LCC) Highways did not object to the use of this route, it is considered that it would have resulted in a number of traffic impacts particularly if heavy goods vehicles (HGVs) were to meet other traffic on the roads. For this reason, the applicant was asked to consider another route in particular the use of Dagger Lane and Salwick Lane west of the site entrance to access and exit the site.

Dagger Lane is mainly wide enough to allow two vehicles to pass satisfactorily with one narrower section south of the M55 overbridge. It is also a predominately straight road with forward visibility.

It is noted that Dagger Lane, was part of the route proposed for the routing of vehicles for the shale gas exploration application at Roseacre Wood (application ref. LCC/2014/01010) that was dismissed on appeal due to the adverse impacts on



highway safety. The Cuadrilla application would have involved 40-50 two-way heavy goods vehicle (HGV) movements per day for 18-27 weeks and a considerably longer period of lower-level heavy goods vehicle (HGV) usage. This current application would involve approximately 12 vehicle movements per day over a period of approximately 22 weeks. It would require the importation of approximately 18,000 cubic metres of inert waste.

From Dagger Road, heavy goods vehicles (HGVs) would have to turn into Salwick Road which would be followed for approximately 500m to the site access. Salwick Road is predominately a single-track road. A number of passing places along the route are proposed along Salwick Road which are within farm gateways. The applicant has also provided footage to demonstrate that two vehicles can safely pass west of the canal bridge.

Lancashire County Council (LCC) Highways do not raise any objections to the alternative vehicle routing proposals subject to the imposition of a number of planning conditions requiring a traffic management plan to be submitted and approved and all works to the adopted highway to be completed prior to commencement of development.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The impact on the road network would be localised, and temporary over a relatively short timescale. The numbers of heavy goods vehicle (HGV) movements proposed is quite low and the roads used to access this site are not heavily used by other heavy goods vehicles (HGVs). As no objections have been raised by Lancashire County Council (LCC) Highways it is considered that a refusal on highway safety grounds could not be sustained. A number of planning conditions are recommended to further mitigate highway impacts, such as wheel cleaning, numbers of vehicle movements and times of operation.

#### *Impact on the motorway*

The proposed bund would be located approximately 34m from the northern edge of the M55 motorway, the gap widening to 40m for the majority of its length. The bund would be around 224m long and would be constructed so that it is approximately 1.8m higher than the level of the motorway. The existing planting to the north of the motorway would be retained and additional planting is proposed between the motorway and the bund and north of the bund.

The applicant has proposed a number of operational measures intended to manage the likelihood of dust arising during construction. These can be secured by condition. National Highways do not raise any objections to the proposals, subject to the imposition of conditions requiring further details of a construction and environmental management plan and further details of the proposed temporary fencing. It is therefore considered that the proposed bund would not cause any unduly harmful impacts on the motorway.





## *Impact on the Canal*

The Lancaster Canal runs along the western boundary of the application site. Kellett Lane Bridge where Salwick Lane crosses the canal is a Grade II listed structure. The proposed bund would be at least 25m from the canal and is located on the off-side (non-towpath) side of the canal. It is proposed that the end of the bund next to the canal would have a geo-textile cover to protect the canal from run-off/debris.

The Canal and Rivers Trust have confirmed that the proposed off set of 25m is sufficient to prevent any loading/surcharging of the canal edge from the bund. The use of the geo-textile membrane is also supported. It is noted that the tree protection plan shows that Herras fencing would be installed to protect the existing trees and that this would also be extended along the canal edge to protect the canal. This temporary fencing would appear to be set at least 10m from the edge of the canal and the Canal and Rivers Trust have confirmed that this should be sufficient to prevent loading of the canal from construction materials, plant and machinery. They request that this should also include a silt bund at the bottom to further protect the canal during construction.

The principle of tree planting on the site and adjacent to the canal is also supported by the Canal and Rivers Trust, however they state that it would be important that there are no trees planted on the embankment/bund slopes as they could cause problems in the long term due to tree root damage. It is therefore suggested that a suitable root barrier would be required for the trees planted adjacent to the canal to prevent any damage from roots which could penetrate the liner of the canal and cause damage/leakage/seepage.

