

Lancashire County Council

Development Control Committee

Virtual meeting - Wednesday, 21st April, 2021 at 10.30 am

Agenda

Part I (Open to Press and Public)

No.	Item
-----	------

- | | | |
|----|--|----------------|
| 1. | Apologies for absence | |
| 2. | Disclosure of Pecuniary and Non-Pecuniary Interests

Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda. | |
| 3. | Minutes of the last meeting held on 3 March 2021

The Committee are asked to agree that the Minutes of the last meeting held on 3 March 2021 be confirmed and signed by the Chair. | (Pages 1 - 6) |
| 4. | Update Sheet

The Update Sheet will be considered as part of each related agenda report. | |
| 5. | Ribble Valley Borough: application number. LCC/2020/0075
Construction of four no. kiosks and widening / modifications to existing access road (in connection with other improvements to existing waste water treatment works to be carried out under permitted development rights).
Wilshire Waste Water Treatment Works, Ribchester Road, Clayton le Dale. | (Pages 7 - 28) |
| 6. | Wyre Borough: application number. LCC/2020/0069
Hybrid planning application including full application for 3 storey, 45 bed space care home facility, widening and rerouting of access road, new | |

car parking areas, summerhouse, energy centre, cycle and bin store and landscaping and outline planning application for development of 3 storey extra care facility consisting of 65 apartments following demolition of existing care home facility. Bowgreave Rise, Garstang Road, Bowgreave, Garstang.

(Pages 29 - 64)

**7. Preston City and South Ribble Boroughs:
application number LCC/2021/0002**

(Pages 65 - 106)

Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston

8. Decisions taken on development control matters by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

(Pages 107 - 108)

9. Urgent Business

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chairman of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

10. Date of Next Meeting

The next meeting of the Development Control Committee has been moved from Wednesday 9 June 2021 to Wednesday 16 June 2021 at 10.30 a.m.

L Sales
Director of Corporate Services

County Hall
Preston

Agenda Item 3

Lancashire County Council

Development Control Committee

Minutes of the virtual meeting held on Wednesday, 3rd March, 2021 at 10.30 am

Present:

County Councillor Barrie Yates (Chair)

County Councillors

S Clarke	P Hayhurst
C Crompton	A Kay
M Dad	M Pattison
J Eaton BEM	P Rigby
K Ellard	C Towneley
D Foxcroft	

1. Apologies for absence

None received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None declared.

3. Minutes of the last meeting held on 20 January 2021

Resolved: That the Minutes of the last meeting held on 20 January 2021 be confirmed as a correct record of the meeting.

4. Update Sheet

In respect of item 5 - Application LCC/2020/0051, the officer reported that the total number of representations received should read '12' – not 9.

5. Wyre Borough: application number. LCC/2020/0051 Change of use of agricultural land to site for recycling of inert wastes. Willow House Farm, Bispham Road, off Faraday Way, Thornton-Cleveleys.

A report was presented on a retrospective application for the change of use of agricultural land to a site for recycling of inert wastes at Willow House Farm, Bispham Road, off Faraday Way, Thornton-Cleveleys.

The report included the views of Wyre Borough Council, the Environment Agency, LCC Highways Development Control and details of 12 representations received objecting to the application.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The Committee was also shown photographs of the site.

County Councillor Alan Vincent addressed the committee on behalf of a number of local residents. He urged the committee to refuse the application for following summarised reasons:

- The access road is narrow and therefore unsuitable for HGV's.
- The site lies within Flood Zone 3.
- This would be inappropriate development in the Green Belt.
- There are 3 ponds in and around the site within an SSSI protected area.
- The visual impact of the development.
- The negative impact the development would have on residential amenity.
- The operations would have an adverse impact on Royals Brook in relation to flood risk and pollution.

In response to questions raised by the Committee, the officer advised that if the development were to continue to operate, the county council would have to use its powers of enforcement to require the cessation of use. The enforcement would also apply to the adjoining land outside of the application area which had also been subject to tipping.

Resolved:- That planning permission be **refused** for the following reasons:

1. The application site is located within the Green Belt. The development by reason of its nature and impacts does not preserve the openness of the Green Belt and is inappropriate development for which no very special circumstances have been demonstrated. The proposal is therefore contrary to paragraphs 143 and 146 of the National Planning Policy Framework and Policy SP3 of the Wyre Local Plan.
2. The applicant's Flood Risk Assessment has not demonstrated that the development would not increase to risk of flooding elsewhere. The location and design of the development also would not preserve access to the Royals Brook for the purpose of maintenance or prevent waste materials from entering the watercourse resulting in pollution or obstruction of the watercourse. The development is therefore contrary to paragraphs 155 and 163 of the National Planning Policy Framework and Policy CDMP2 of the Wyre Local Plan.
3. The application is not accompanied by any assessment of noise or dust impacts. The development is located close to residential properties and without any such assessment, it cannot be concluded that the development would not have any unacceptable impact on residential amenity or that any residual impacts could be mitigated to acceptable levels. The development

is therefore contrary to Policy DM2 of the Lancashire Minerals and Waste Local Plan.

**6. Application number. LCC/2019/0006/1
Compliance with condition 8 of permission LCC/2019/0006 - Revised landscaping scheme. Broughton Bypass, Preston.**

A report was presented on an application for the compliance with condition 8 of permission LCC/2019/0006 - Revised landscaping scheme. Broughton Bypass, Preston.

The report included details of one letter of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The Committee was also shown a location plan and a photograph of the landscaping area.

A neighbouring resident at Gray's Cottage, addressed the Committee and reiterated the comments set out in the report in respect of landscaping, fencing materials and covered manholes. He claimed there had been a significant number of breaches of condition in relation to the regularisation of the by-pass which the county council had failed to enforce. He also raised concerns with regard to drainage and the potential for flooding. The Committee was urged to defer consideration of the application until they had visited the site or received a video update.

In response to the concerns raised with regard the drainage issues, the officer reminded the committee that drainage was not the subject of this application. However, the county council's drainage engineers would be approached and asked to investigate the concerns raised in respect of the covered manholes.

Following further discussion in respect of the noise attenuation fences, landscaping and drainage issues, it was:

Resolved: That the scheme and programme submitted under condition 8 of permission LCC/2019/006 be approved.

**7. Pendle Borough: application number. LCC/2020/0070
Construction of a multi-use games area with a 3m high perimeter fence. Reedley County Primary School, Reedley Road, Reedley, Burnley.**

A report was presented on an application for the construction of a multi-use games area with a 3m high perimeter fence at Reedley County Primary School, Reedley Road, Reedley, Burnley.

