

Development Control Committee
Meeting to be held on 10th December 2014

Electoral Division affected:
Lancaster Rural East,
Morecambe North and
Morecambe South

Lancaster City: Application number. DCO HEYSHAM M6 04

The Lancashire County Council (Torrisholme to the M6 link (A683 Completion of Heysham to M6 link road) Order 2013 schedule 2 - Amendments to requirement 5 - 1 and 5 - 3 relating to landscape and ecology management plan. Heysham to M6 Link, Lancaster

Contact for further information:
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Executive Summary

Application - The application is for changes to the approved landscape and ecology management plan which forms part of the Development Consent Order for the construction of the Heysham to M6 Link, Lancaster.

Recommendation – Summary

That the approved Landscape and Ecology Management Plan be amended as set out in the application ref DCO Heysham M6 04.

Applicant's Proposal

The Development Consent Order for the construction of the Heysham to M6 Link made by the Secretary of State in March 2013 contains a requirement (no 5) for the submission and approval of a landscape and ecology management plan.

A Landscape and Ecology Management Plan to comply with requirement 5 was approved by the Development Control Committee on 17th April 2013.

Application is now made to amend several sections of the approved Landscape and Ecology Management Plan

Description and Location of Site

The application relates to the route of the Heysham to M6 Link Road, to the north and west of Lancaster which is currently under construction. The Landscape and

Ecology Management Plan relates to the control and design of the road construction, landscaping and ecological management along the whole route of the new road.

Background

History

A Development Consent Order for the construction of the Heysham to M6 Link was made by the Secretary of State in March 2013.

A scheme of landscaping and ecological management measures as required by the Development Consent Order was approved by the Development Control Committee in April 2013.

Planning Policy

National Planning Policy Framework: Paragraphs 56 – 66 and 109 – 118 of the NPPF are relevant in relation to the need for good design and the conservation and enhancement of the natural environment.

Lancaster District Core Strategy

Policy E1 Environmental Capital

Lancaster District Local Plan

Policy E12 Mitigation of Impacts on Wildlife.

Consultations

Lancaster City Council: No observations received.

Advice

A Development Consent Order for the construction of the Heysham to M6 Link Road was made by the Secretary of State in March 2013. Construction of the new road commenced in January 2014.

The Development Consent Order for the road includes a number of requirements (similar to planning conditions) which regulate the construction and design of the road. Requirement 5 requires the submission of a landscape and ecology management plan in order to secure the ecological mitigation works and landscaping measures that will be undertaken as part of the road construction. This scheme was approved by the Development Control Committee at the meeting on 17th April 2013.

A number of changes are now proposed to the management and mitigation measures contained within the approved scheme which are as follows:-

- Removal of the requirement to survey for fresh water pearl mussels. This was a requirement of the approved management plan but the Environment Agency have since confirmed that they do not require this survey. The removal of the

requirement is of benefit to the construction scheme, as due to the necessary timing of such a survey, it would have caused delay to the commencement of bridge construction over the River Lune.

- Requirement to re erect trunks arising from the felling of notable trees. This mitigation measure was proposed to provide continuity of wildlife habitat. However, it is now considered that it would be difficult to find locations where such trunks could be re erected without resulting in a long term health and safety risk. It is now proposed that such trunks will be placed on the ground where they will be equally valuable to wildlife.
- Revised Strategy for orchid populations – the road crosses an area called the Valley Meadows which is an area of wet grassland of value for orchids. The original management plan proposed to translocate turves containing orchids from under the road footprint to new locations. However the area with the orchids also contained Himalayan Balsam and therefore it would have been an offence to translocate turves containing this invasive species. To address this issue, a local orchid seed source has been agreed and the seeds will be used as part of the landscaping of the road scheme.
- The Valley Meadows area contains important populations of wax cap fungi. An agreement was entered into with the landowner to secure the management of these fields in a manner that would benefit the fungi. Amendments to the management plan were made in order to secure the agreement of the landowner.
- A bat roost has been identified within a former barn building adjacent to the proposed park and ride. Bat monitoring requirements have been added into the management plan in order to secure compliance with the Natural England licence
- Further detail of long term management and maintenance of landscaping measures has been added in order to give a more complete view of the necessary works and to indicate future resource requirements.

The Landscape and Ecology Management plan was always intended to be a 'living' document which would be amended and refined as the road scheme is constructed and maintained over the proposed 20 year management period. As construction works have commenced, the provisions of the existing management plan have been implemented and reviewed which has led to the need to make the changes as identified above. The changes that are now proposed will ensure that the ecological interests affected by the scheme continue to be properly protected and that the landscaping is correctly implemented whilst ensuring that the requirements within the approved scheme remain practicable and sufficiently flexible.

The amendments that are sought are therefore considered acceptable in terms of paragraphs 56 – 58 and 109 – 118 of the NPPF and the policies of 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 the approved Landscape and Ecology Management Plan be amended as set out in the application ref DCO Heysham M6 04.

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

Paper Date Contact/Directorate/Ext

DCO Heysham 04 28th October 2014 Rob Jones/Environment/534128

Reason for Inclusion in Part II, if appropriate

N/A