

**Development Control Committee**  
Meeting to be held on 3 September 2014

Electoral Division affected: Preston Rural
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**Preston City: application number. LCC/2014/0112**  
**Construction of an underpass to form agricultural access under the proposed Broughton Bypass, Broughton**

Contact for further information:  
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### **Executive Summary**

Application – Construction of an underpass to form agricultural access under the proposed Broughton Bypass, Broughton.

### **Recommendation – Summary**

That planning permission be **granted** subject to conditions controlling time limits and working programme, protection of nesting birds, and landscaping.

### **Applicant's Proposal**

Planning permission is sought for the construction of an underpass (Helm's Farm Underpass) to form agricultural access under the proposed Broughton Bypass.

Planning permission for the proposed Broughton Bypass was initially granted in 2001 (ref no. 6/00/678), and renewed in 2008 due to the initial permission not having been implemented (ref no. 6/06/589). A further application for the renewal of planning permission for the construction of Broughton Bypass was granted in December 2013 (ref no. 06/13/0528).

The proposed Broughton Bypass would commence at the existing A6 /M55 roundabout to the north of Preston and would run to the east of Broughton village to cross the B5269 Whittingham Lane at a point 350m to the east of Broughton crossroads. The bypass would then continue northwards and then westwards to rejoin the A6 at a new roundabout to be constructed on the A6 450m to the north of Broughton. The new road would have a total length of approximately 2.6 km. The northern limb of the bypass between Whittingham Lane and the A6 would be a 10m wide single carriageway road. The southern part of the bypass between Whittingham Lane and the A6/ M55 roundabout would be 14.6m wide and capable of accommodating four lanes.

The proposed Helm's Farm Underpass would be located at the northern section of the bypass, where the bypass rejoins the A6 approximately 450m north of Broughton crossroads. The underpass would be constructed to the east of the proposed roundabout junction on the A6 Garstang Road (permission 06/13/0528), and would run under the proposed Broughton Bypass, with access to the underpass through a gate to the south of the roundabout and to farmland north of the bypass. The proposed underpass is required to provide Helm's Farm with access to the farmland either side of the proposed bypass, in order to move cattle from the fields to the main building at Helm's Farm for milking, improving the safety and welfare of farm employees, cattle, and motorists and highway users. The track leading down to the underpass would measure approximately 200m in length and would be 4m wide. The track would slope down at a gradient of 4.59% and re-emerge in the field to the north of the bypass with a slope gradient of 3.85%. The underpass track would be constructed from stone, and there would be aluminium railings along part of the bypass road above the underpass to act as a containment parapet.

### **Description and Location of Site**

The proposed Helm's Farm Underpass would be located at the northern point of the Broughton Bypass, where the bypass joins the A6 Garstang Road. The site is surrounded by agricultural land. Barton Hall is located further to the north (approximately 600m away), and Broughton village further to the south (approximately 200m).

### **Background**

Planning permission for the construction of the Broughton bypass was first granted in 2001 (ref 6/00/0678).

Planning permission for the renewal of application 6/00/0678 was granted in 2008 (ref 6/06/0589).

Planning permission for ecological mitigation areas was granted in 2008 (ref 6/07/0320).

A planning application to renew planning permission 06/06/0320 for the ecological mitigation areas was granted in December 2013 (ref 06/13/0527).

Planning permission for the renewal of application 06/06/0589 was granted in December 2013 (ref 06/13/0528).

### **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 11-14, 17, 18, 29 – 35, 56 – 58, 100 – 104, 109 - 141 of the NPPF are relevant to this application in terms of the presumption in favour of sustainable development, core planning principles, building a strong competitive economy, sustainable transport, requiring good design, flooding and conserving and enhancing the natural and historic environment.

## Central Lancashire Core Strategy

Policy 13 Rural Economy  
Policy 21 Landscape Character Areas  
Policy 22 Biodiversity and Geodiversity  
Preston City Local Plan

DC2 Open Countryside outside the Green Belt  
DC7 Nature Conservation: Locally Important Sites  
Policy T5 Highway Improvements – Broughton Bypass  
D1 Design Criteria

## Emerging Preston Local Plan 2012-2026

Policy EN1 Development in the Open Countryside

### **Consultations**

Preston City Council – no comments received

Environment Agency – no objection.

