

## Development Control Committee

Meeting to be held on 11 September 2019

Electoral Division affected: Preston West, Preston Rural, Preston South and Fylde East
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**Preston City and Fylde Boroughs: application numbers LCC/2016/0046/1, 2 and 3. Details submitted to comply with conditions 5 and 22 of planning permission LCC/2016/0046 – Preston Western Distributor Road and East – West Link Road.**

**Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.**

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### **Executive Summary**

Application – Details submitted to comply with conditions 5 and 22 of planning permission LCC/2016/0046 – Preston Western Distributor Road and East – West Link Road.

Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.

### **Recommendation – Summary**

That the details submitted for the purposes of conditions 5 and 22 of planning permission LCC/2016/0046 be approved

### **Applicant's Proposal**

Planning permission for the construction of the Preston Western Distributor Road and East West link Road was granted on 19<sup>th</sup> November 2018. The Preston Western Distributor Road will be a new dual carriageway highway along the western side of Preston linking the M55 with the A583 to the south. The highway proposal also includes an east – west link road which connects the Preston Western Distributor with the existing Tom Benson Way on the north side of Preston and which runs through the north west Preston urban extension area.

The planning permission contains a number of conditions requiring further details to be approved before development can commence. The applicant has now submitted

information to discharge the requirements of conditions 5 and 22 of the planning permission.

The relevant conditions for the purposes of this report together with the applicant's proposals in respect of each condition are as follows:-

Condition 5 – 'No development shall commence until details of the facilities and measures to be taken to manage surface water run-off from the highway have been submitted to and approved in writing by the County Planning Authority. The submitted details shall include the following information:

- a) The location, design and landscaping of the surface water balancing ponds including capacity and designed outflow rates to prevent flooding on the receiving water course.
- b) The location and design of any watercourse diversions
- c) The measures including design to be incorporated into each discharge point from the highway into a surface water course to protect water quality in the receiving watercourse.

The facilities and measures contained in the approved details shall be installed prior to the highway being brought into use and shall be maintained in full working order thereafter.

Condition 22 – No development of the junction of the East West Link Road with Tabley Lane shall take place until a scheme and programme for the design of the junction has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:-

- a) Details of a gateway feature to be constructed at the junction of the East West Link Road and Tabley Lane including details of carriageway treatments and other highway infrastructure.
- b) Proposals for the implementation of a weight restriction along Tabley Lane south of the East West Link Road in order to control the use of the road by HGVs.

The measures contained in the approved scheme and programme shall be implemented prior to the junction being opened to traffic.

### **Relevant Planning Policy**

National Planning Policy Framework: Paragraphs 11, 47, 127 and 155 – 165 of the Framework are relevant with regards to achieving sustainable development, determining applications, quality of design and flood risk.

Central Lancashire Core Strategy

Policy 29 Water Management

Preston Local Plan 2012 – 2026 Site Allocation and Development Management Policies

Policy EN9 Design of new development

Fylde Local Plan to 2032

Policy GD7 Achieving good design in development

Policy CL1 Flood alleviation, water quality and water efficiency

Policy CL2 Surface water run off and sustainable drainage

## **Consultations**

Preston City Council: No observations received.

Fylde Borough Council; No observations received

Lead Local Flood Authority: In respect of condition 5, the LLFA initially stated that they were unable to recommend approval of the scheme as outfall details into the receiving water courses have not been provided. However, on provision of this information the LLFA have withdrawn their objection.

## **Advice**

The Preston Western Distributor road scheme is a major new highway for which planning permission was granted in November 2018. Compulsory purchase and side roads orders have also been confirmed and it is proposed that construction works will commence later in 2019.

The planning permission includes a number of conditions requiring further details to be submitted for the approval of the County Planning Authority before development can commence. Determination of details submitted under the requirements of planning conditions would normally be a matter that would be delegated to officers. However, in this case given that the scheme is the County Council's own proposal, it is considered that these matters should be reported to the Development Control Committee for determination.

