

**Development Control Committee**  
Meeting to be held on 8<sup>th</sup> 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)**

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### **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