The Canal and Rivers Trust request that a number of conditions are therefore imposed to provide further details on:

- Details of root barriers/pits to prevent tree roots from penetrating the canal liner.
- Details of the tree species proposed.
- Details of the final surface water drainage proposals.
- A Construction and Environmental Management Plan that includes steps taken to prevent discharge of run off, protection of the waterway corridor and further details of wheel washing facilities.

The National Planning Policy Framework (NPPF) states that in determining planning applications affecting heritage assets planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

Historic England advises that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. This may be more extensive than its immediate curtilage and in addition to visual considerations, it is also influenced by



the relationships between buildings and places and how views of the allow the significance of the asset to be appreciated.

Kellett Lane Bridge would be approximately 140m from the proposed bund (and therefore around 120m from the northern most part of the proposed tree planting). Views of the bund and planting will be afforded from the bridge, and vice versa. However, the visual harm arising to the setting of the canal must be considered in the context of the adjacent motorway and it is considered that the effect of the proposed bund is likely to be less than substantial. Screening the motorway from the Canal Bridge is considered to give rise to some moderate benefits.

The Canal and Rivers Trust advise that there is no weight restriction on the canal bridge and therefore vehicles up to 40T (tons) maximum gross weight are permitted to cross. For any abnormal loads above this the Canal and Rivers Trust must be notified in advance. It is recommended that this information is included as an informative on the decision notice.

It is therefore considered that subject to the above conditions being imposed there would be no adverse impact on the canal, in terms of its value as a heritage and ecological asset and its integrity as whole.

### *Ecology*

The application site is comprised of part of the existing agricultural field. However, the Lancaster Canal running along the western boundary of the application site is a biological heritage site. The proposed bund would be 25m from the edge of the canal, and it is proposed by the applicant that fencing would be erected along this boundary to protect the canal during construction works. Once the bund has been constructed it is proposed to plant approximately 2500 trees on the site, to screen the bund. It is proposed that these are a mix of Rowan, Birch, Willow and Oak.

An ecological appraisal has been submitted with the application. It concludes that bats, otters, water vole, nesting birds and brown hare are known to occur in the local area. There was however no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed. The protection of mature trees within the site and the proposal to plant 2500 trees would promote structural diversity in both the canopy and at ground level and would encourage a wider variety of wildlife to use the site than already occurs. Care should be taken to prevent contaminants from entering the canal and to protect existing trees and woodland during construction.

An arboricultural report has also been submitted with the application. The applicant has proposed that the trees along the southern and eastern boundaries would be protected by Herras fencing, at least 3m from the trees, during construction.

Policy ENV2 of the Fylde Local Plan seeks to protect and enhance nature conservation sites and ecological networks. The National Planning Policy Framework (NPPF) states that planning decisions should contribute to and enhance the local environment by minimising impacts on biodiversity and providing for a net gain, although there is presently no statutory level of gain that has to be provided.



The County Council Ecologist has not objected to the proposals subject to the imposition of a number of conditions. There may be some loss of habitat arising from the formation of passing places along the adopted highway. It is considered however that this is likely to be of a minimal impact due to their size, scale and location, and would be temporary in nature as the passing places will not be required once construction has ceased and restoration can be secured by condition. However, tree planting on the site has the potential to provide biodiversity gains at the site, although it is recommended that Willow is not one of the species chosen. The species mix could be improved and enhanced with shrub planting. These details can be secured by condition.

The Canal and Rivers Trust have also noted that a colony of Daubentons bats frequent the tree lined sections of the canal in this area and the proposed tree planting would extend and enhance their habitat.

Given the consultee comments, it is considered that subject to the imposition of suitable conditions, the proposals would not have an unacceptable impact on existing habitats and would contribute to and enhance the ecological value of the site in accordance with national and local planning policies.

#### *Drainage and Flood Risk*

Paragraph 169 of the Framework requires major development to incorporate sustainable drainage systems that:

- take account of advice from the lead local flood authority;
- have appropriate proposed minimum operational standards;
- have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- where possible, provide multifunctional benefits.