The report included the views of the Pendle Borough Council, the County Council's Highways Development Control, Sport England, the Coal Authority, United Utilities and two letters of representation received.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown illustrations of the location and layout of the games area with photographs of the site from various aspects.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

**8. Burnley Borough: application number LCC/2020/0072
Provision of multi-use games area with 3 metre high weld mesh fence
with 2 no. single access gates and 1 no. double access gates
Briercliffe County Primary School, Delamere Road, Briercliffe**

A report was presented on an application for the provision of multi-use games area with 3 metre high weld mesh fence with 2 single access gates and 1 double access gates at Briercliffe County Primary School, Delamere Road, Briercliffe.

The report included the views of the Burnley Borough Council, LCC Highways Development Control, LCC Ecology Service, Sport England and United Utilities. It was noted that no representations had been received in respect of this application.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The committee was also shown the layout plan and photographs of the site.

Resolved: That subject to the Secretary of State not calling in the application for his own determination, planning permission be **granted** subject to conditions set out in the report to the committee.

**9. Preston City: application number. LCC/2021/0001
Extension to existing infants play area and linking footpaths to
wooded area through grassed playing field at St Andrews C of E
Primary School, Tulketh Road, Preston.**

A report was presented on an application for an extension to existing infants play area and the linking of footpaths to a wooded area through a grassed playing field at St Andrews C of E Primary School, Tulketh Road, Preston.

The report included the views of Preston City Council, LCC Highways Development Control and details of one letter of representation received objecting to the proposal.

The Development Management Officer presented a PowerPoint presentation showing an aerial view of the site and the nearest residential properties. The

committee was also the site location plan and illustrations of the layout of the games area with photographs of the site from various aspects.

Resolved: That planning permission be **granted** subject to the conditions set out in the report to the committee.

10. Decisions taken on development control matters by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

It was reported that since the last ordinary meeting of the Committee on 20 January 2021, four planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the county council's Scheme of Delegation.

Resolved: That the report be noted

11. Urgent Business

None.

12. Date of Next Meeting

Resolved: That the next virtual meeting of the Committee be held on Wednesday 21 April, 2021 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee
Meeting to be held on 21st April 2021

Electoral Division affected: Ribble Valley South West
--

Ribble Valley Borough: application number. LCC/2020/0075
Construction of four no. kiosks and widening / modifications to existing access road (in connection with other improvements to existing waste water treatment works to be carried out under permitted development rights).
Wilpshire Waste Water Treatment Works, Ribchester Road, Clayton le Dale.

Contact for further information:
Jonathan Haine, 01772 534130
DevCon@lancashire.gov.uk

Executive Summary

Application - Construction of four no. kiosks and widening / modifications to existing access road (in connection with other improvements to existing waste water treatment works to be carried out under permitted development rights).

Wilpshire Waste Water Treatment Works, Ribchester Road, Clayton le Dale.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, design and construction of the access, hours of operation, highways issues and landscaping.

Applicant's Proposal

The application is associated with a programme of major improvement works to Wilpshire Waste Water Treatments Works, the majority of which would be undertaken under the applicant's permitted development rights and which therefore do not require planning permission. The elements of the development which require planning permission are as follows:

- A new ferric dosing kiosk – this building would measure 7 metres by 4.1 metres by 3.8 metres in height
- A chemical dosing kiosk – this building would measure 7 metres by 4.1 metres by 3.8 metres in height.
- Activated sludge plant blower kiosk – this would be a building measuring 10 metres by 6 metres by 3 metres in height.

- Motor control centre kiosk – this building would measure 10 metres by 5 metres by 3 metres in height mounted on a 150 mm concrete plinth and constructed from GRP coloured holly green. The building would contain electrical control equipment to operate new and upgraded plant and equipment and welfare facilities for site operatives.

All these buildings would be mounted on a 150 mm high concrete plinth and would be constructed from glass reinforced plastic coloured holly green. The kiosk buildings would all be located on land on the south eastern side of the existing treatment works.

Planning permission is also sought for the widening and improvement of the site access road. The whole access road would be widened from approximately 2.6 metres to 3.5 metres with the initial 90 metre section from the junction with Ribchester Road being approximately 10 metres wide. The widened area close to the junction would be surfaced in stone which would be removed upon completion of construction works. Land to the side of the access at one other location would be regraded to create a passing place which would be temporary during construction works only.

The existing access road would be retained as a public footpath and as a vehicular access to private land with the new access being created on land to the east with a hedgerow dividing the two.

The works undertaken under permitted development rights are extensive but include a temporary construction compound on land to the east of the existing works, various tanks and underground chambers, new fine screens and skips and other new treatment infrastructure within the waste water treatment works itself.

Description and Location of Site

Wilpshire Waste Water Treatment Works is located to the south of the villages of Salesbury / Clayton le Dale off the B6245 Ribchester Road which links the A59 with Wilpshire / Blackburn. The treatment works are accessed via a concrete road approximately 300 metres in length which links with the B6245 via a narrow gap between residential properties at nos. 135 and 137 Ribchester Road.

The existing treatment works is an area measuring around 100 metres by 100 metres surrounded by fencing and some existing trees and hedges which includes tanks and other equipment used for the treatment of waste water. The existing treatment works (but not the access road) is located within the Green Belt.

The initial section of the access road is also a public footpath which continues across the field parallel to the access road and around the west side of the treatment works. Immediately to the east of the access road where it meets Ribchester Road is a small area of grassland between the adjacent properties which includes a number of shrubs and trees, two of which are subject to Tree Preservation Orders. Also adjacent to the access road are a number of properties on St Stephens close which back onto the existing access and the grass land area referred to above.

Background

History: The site is an existing waste water treatment works. There is no relevant previous planning history.

Planning Policy

National Planning Policy Framework: The following paragraphs of the NPPF are considered relevant to this proposal: 8 – 11 (definition and presumption in favour of sustainable development), 109 – 110 (transport considerations), 127 (design), 143 – 146 (development within the green belt) and 175 (habitats and biodiversity)

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM2 – Development Management

Ribble Valley Core Strategy

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DME1 – Protecting trees and woodlands

Policy DME2 – Landscape and townscape protection.

Policy DME3 – Site and species protection and conservation

Policy DMB5 – Footpaths and Bridleways

Consultations

Ribble Valley Borough Council: No objection. However, the Council considers that the replacement hedgerows should reflect the Lancashire Hedgerow Mix. The Council consider that it is regrettable that the trees subject to tree preservation orders are to be felled and that the trees planted in mitigation should be subject to a revised TPO to ensure their long term protection. It is also requested that sufficient bat and bird boxes are incorporated throughout the scheme to ensure mitigation.

Clayton-le-Dale Parish Council: Object to the development due to the access road being permanent and request that it is returned to its current state on completion of the works.