Representations – The application has been advertised in the local newspaper and by site notice, and neighbouring residents have been informed by individual letter. No representations have been received.

### **Advice**

The application must be determined by the Development Control Committee as it is an application by the Environment Directorate. The main issues relate to the economic value of the proposed underpass and the impact on landscape character. Policy 21 of the Central Lancashire Core Strategy states that any new development must be integrated into, and appropriate to, the existing landscape character type and designation within which it is situated and should contribute positively to its conservation. The design of the proposed underpass and access track would ensure that the development would be appropriate in relation to the approved by-pass and the existing landscape. Construction materials would be compliant with the aims of Policy D1 of the Preston Local Plan in terms of acceptable design criteria.

Policy 22 of the Central Lancashire Core Strategy states that development should conserve and enhance biological diversity. Policy DC7 of the Preston Local Plan states if development damages features of habitat then appropriate steps should be taken to compensate for any loss. The underpass would not present any significant additional ecological impacts than have already been assessed and accounted for as part of the determination of the planning applications for the by-pass. However, the proposed underpass would result in the loss of an additional 81.7m of hedgerow; to compensate for this loss, a new 154.4m section of hedgerow would be planted along

providing a net gain of 72.7m of hedgerow. It is considered that the proposed mitigation would be acceptable.

The proposed underpass would also contribute positively to the local rural economy. Policy 13 of the Central Lancashire Core Strategy states that development should achieve economic improvement for rural areas by sustaining and encouraging appropriate growth of rural businesses by encouraging new farm buildings and structures where they can be shown to be necessary for food production. The proposed Broughton Bypass would split the farmland of Helm's Farm into two separate areas which would result in limited access to its farmland holding. The construction of the proposed underpass would ensure that Helm's Farm and its business can continue to function, without any negative impact from the proposed Broughton Bypass, therefore it would sustain the business of Helm's Farm and its contribution to the local economy.

Policy DC2 of the Preston City Local Plan and Policy EN1 of the Emerging Preston Local Plan 2012-2026 support development in the open countryside when it is required for use appropriate to a rural area, particularly when it contributes to the rural economy. The proposed underpass is required for the continued functioning of Helm's Farm with regard to accessing farmland either side of the Broughton Bypass, and it would allow the farm to continue its contribution to the local economy. Therefore, the proposed development is considered to accord with Policy DC2 of the Preston City Local Plan and Policy EN1 of the Emerging Preston Local Plan 2012-2026.

In view of the scale, nature and location of the proposed 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 5 years from the date of this permission.

*Reason: Imposed pursuant to Section 91 (1) (b) 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 20 06 2014
  - b) Submitted Plans and documents:

'Helms Farm Underpass Site Location Plan',  
CHA1E0252-6001- 01  
'Broughton Bypass - Broughton', 6023UI/B2237403/HF/T/01  
'Helms Farm Underpass General Layout Plan',  
CHA1E0252

*Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 13, 21 and 22 of the Central Lancashire Core Strategy, and Policies DC2, DC7, T5 and D1 of the Preston City Local Plan.*

## **Landscaping**

4. No development shall commence until a detailed 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 provide for the following:
  - a) Details for the soiling and seeding of the site including soil materials to be used, ground preparation, seed mixes to be used and methods to ensure establishment.
  - b) Details for tree, hedgerow and shrub planting including areas to be planted, ground preparation works, methods of planting, species, types and sizes of plants, planting techniques and protection measures.

All landscaping works including tree, hedgerow and shrub planting works shall be completed within one year of the opening of the underpass and shall thereafter be maintained for a period of five years including weed control, replacement of failures and maintenance of protection measures.

*Reason : To ensure the proper landscaping of the site in the interests of the visual amenities of the area and to conform with Policies 21 and 22 of the Central Lancashire Core Strategy, and Policies DC2 and DC7 of the Preston City Local Plan.*

5. 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 DC7 of the Preston City Local Plan.*

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

Paper	Date	Contact/Directorate/Ext
LCC/2014/0112	15.08.2014	Guy Munden/Environment/33214

Reason for Inclusion in Part II, if appropriate

N/A