

Development Control Committee – 1 March 2023

Update Sheet

Item 5 – Application LCC/2022/0048 – Farington Cricket Facility

Advice – page 57. The report details the need to refer the application to the Secretary of State. On a further reading of the Town and Country Planning (Consultation) (England) Direction 2021 and analysis of the floor space of the proposed building, it is concluded that the application should now be referred. This is because the floorspace of the building exceeds the 1000 sq metres threshold in the legislation. It will therefore be necessary to amend the recommendation as follows:

Recommendation

That subject to the application being referred to the Secretary of State and it being confirmed that the application will not be called in for determination, planning permission be granted subject to the following conditions:-

Conditions

Condition 10 – Hours of use of nets facility

The applicant has now agreed that the finishing time for use of the nets facility will now be 20.00 hrs rather than 21.00 hrs as drafted in the report.

Condition 14 - Sustainable transport measures – An additional requirement is suggested to assist in ensuring that the car park to the rear of the pavilion is not used by general visitors to the site.

Additional requirement e)

e) *Details of the measures to be employed on the access road to control access to the car park to the west of the pavilion building.*

Condition 15 – Access construction. This condition includes a tailpiece (on page 63) which controls the phasing of access construction in relation to other parts of the development. The applicant has requested that the condition be reworded so that the access has to be constructed prior to the development being brought into use and not before any other development occurs as currently drafted.

Lancashire County Council (LCC) Highways consider that such a change is possible subject to an additional condition being imposed to deal with the design of a temporary construction access and traffic control during this period.

Proposed additional condition 15A:

No development except for site clearance works shall commence until a construction traffic management plan has been submitted to and approved in writing by the County Planning Authority. The plan shall include details of the following:

- a) Details of the construction access including location, design and surfacing.*
- b) Wheel cleaning measures to be employed.*
- c) Control of heavy goods vehicle (HGV) movements in relation to peak hour traffic on Stanifield Lane.*

The temporary access shall be constructed in accordance with the approved construction traffic management plan prior to any other development commencing on the site.

Reason: In the interests of highway safety and to conform with Policy G17 of the South Ribble Local Plan.

It is also proposed to reword condition 15 to incorporate additional requirements that have been received from Lancashire County Council Highways: - (changes are shown in bold).

No works to construct the site access from Stanifield Lane shall commence until a scheme and programme for the design of the access has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon the highway layout shown on drawing ref FCR-WSP-ZZ-XX-DR-C-0011 Rev B and shall contain details of the following: -

- a) the layout of the new junction including splitter island and dropped kerbs, visibility splays to be provided and construction details of the new road pavement.*
- b) the relocation of the existing traffic sign on the northbound carriageway of Stanifield Lane.*
- c) **details for the creation of a new footway alongside the northbound carriageway of Stanifield Lane including lengths of footway to be provided and construction details.***
- d) the design of a **formal** pedestrian crossing to be located across Stanifield Lane.*
- e) details of any signage to be erected at the site entrance including location, size and design.*
- f) details for the hard surfacing of the emergency access at its junction with the A582.*
- g) details of the turning radii **and additional carriageway** from the site access road into the overflow car park.*
- h) **localised carriageway widening to satisfy the access and also towards and at Stanifield signalised junction.***

The access provisions contained in the approved scheme shall be implemented in full prior to the development being brought into use.

Condition 20 - Use of pavilion building – The applicant has requested that the pavilion building be made available for certain non-cricket related uses outside of the 50 occasions per year level quoted in the condition. This would be to facilitate the use of the building for certain 'low impact' events.

It is considered that such use would be acceptable provided that such events are contained within the building and are also subject to the noise management measures required by condition 23.

The following should be added to the condition:

The provisions of this condition shall not apply to any such events that take place wholly within the building. Any such events that use amplification equipment shall use the noise control measures required by condition 23.

Condition 23 Proposed rewording:-

23. *The building shall not be brought into use until a noise management plan has been submitted to and approved in writing by the County Planning Authority. The noise management plan shall contain the following information:*
- a) *The control measures to be fitted to any amplification equipment. The control measures to be fitted shall ensure that noise from the site shall not exceed the background level by more than 5 dB(A) LAeq (15 mins) at the curtilage of no. 6 Fowler Avenue when measured in accordance with the methodology in BS4142.*
 - b) *The procedure to be followed in the event that noise complaints are received including a review of the noise control measures approved under part a) of this condition.*

The measures contained in the approved noise management plan shall be used at all times when amplification equipment is being used within the pavilion building.