LCC Ecology Service: The submitted ecological appraisal is limited to the works itself and does not consider the access track. It appears that the access works would affect several trees which may be suitable for bats and which may have other ecological implications. In relation to further information regarding ecological impacts of the access proposals, the LCC Ecologist makes the following comments:

- Bat roost presence / absence surveys of Tree T2 should be carried out prior to determination of the application
- Confirmation should be sought of exactly which trees along the access track have been subject to bat assessments.
- If these matters can be adequately addressed, conditions should be imposed regarding working methods to prevent spread of invasive plants, protection of retained trees, requirement for badger survey and amphibian / mammal / breeding bird avoidance measures and control of lighting.

- Comments are also made in relation to the design of landscaping and seed mixes to be used.

Environment Agency: No objection.

LCC Highways Development Control; No objection but are concerned about the access design which should be wide enough to allow a car and tanker to pass to avoid vehicles having to wait on the highway for a vehicle to leave the access road. Highways also request provision of electric vehicle charging points and that the traffic management plan be adhered to during construction period.

Lead Local Flood Authority: No comments to make. The standing advice should be applied.

Public Rights Of Way: No observations received.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Six representations have been received comprising four objections and two letters of support. The objections can be summarised as follows:-

- The new access will impact on residential amenity by way of noise pollution, air pollution, loss of outlook and loss of privacy. The new access road would be significantly closer to 135 Ribchester Road and drivers will be able to overlook the garden.
- The application says that it is for the widening of the access but it actually involves construction of a new access road.
- The existing access road is single track and discrete. The new road will cross the area of land known as 'The Croft' which will destroy this area and the existing trees that are located within it and having a detrimental impact on the amenity of the area.
- The access improvement works are only required to serve a construction period of 34 weeks.
- The proposal is contrary to several policies of the local plan.
- The increase in width of the access would be hazardous to pedestrian safety and to cyclists on the B6245.
- The passing place close to Ribchester Road was supposed to be moved so it would be further from the properties.
- A temporary access can be created without the need to destroy 'The Croft'. There are other alternatives that are available.
- The loss of the trees and shrubs within 'The Croft' would impact upon wildlife.
- Construction traffic would be a danger to walkers on the footpath.
- UU do not own any part of the existing access road and therefore have no rights to modify it. The access road cannot be constructed on land where they do not have the owner's agreement.
- The car parking will be insufficient to cope with all the staff parking. There is no mention of offsite parking.

The letters of support raise the following issues:-

- The alternative access would have involved using Ryden Road and then crossing farm land. Ryden Road is a residential road and the length of new road required would impact the landscape and wildlife.
- Use and improvement of the existing access is more appropriate

Advice

The proposed development forms part of a programme of works agreed between United Utilities, the Environment Agency and the water industry regulator (OFWAT) to refurbish and upgrade waste water treatment assets. The works at Wilpshire Waste Water Treatment Works are necessary to enable compliance with enhanced effluent discharge standards contained in a new permit from the Environment Agency. The new permit contains stricter standards for phosphorus, ammonia and biological oxygen demand and the improvements and new treatment infrastructure would result in an improvement in water quality in the receiving watercourse. The improvements would also increase the treatment capacity of the works to accommodate further population increases in the catchment of the works.

The majority of the new treatment infrastructure, plant and equipment is covered by permitted development rights and no planning permission is required. However, permission is required for four buildings, the majority of which would contain electrical equipment necessary to control the operation of the new treatment infrastructure and for the improvement of the access by a combination of the construction of new access road and widening of the existing route including provision of a number of temporary passing places.

The proposal raises a number of issues including development within the Green Belt and the local environmental impact of the access road improvements.

The existing waste water treatment works is located within the Green Belt. The four new kiosk buildings would be located on the south east side of the existing treatment works. Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the NPPF states that the construction of new buildings is inappropriate development. Therefore, the new kiosk buildings that form part of this application are inappropriate development and should only be approved if very special circumstances exist.

In this case the whole of the existing treatment works lies within the Green Belt and there is no location that could be used that would be outside of the Green Belt. The buildings are required as part of a scheme of major improvements to this works to enable compliance with new legal standards on water quality and to provide increased treatment capacity. The improvement works would therefore give rise to a number of environmental and economic benefits which would comprise very special circumstances to justify the development in the Green Belt. The development is therefore considered acceptable in terms of Green Belt policy.

The existing treatment works is screened by an existing tree planting belt along its northern and western sides which provides some screening from view points including

the footpath which runs adjacent to the treatment works. The buildings whilst of functional design, are relatively small scale and it is considered that their visual impact would be acceptable. The design of the elements of the development which are within the treatment works itself are therefore considered to comply with policy DMG1 of the Local Plan.

A construction compound would be constructed on land immediately to the east of the treatment works. It is considered appropriate to impose a condition to control the development of this area including protection of existing trees, stripping of soils and restoration following the construction works being completed.

The main issue relates to the improvement and diversion of the access road. The treatment works is currently served by a single width access road which links with the B6245 via a narrow gap known locally as 'The Croft' which is between two properties fronting the highway. The area of 'The Croft' between the access road and no, 135 Ribchester Road is a narrow strip of amenity grass land including a number of trees.

The improvement works to the works would generate approximately 2500 HGV movements (two way movements) over a construction period of approximately 25 weeks. The existing access track is not of sufficient standard to accommodate this level of movements as it is only approximately 2.6 metres wide. Lancashire County Council Highways were consulted at the pre application stage and confirmed that improved access arrangements were required. An alternative access route was investigated involving a new road being constructed from the end of Ryden Close. However, this would have required HGV traffic to travel along a residential street and this alternative was therefore dismissed on this basis.

In order to provide an access of the required standard, the applicant proposes to modify and improve the existing access track. To provide access to the treatment works a new 4 metre wide access road would be constructed parallel to and to the east of the existing access (the initial section from the junction with the public highway would be approximately 10 metres wide). The new road would continue southwards for approximately 140 metres where it would rejoin the existing access, the remainder of which would be widened on its western side to 3.5 metres wide. The access road would also incorporate a layby area to allow HGVs to pass. The initial section of the existing access from Ribchester Road would be retained as a public footpath to separate footpath users from construction traffic.

The works to provide the new section of access road through 'The Croft' would require the removal of 6 individual trees and 1 larger group of trees / shrubs. Two of these trees (both sycamores) are subject to Tree Preservation Orders made by the Borough Council in 2020. The removal of the trees is regrettable but due to their location is an inevitable impact of the access road construction. To mitigate for the impacts, the application includes landscape proposals including planting of a hedgerow between the existing and new access road and 10 new trees within the new hedgerow and on the retained pasture area between the new access road and no. 135 Ribchester Road. A further belt of shrub planting would also be provided along the remainder of the access road in order to compensate for the loss of vegetation resulting from the other widening works. Whilst there would be some landscape impact arising from the

removal of the trees and other vegetation arising from the new access construction, it is considered that the landscaping proposals would provide suitable mitigation.