Policies CL1 and CL2 of the Fylde Local Plan also seek to ensure that surface water drainage is managed sustainably within new development and that risks of flooding are minimised. It is considered that, subject to the imposition of the recommended conditions, the applicant has adequately demonstrated that there will be no unacceptable increase in flood risk as a result of the proposal and that surface water drainage will be adequately controlled. The proposal is therefore in accordance with the Framework and local plan policies in this regard.

#### *Conclusion*

In conclusion this application would require the importation of a relatively small amount of inert waste. The formation of the proposed bund would not be unduly harmful to the character and appearance of the landscape, particularly when viewed in the context of the existing motorway and wider landscape. The proposals have the potential to improve biodiversity. Subject to the imposition of conditions the impacts on the canal and highway safety are acceptable. The proposals are accordingly recommended for approval.



In view of the scale and nature of the proposals 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.*

2. The deposit and grading of waste materials to form the bund hereby permitted shall be completed within nine months from the date of commencement notified to the County Planning Authority under the provisions of condition 3 below.

The site shall be finally restored in accordance with the scheme and programme approved under the requirements of condition 13 below within two years of the date of commencement notified to the County Planning Authority under the provisions of condition 3 below.

*Reason: In order to ensure the proper restoration of the site in the interests of visual amenity and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*

3. Notification in writing shall be provided to the County Planning Authority of the commencement of development within 7 days of such commencement.

*Reason: In order to ensure the proper restoration of the site in the interests of visual amenity and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*

### Working Programme

4. 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 and supporting statement received by the County Planning Authority on 1st March 2022.

- b) Submitted Plans and documents:

Location plan received 21st June 2022

Site plan ref. SP/PM/4001 received 21st June 2022

Proposed one-way vehicular route with site plan and laybys plan ref. 22-056 OWR01 rev. B received 25th October 2022



Topographical Survey and cross section drawings plan ref. JT/PM/2822  
Field Drainage Plan ref. SP/PM/4003  
Tree Protection Plan ref. SP/PM/4004  
Landscaping Plan ref. SP/PM/4005

- c) All schemes and programmes approved in accordance with the conditions to this permission.

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies DM2 of the of the Lancashire Minerals and Waste Local Plan (JLMWLP) and Policies GD4 and GD7 of the Fylde Local Plan (incorporating partial review).*

5. The deposit of inert waste materials hereby permitted shall be restricted to the area edged with a dashed red line on drawing ref JT/PM/2022. No materials deposited within those areas shall exceed the heights and contours shown on drawing JT/PM/2022.

*Reason: In the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*

6. No development shall commence until a construction and environmental management plan and working method statement has been submitted to and approved in writing by the County Planning Authority. The scheme shall contain the following information:
- a) A plan showing the areas of storage of plant, fuel/chemicals and materials used in constructing the development.
  - b) The steps to be taken to prevent the discharge of silt -laden run-off, construction site, drainage, materials or dust or any accidental spillages entering the waterway.
  - c) Details of the environmental pollution incident emergency response.
  - d) Details specifying how the waterway corridor and its users would be protected during the works and include any details of silt fencing to be erected to safeguard the waterway infrastructure during site clearance/construction.
  - e) Details of the wheel wash facility on the site and steps to contain and prevent silty run-off from this entering the canal.

The development must thereafter be carried out in accordance with the approved management plan at all times.

*Reason: To prevent damage and pollution to the adjacent canal and in the interests of Highway Safety and in accordance with policy DM 2 of the Lancashire Minerals and Waste Local Plan(JLMWLP).*



## Hours of Working

7. No deposit and grading of waste materials shall take place outside the hours of:

07:30 to 18:00 hours, Mondays to Fridays (except Public Holidays)

08:00 to 13:00 hours on Saturdays

No such 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 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 DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*

## Highway Matters

8. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the County Planning Authority. The Traffic Management Plan (TMP) shall include and specify the provisions to be made for the following:-

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials used in the construction of the development.
- c) Storage of such plant and materials.
- d) Measures to control the emission of dust and dirt during construction (in respect of impacts on both the adjacent motorway and canal).
- e) The routes to be used by vehicles carrying plant and materials to and from the site and measures to be put in place to ensure that vehicles adhere to the specified routes.