Condition 34 – Tree protection

This condition requires certain trees on the site to be protected and not felled as part of site preparation works. This includes trees T21 and T22 which are located on the southern edge of the south oval. The applicant has commented that retention of these trees would cause significant issues for the construction of the pitch. Whilst the loss of these two trees is regrettable, the construction implications are acknowledged and therefore it is proposed that condition 34 be amended so that it only refers to the trees numbered T59, T60 and T61:-

34. No felling of trees or removal of vegetation shall take place until the trees numbered T59, T60 and T61 together with the hedgerows edged in green on drawing UG -1016-ARB-TRP-01 rev 05 within the amended Arboricultural Impact Assessment have been protected by fencing or other means of demarcation which shall be retained in position throughout the duration of construction works.

Condition 35 Landscaping – the reference to condition 30 should read 'condition 33'.

Item 6 – Application LCC/2021/0028 – Unit 3E, Bolton Avenue, Huncoat

Consultations

A further letter of objection (from an existing respondent) has been received. It makes the following comments:

- There was never any intention to use the car park as a car park.
- Why have they been able to continue business for over two years flouting planning laws?
- How will conditions be policed?
- It will be impossible for vehicles to enter and exit in forward gear, vehicles currently reverse into the yard. You have to go down a ramp into the yard and it will be impossible to turn in the building.
- There is blatant disregard for their neighbours.
- The noise assessment is flawed. The test was carried out on a north blowing windy day. The noise was measured at a height of 1.5m on the footpath; however Oak Bank is at least 3m above the road. There is a conflict of interests as the company applying for permission is paying for the noise survey.
- Original buildings in the area 40 years ago were all approximately 5m in height and had no impact on residents.
- Vehicles frequently park on Bolton Avenue, and it is a busy road. It is a major bus route and is one of the main roads to Lancashire's largest landfill site. The surface of the road is in poor condition.
- The proposed hours of operation are unacceptable. We will get no peace.
- There is now nowhere for rain to be naturally absorbed into the ground as there are now massive buildings and concrete everywhere.

In addition to the information set out in the report, it should be noted that the hours of operation proposed are the same as those permitted under planning approvals 11/07/0709 and 11/08/0191.

It has been demonstrated through the submission of a swept path analysis that a 16.5m length vehicle can enter the building in a forward gear, turn and exit in a forward gear. It is considered that it would be difficult to support a refusal of the application on highway grounds as the Lancashire County Council (LCC) Highways have not objected to the proposals.

The neighbours' concerns regarding the potential for the proposed development to operate in breach of the planning conditions to be imposed is noted. However, the proposed planning conditions are considered to meet the tests set out in the National Planning Policy Framework.

Item 7 – Application LCC/2022/0007 – Moss Farm, Salwick Road, Preston

Consultations

The following additional comments have been received:

Newton with Clifton Parish Council: Query why the application is being determined by Lancashire County Council. This is not a waste issue. The inert material us being used as a construction material in the formation of the bund and as such should be determined by Fylde Borough Council. Newton and Treales Parishes have both objected, as has Fylde as the application is not in line with planning policies.

County Councillor Jones: has reiterated his concerns with the proposals.

Canals and Rivers Trust: Our understanding for the revised construction route (via Dagger Lane and Salwick Lane west of the site entrance to access and exit the site) is that the original proposed route would have seen loaded vehicles crossing the canal at the listed Salwick Bridge with empty vehicles leaving over Kellet Bridge. The revised routing would see construction traffic approaching and leaving the site from that part of Salwick Road to the west of Moss Farm (ie via Kellet Bridge) with empty and loaded trucks crossing the same bridge west of Moss Farm – ie Kellet Bridge. If this interpretation is correct, then this route is probably better for the Trust with only one bridge being crossed, although double the vehicle movements.

The parapet rails on Kellet Bridge were replaced last year so should now be in a perfect condition. It will be important that these are not damaged as part of the works. Any sort of temporary traffic calming measures on the approach to highlight/protect the parapets would be welcome to reduce the potential damage to the bridge. Having a banksperson available to control traffic on entering/leaving the site would also assist. These protection measures should be incorporated as part of the condition. The Canals and Rivers Trust would not want to see a situation where the parapets get damaged.

Advice

In response to the comments of Newton with Clifton Parish council it is considered appropriate for Lancashire County Council to deal with the application as the proposals involves the importation of waste and is therefore considered to fall within the definition of waste development.

The applicant has indicated that they are happy to consider an alternative routing for vehicles travelling to and from the site. Proposed condition 10 requires the submission and agreement of the details of the vehicle routes and any necessary passing places would be finally agreed under the terms of this condition. Lancashire County Council Highways have confirmed that they can support either route and are satisfied that a vehicles can safely pass to the west of the Kellett Lane Bridge. The applicant has demonstrated that a number of passing places can be accommodated on that part of Salwick Road west of the Kellett Lane Bridge, which would be required for either vehicle route.

Consideration to the inclusion of operating measures such as banksman on Kellett Lane Bridge can be addressed through the discharge of condition 10.