The new access would bring the road closer to the gable end of no. 135 Ribchester Road. There is a close boarded fence forming the boundary of this property. The existing access is immediately adjacent to the gable end of no 137 Ribchester Road. Whilst there would be some increased amenity impacts at these properties and those on St Peter's Close arising from increased HGV traffic, these impacts would only be temporary during the construction period. Following completion of construction, the numbers of vehicle movements to the site would be very similar to existing. The impacts on residential amenity are therefore considered acceptable subject to a condition restricting the hours of operation.

The LCC Ecologist has raised a number of issues as summarised above. The most important of these relates to the bat surveys of the trees that would be removed within 'The Croft' to create the new access road. The applicant's initial ecological survey did not examine the impacts of the access road construction but was subsequently updated to include this aspect of the proposals. Three trees with bat roost potential were investigated. These include two sycamore trees which have been pollarded and which are subject to the TPO's. The survey methods undertaken included a visual inspection of features within the trees that might form bat roosts. One of the trees has been classed as having moderate bat roost potential with the others have negligible potential. The LCC Ecologist considers that the survey effort on the tree with moderate potential has been insufficient and that a night time emergence survey should be undertaken to fully establish the value of the tree for bats. This can only be done between May and September. However, it is considered that the survey methods undertaken to date are sufficient to gain a reasonable understanding of the value of the tree. The parts of the tree that are of likely interest are close to the ground and have been inspected by eye and using an endoscope. If the tree had significant value, it would have been identified by the survey. The issues raised by the LCC Ecologist in relation to bat and bird mitigation, landscaping and pre development surveys can be the subject of planning conditions.

Lancashire County Council Highways have no objection to the application but have suggested that the access design at the junction with Ribchester Road should be amended to widen the initial part of the access road to allow an HGV and car to pass therefore avoiding the need to have to wait on the public highway for vehicles to leave the site. The applicant has prepared a drawing showing this layout with the widened section being surfaced in stone. This would allow the widened section to be easily removed following the completion of construction leaving just the 4 metre wide permanent access road and would achieve a reasonable balance between the highway safety issues and the need to protect the visual amenities of the area.

Taking into account the above issues, the design and impacts of the access road alterations are considered acceptable subject to conditions on landscaping and detailed design. Subject to those conditions, the development is considered acceptable in relation to Policies DMG1, DME1 and DME2 of the Borough Local Plan.

One representation has been received raising issues regarding the rights of the applicant to undertake the improvements to the access road on land not owned by the applicant. However, this is not a planning issue.

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 17th December 2020

b) Submitted Plans and documents:

Drawing WILPS 97 - DR- T-10010 Rev PO6 - Site Location Plan
Drawing WILP 97 - DR-T -10011 Rev PO6 - Proposed Widening of Existing Access Road
Drawing WILP 97 - DR-T -10013 Rev PO4 - Elevations of Ferric Dosing Kiosk
Drawing WILP 97 -DR - T -100014 Rev PO4 - Elevations of Chemical Dosing Kiosk
Drawing WILP 97 -DR -T -100015 Rev PO4 - Elevations of ASP Blower Kiosk
Drawing WILP 97 - DR -T 100016 Rev PO4 - Elevations of MCC Kiosk
Drawing WILPS 97 - DR -T 10017 Rev PO7 - Proposed Modifications to existing site entrance
Drawing WILP 97 - DR -L - 000003 Rev PO3 - Detailed landscape plan
Drawing WILP 97 - DR - L 000002 Rev PO2 - Detailed landscape plan
Drawing WILPS 97-DR -T 10022 Rev PO1 - Proposed Site Layout

c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2

of the of the Lancashire Minerals and Waste Local Plan and policies DMG1, DME1, DME2 and DME3 of the Ribble Valley Core Strategy.

3. Prior to any other construction works commencing including those undertaken under permitted development rights, the access including its junction with the B6245 shall be improved and constructed in accordance with the details shown on drawing WILPS -97-DR-T 10019-PO3.

Following completion of construction works, the area of the access show in a stipple and labelled 'temporary stone during construction' shall be reinstated by removing all surfacing materials and the land restored in accordance with the scheme and programme approved under the requirements of condition 9 below.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and policy DMG1 of the Ribble Valley Core Strategy.

Construction Works Controls

4. No construction development, delivery or removal of materials shall take place outside the hours of:

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials 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 with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy.

5. HGV movements during the construction period shall be managed in accordance with the document submitted with the planning application titled ' Wilpshire WWTW - Traffic Management Plan'

Reason: In the interests of highway safety and local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DM1 of the Ribble Valley Core Strategy.

6. Measures shall be taken at all times during construction works to ensure that no mud, dust or other deleterious materials are deposited on Ribchester Road by HGVs leaving the site.

Reason: In the interests of highway safety and local amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DME1 of the Ribble Valley Core Strategy.

7. The construction compound shall be developed in accordance with the following:

a) All trees and shrubs on the boundaries of the compound area shall be protected from damage and retained throughout the construction period

b) Prior to any surfacing materials being deposited, all topsoils from the compound area shall be stripped and stored separately for use in restoration works.

The construction compound shall be restored to agriculture within three months of the completion of construction works including the removal of all surfacing materials, plant and equipment and buildings, the resspreading of the stored topsoils to their original depths over the full area of the site and cultivation works.

Reason: In the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DME 1 of the Ribble Valley Core Strategy.

Landscaping and reinstatement

8. The landscaping works detailed on drawings WILP97 - DR - L-00003 Rev PO3 and WILP -97- 000002 Rev PO2 shall be implemented in the first planting season following the completion of construction works. The landscaping works shall include the reinstatement of any temporary passing places so that the access road is reduced to the dimensions shown on the drawings referred to in this condition.

The landscaping works shall be managed for a period of five years including weed control, replacement of failed and dying plants and maintenance of protection measures.

Reason: In the interests of visual amenity and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policies DMG1 and DME 1 of the Ribble Valley Core Strategy.

9. No development shall commence until details for the hard landscaping of the site access at its junction with the B6245 have been submitted to the County Planning Authority for approval in writing. The details shall include the following:
- a) details for the demolition of existing stone walls along the edge of the B6245 and for the storage of the stone materials for use in reinstatement works

b) proposals for the construction of the new wall at the side of the access using the existing stone including the heights of the wall and its design including the timing of wall construction.

c) the reinstatement of the widened section of road at the highway junction following completion of construction activities including removal of surfacing materials and respreading of soils

c) the design of the bollards across the existing access road

d) signage of the footpath

The access shall thereafter be developed in accordance with the approved details.