The measures contained in the approved Traffic Management Plan (TMP) shall be implemented prior to the commencement of the development and thereafter maintained in accordance for the duration of bund construction operations.

*Reason: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.*

9. No more than 12 heavy goods vehicles (HGVs), as defined in this permission, shall leave the site in any one-day Monday to Friday inclusive, or Saturday mornings.

No such vehicles shall leave the site on Saturday afternoons, Sundays or Public Holidays.



*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 DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP).*

10. No development shall commence until details of the following matters have been submitted to and approved in writing by the County Planning Authority.
  - a) Identification of the access and egress points into the site including details of any improvement works required including provision of hard surfacing.
  - b) Location, design and specification of wheel-cleaning facilities to be located at the egress point identified in a) above.
  - c) The routes to be used by vehicles carrying plant and materials to and from the site and measures to be put in place to ensure that vehicles adhere to the specified routes.
  - d) Details for the removal of the wheel cleaning facilities, hard surfacing and reduction on the access points to an agricultural scale including details for the replacement of any hedgerow upon completion of bund construction.

The wheel cleaning facilities shall be installed, maintained in working order and be used by all vehicles leaving the site throughout the development to ensure that no mud, dust or 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 policies DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP) and policy GD7 of the Fylde Local Plan (incorporating partial review).*

11. The wheel cleaning facilities at the site shall be maintained in working order and shall be used by all vehicles 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 DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*

12. Within two months of the completion of the restoration works the temporary access road shall be restored including removal of all surfacing materials and restoration of the land by respreading of stripped soils.

*Reason: In the interests of highway safety and visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP).*



## Landscaping

13. No development shall take place until a scheme and programme for the landscaping of the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of:
- a) The location and dimensions of planting belts.
  - b) Details for the planting of tree and shrub screening belts including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures, methods of planting and details of the root barrier/pits to prevent tree roots from penetrating the canal liner.
  - c) Details for the seeding of any landscaping areas including mixes to be used and rates of application.
  - d) Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of grassland areas.

The approved landscaping works shall be undertaken in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including weed control, replacement of dead and dying trees and maintenance of protection measures.

*Reason: In the interests of visual and local amenity and the local environment and to conform with Policies ENV1 and ENV2 of the Fylde Local Plan (incorporating Partial Review).*

14. 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. 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 EN2 of the Fylde Local Plan (incorporating Partial Review).*

15. All trees and hedges forming part of the site boundaries or to be retained within the site shall be protected from any damage and maintained throughout the development.

*Reason: In the interest of visual and local amenity and the local environment and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan (JLMWLP) and Policies ENV1 and ENV2 of the Fylde Local Plan (incorporating partial review).*





## Notes

The applicant/developer is advised to contact the Canal and River Trust Infrastructure Services Team on 01782 779909 or email [inquiries.TPWNorth@canalrivertrust.org.uk](mailto:inquiries.TPWNorth@canalrivertrust.org.uk) in order to ensure that any necessary consents are obtained and that the works comply with the Canal and River Trust "Code of Practice for Works affecting the Canal and River Trust" to ensure the waterways are protected and safeguarded.

Any indivisible abnormal load movements must be notified to the Canals and Rivers Trust via the ESDAL website or by email to [abnormal.loads@canalrivertrust.org.uk](mailto:abnormal.loads@canalrivertrust.org.uk). For vehicles up to 80T mgw two clear working days' notice is required, for vehicles 80T - 150T mgw five clear working days' notice is required and for vehicles in excess of 150T mgw the timescale is subject to discussion with the Trust's Abnormal Loads team (minimum of five clear working days).

## 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
LCC/2022/007	February 2023	Helen Ashworth Planning and Environment 01772 530084

Reason for Inclusion in Part II, if appropriate

N/A