The planning issues and advice for each of the submissions is as follows:-

Condition 5: The road scheme will require the creation of a number of outfalls to allow run off from the road to be discharged into existing water courses. The outfalls have to include measures to attenuate the rates of discharge so that creation of the outfalls does not result in flooding of the receiving watercourses.

The applicant's proposals include creation of a series of water attenuation ponds along the line of the road. Water collected in the road gullies would first be directed into one of these ponds before being discharged into an existing watercourse via a new outfall structure. The design of the ponds would be such that it would allow collected water during storm conditions to be temporarily stored before being discharged to the watercourse at a controlled rate therefore ensuring that there is no increase in flood risk to the downstream watercourse. The lagoons and associated

highway gullies would also incorporate facilities to collect oil and other contaminants in the event of an accident or spill therefore preventing pollution of watercourses.

The Lead Local Flood Authority initially responded that insufficient information had been submitted relating to the design of the outfalls to the water courses. However, this information has now been submitted which demonstrates that the outfall would be of a design that would prevent scour of the existing watercourses and would incorporate other measures to ensure satisfactory control of the discharge. On this basis, the LLFA have withdrawn their objection. The details that have been provided are considered to be satisfactory and conform with Policy 29 of the Central Lancashire Core Strategy and Policy CL1 and CL2 of the Fylde Borough Local Plan.

Condition 22: The East West Link Road would cut across the existing B5411 south of Tabley Lane. During determination of the planning application, concern was expressed by various local residents living on Tabley Lane that the construction of the scheme would lead to greater volumes of traffic using this road to the detriment of local amenity and highway safety. The planning permission therefore included a condition to require the construction of a gateway feature on Tabley Lane immediately south of the junction with the East West Link Road in order to discourage traffic from using this route and also to implement a weight restriction on the same length of road to prevent HGVs from using Tabley Lane South.

The proposed gateway feature would be comprised of new signage to the south of the link road. Additional 30 mph signage will be incorporated into the gateway features which will also include additional signage to encourage careful driving. This will be reinforced by painted road markings.

To meet the requirements of this condition, the applicant also proposes to promote a Traffic Regulation Order over that part of Tabley Lane from its junction with Sandy Lane to the north to its junction with Tag Lane at its southern end. The traffic regulation order would be in the form of a weight restriction for vehicles over 7.5 tonnes in weight. There is an existing haulage business located on the Melbourne Park Estate which would be within the restricted area. It is expected that most of the HGVs associated with that business would be able to access the estate using the Link Road / Tabley Lane junction, the junction having been designed to allow use by 40 tonne HGVs. However, it is known that one business on the estate does make occasional use of exceptional load vehicles larger than 40 tonnes which would be unable to make the right or left turn onto or from the link road. These vehicles would have to continue in a north / south direction using Tabley Lane South as they do at present and would not be in breach of any Traffic Regulation Order as they would be accessing a location within the restricted area. For other HGVs, the construction of the Link road would provide a much more convenient way to reach the primary road network than using Tabley Lane South as they do at present. The proposals should therefore discourage HGV and general movements along Tabley Lane South thereby helping to protect residential amenity and road safety on this section of highway.

In conclusion, the details that have been submitted to address the requirements of these conditions are considered acceptable and would ensure that the development does not increase flood risk or pollution impacts to local water courses and

incorporates the measures that are required to ensure that impacts on local amenity and the local environment are adequately mitigated for.

In view of the nature of the proposal, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

### **Recommendation**

That the schemes and programmes submitted to discharge the requirements of conditions 5 and 22 of planning permission LCC/2016/0046 are acceptable and should therefore be approved.

The development should be undertaken in accordance with the approved schemes and programmes.

### **Local Government (Access to Information) Act 1985**

#### **List of Background papers**

None

Reason for inclusion in Part II, if appropriate

N/A