Reason: In the interests of visual amenity and achieving good design and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy.

Ecology

10. The felling of any trees to create the new access road shall take place in accordance with the methodology described in the supplementary ecology advice note received on 9th March 2021.

Reason: In the interests of ecology and to conform with Policy DME 3 of the Ribble Valley Core Strategy.

11. No development shall commence until details of ecological mitigation have been submitted to the County Planning Authority for approval in writing. The submitted details shall include information on the following:

a) numbers, location and design of mitigation measures for birds and bats.

b) provision for a badger survey of the site prior to any development commencing

c) a method statement to avoid impacts on amphibians, mammals and nesting birds during construction and site preparation activities

d) measures to prevent impacts on bats during the felling of trees and from lighting.

e) the seed mixes to be used for the restoration of site compound and reinstatement / landscaping of the access road.

The development shall be carried out in accordance with the approved scheme and programme.

Reason: In the interests of ecology and to conform with Policy DME 3 of the Ribble Valley Core Strategy

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Heavy Goods Vehicle: A vehicle of more than 7.5 tonnes gross weight.

Notes

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact Lancashire County Council Highways quoting the planning permission reference.

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

Paper	Date	Contact/Directorate/Ext
LCC/2020/0075 Jonathan Haine Planning and Environment 534130		

Reason for Inclusion in Part II, if appropriate
N/A

Planning Application LCC/2020/0075

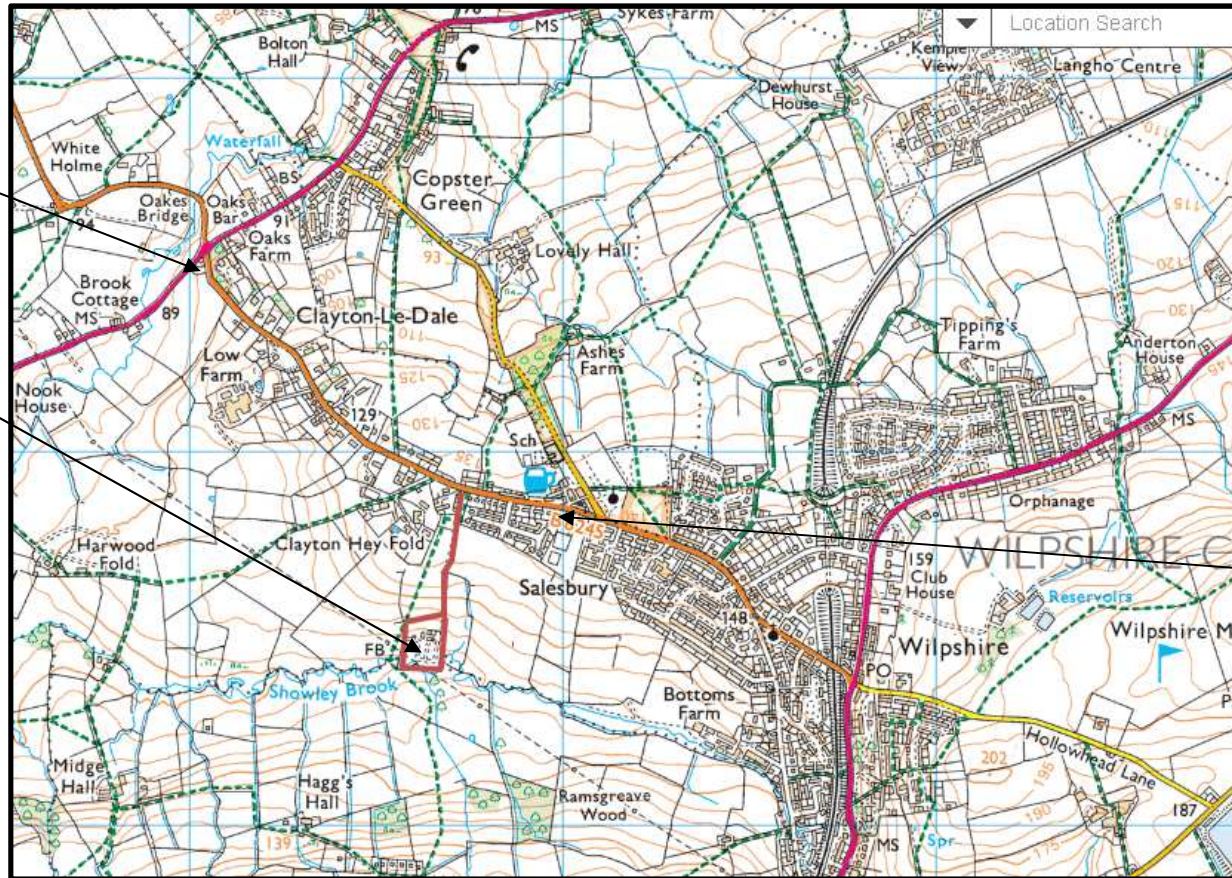
**Construction of four kiosks and widening /
modifications to access road.**

**Wilpshire Waste Water Treatment Works,
Ribchester Road, Clayton le Dale**

Planning application LCC/2020/0075

A59

Wilpshire
WWTW



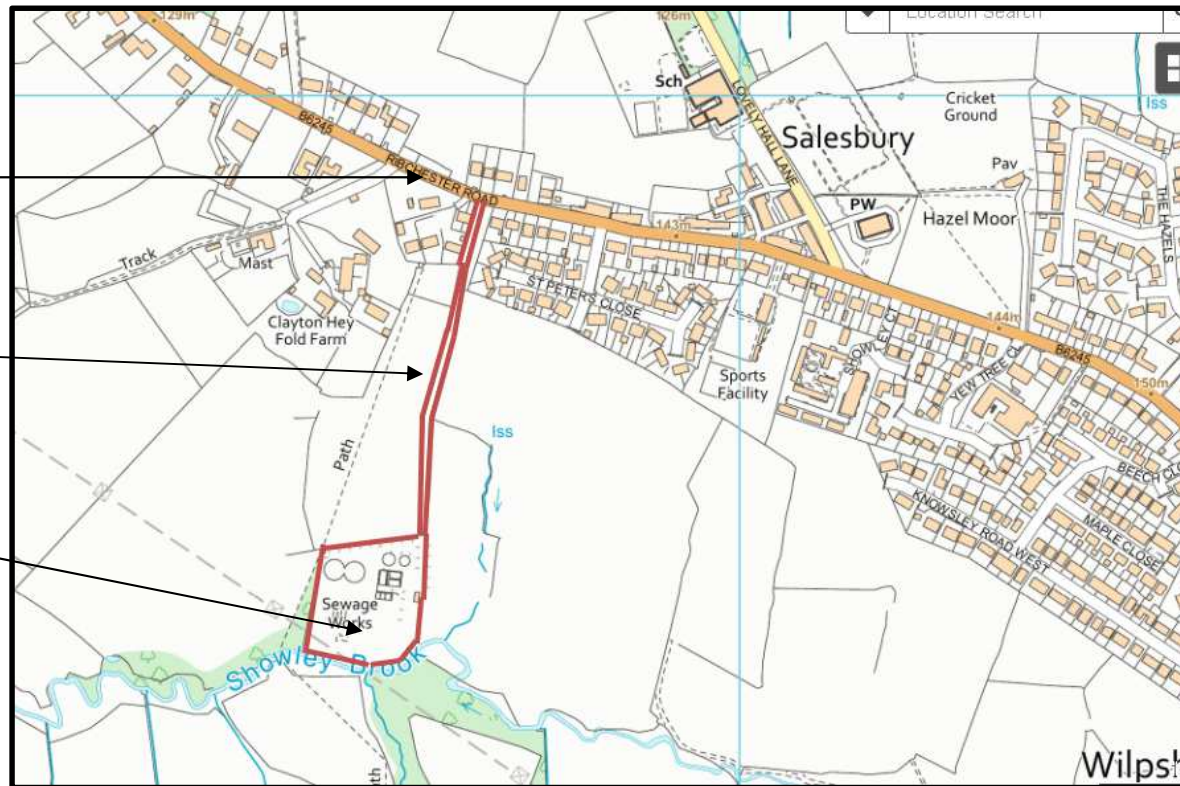
Ribchester
Road

Planning application LCC/2020/0075

Ribchester Road

Access Road

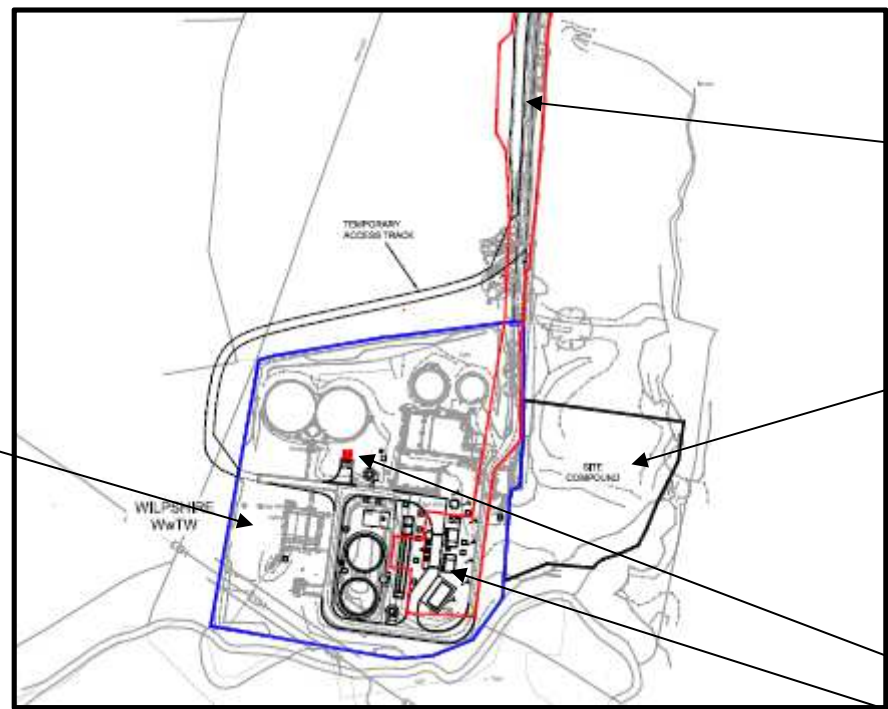
Existing WWTW



Planning application LCC/2020/0075



Planning application LCC/2020/0075 – Applicant’s Proposals for WWTW



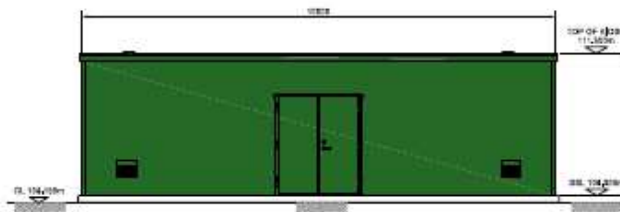
Existing WWTW

Access road widening

Site Compound

Proposed Kiosk Buildings

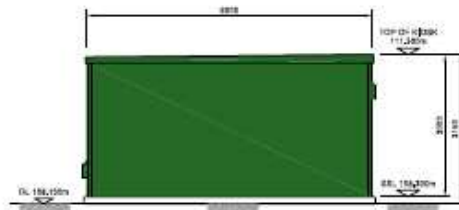
Planning application LCC/2020/0075 – Proposed ASP Blower Kiosk



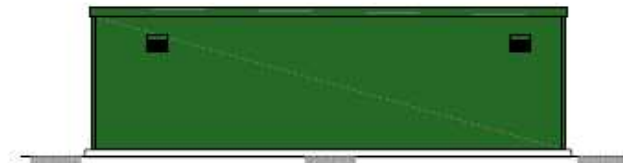
WEST ELEVATION



NORTH ELEVATION



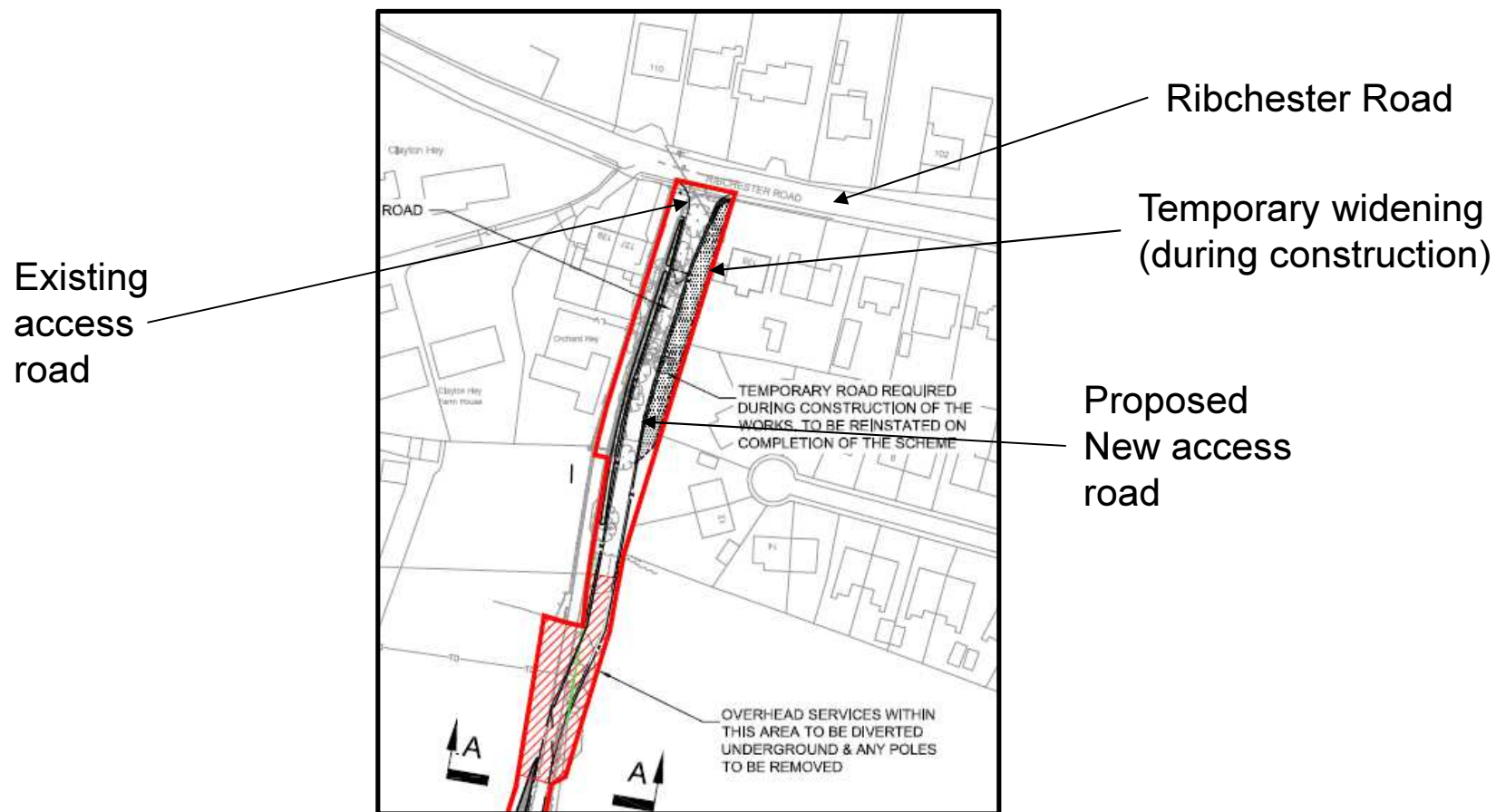
SOUTH ELEVATION



EAST ELEVATION

Other kiosks would be of similar appearance

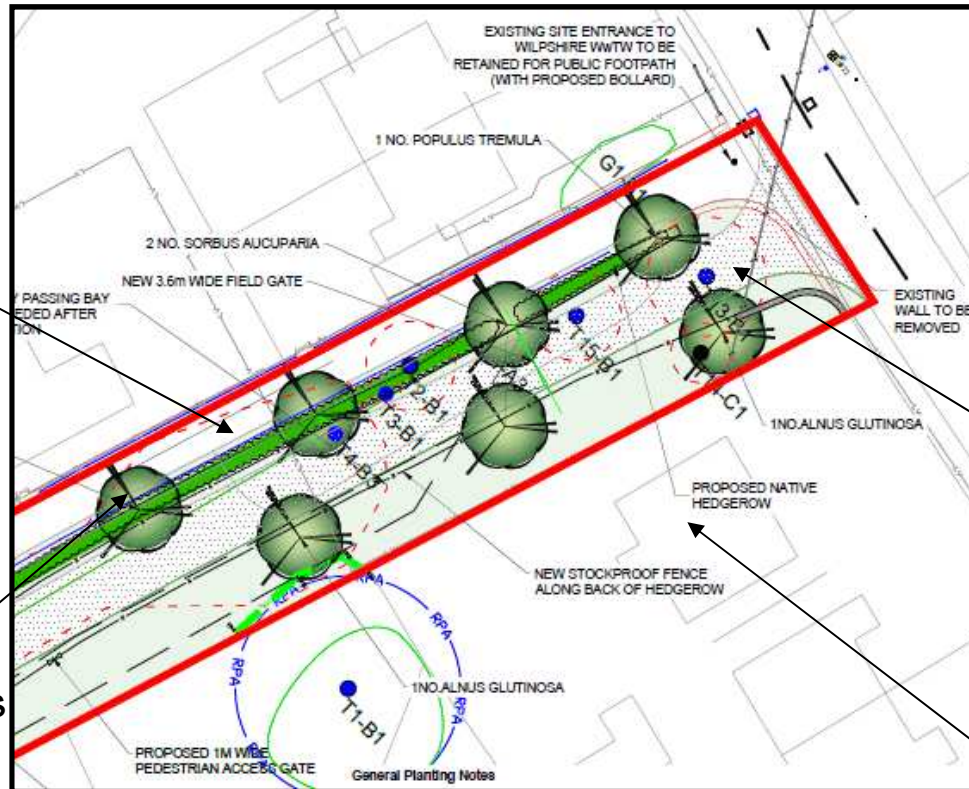
Planning application LCC/2020/0075 – Access proposals



Planning application LCC/2020/0075 – Access Landscaping

Existing access
retained
as footpath

Landscaping
with trees / hedges
to replace losses



New access
road

Adjacent property
No. 135 Ribchester
Road

Application LCC/2020/0075 – Photograph of existing access and ‘The Croft’

No. 135
Ribchester
Road



Trees to be
removed

Existing access
road

Development Control Committee
Meeting to be held on 21st April 2021

Electoral Division affected: Wyre Rural East

Wyre Borough: application number. LCC/2020/0069
Hybrid planning application including full application for 3 storey, 45 bed space care home facility, widening and rerouting of access road, new car parking areas, summerhouse, energy centre, cycle and bin store and landscaping and outline planning application for development of 3 storey extra care facility consisting of 65 apartments following demolition of existing care home facility.

Bowgreave Rise, Garstang Road, Bowgreave, Garstang.

Contact for further information:
Jonathan Haine, 01772 534130
DevCon@lancashire.gov.uk

Executive Summary

Application - Hybrid planning application including full application for 3 storey, 45 bed space care home facility, widening and rerouting of access road, new car parking areas, summerhouse, energy centre, cycle and bin store and landscaping and outline planning application for development of 3 storey extra care facility consisting of 65 apartments following demolition of existing care home facility.

Bowgreave Rise, Garstang Road, Bowgreave, Garstang

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, highway matters, design, landscaping, ecology and drainage

Applicant's Proposal

The planning application is a hybrid application requesting full planning permission for a new care home facility and outline planning permission for an extra care building. The planning application incorporates the two following phases;

- Phase 1 seeks full planning permission for a new care home to replace the existing care home on the site. This would provide a 45 bed space facility for dementia care. The new building would be 'L' shaped in layout and would measure approximately 40 metres by 40 metres with each wing of the building

being approximately 13 metres in width. It would have three floors giving the building a maximum height of approximately 10 metres.

The main public elevations would be the south west and south east sides. The elevations would predominately be in a red brick material with a contrasting buff brick base on the ground floor level which runs to the corner stairwell / circulation space where it would be used to the full height of the building. The south east facing elevation of the stairwell would incorporate a green living wall. The bedroom spaces would incorporate bay windows. The roof of the building would be flat with a parapet around the perimeter to conceal solar photovoltaic panels and other items of plant.

Phase 1 also includes a single storey building to be located on the southern boundary of the site measuring 1.5 metres by 9 metres. It would house a refuse store, incoming gas room, switch room and sub station. The external elevations would use the same protruding brick as the main care home building incorporating louvre doors with a flat sedum roof.

In the north east corner of the site would be a summer house structure to provide a covered external space for residents. The building would be single storey measuring 3 metres by 4 metres with a height of around 2.5 metres and would be constructed in buff heritage brick with timber cladding and a flat sedum roof and a timber pergola structure attached to the south facing elevation

Externally would be 13 no parking spaces which would be reached via an access road running around the western and southern sides of the building utilising the existing access point onto Garstang Road.

To the rear (east) of the building would be a garden area for the residents of the home.

- Phase 2 of the proposal is for the construction of an extra care facility with apartments for 65 residents. The planning application for this element is in outline only with details provided of the general scale and form of the building with exact details of scale, design and materials reserved for a later date.

The extra care building would be 'U' shaped with maximum dimensions of approximately 65 metres by 40 metres. The main part of the building would be three storeys high with a flat roof. The front elevation of the building facing Garstang Road would be 'pulled apart' to give the impression of three separate extensions. Each of these would have a pitched roof. Further car parking areas to support the extra care facility would be provided on the southern boundary of the site which would be reached from the access road shared with the phase 1 care home. A garden area would be located within the centre of the 'U' shaped building.

Construction of the phase 2 building would require the demolition of the existing care home.

Description and Location of Site

The application site is on the site of the existing Bowgreave Rise Care Home, an existing County Council Old People's Care Home located off the B 6430 Garstang Road between Garstang and the outlying settlement of Bowgreave. The total application site measures approximately 170 metres by 80 metres. The existing care home, which is comprised of a variety of three and single storey buildings, is located close to Garstang Road with a car parking area, two outbuildings and garden areas to the east of the building.

Immediately to the south are two large residential properties which are accessed off Garstang Road. To the east are agricultural fields which lead down to another private care home located off Dimples Lane. To the north of the site is a former playing field area now used as agricultural pasture, beyond which is the Lancaster Canal and residential properties on the south side of Garstang. The western boundary of the site is formed by the B6430 beyond which are agricultural fields. There are further residential properties located off Garstang Road to the south west of the application site.

Background

History: The application site is an existing Lancashire County Council Care Home. There is no relevant planning history

Planning Policy

National Planning Policy Framework : The following paragraphs of the NPPF are relevant to this application : 8 – 12 (definition and presumption in favour of sustainable development) 59 – 61 (delivering sufficient supply of homes), 109 -110 (transport considerations), 124 – 130 (design), 163 (assessing flood risk), 170, 175 (ecology) and 180 (contamination).

Wyre Local Plan

- Policy SP1 Development Strategy
- Policy SP2 Sustainable Development
- Policy SP4 Countryside Areas
- Policy CDMP1 Environmental Protection
- Policy CDMP2 Flood Risk and surface water management
- Policy CDMP3 Design
- Policy CDMP4 Environmental Assets
- Policy CDMP5 Historic Environment
- Policy CDMP6 Accessibility and transport
- Policy HP1 Housing land supply
- Policy HP2 Housing Mix

Consultations

Wyre Borough Council: The southern part of the site including the existing care home falls within the settlement boundary. The northern part of the proposed site would

encroach into the countryside and strategic area of separation designated between Garstang and Bowgreave where policies SP1 and SP4 seek to restrict development in order to protect the identity and distinctiveness of the two settlements. However, having regard to the revised scale and building footprint and the aspects of the development that are located on the northern boundary, Wyre Council are satisfied that phase 1 of the development would not conflict with these policies subject to appropriate conditions about landscape and boundary treatments.

Phase 2 of the development would be within the settlement boundary and the principle of the development is therefore acceptable.

Wyre Council note the contribution that the development would make to the supply of housing. For an old people's care home this would be based upon the amount of housing that would be released into the wider housing market. The Borough Council estimate that this would be the equivalent of 39 units.

In terms of design the Borough Council are concerned that the phase 1 building would have a monolithic and blocky appearance giving a commercial / institutional appearance rather than a modern contemporary appearance. The Borough Council consider that the choice of finishes will be critical to achieve a high quality development to satisfy Policy CDMP3. The Borough Council also have concerns about the scale and massing of the phase 2 building. They consider that the scale alongside the frontage of Garstang Road would appear over bearing and out of keeping with the appearance of the other residential buildings on this road. The Borough Council are concerned that there is no justification for the scale of the phase 2 building.

The Borough Council also consider that a noise assessment should be submitted with the phase 2 development to ensure that local residents are protected against road noise. Contamination issues from previous uses of the site should also be considered.

Wyre Council also consider that landscape mitigation should be carefully considered along with issues relation to highway safety, climate change (energy and water efficiency measures) and incorporation of electric vehicle charging points.

Barnacre-with-Bonds Parish Council: Support the development. The Parish Council consider that this would be an excellent facility for the whole Garstang area. Their initial concern about the welfare of residents during the construction of the development has now been resolved by the proposal to build the new care home in advance of the existing facility being demolished.

County Archaeology Service: The site was previously the site of Garstang Union Workhouse although this was demolished to create the existing care home. It is possible that some foundations of the workhouse still exist. There is no evidence that deceased inmates of the workhouse were buried on site. The possible existence of foundations is not sufficient reason to impose any archaeological constraints on the redevelopment of the site so no planning conditions are recommended.

Ecology Service: The following matters will need to be addressed before the application is determined:-

- Sufficient survey effort to establish the presence / absence of bats in the buildings to be demolished has not been carried out
- Surveys for great crested newts have not been carried out on 2 of the ponds within 250 metres of the site
- There is an orchard area in the north east corner of the site, the majority of which would be lost to the phase 1 proposal. Orchards are a habitat of principle importance and the proposals have not been designed to minimise impacts on this area or to provide adequate compensation for unavoidable losses.
- Full details of losses and gains of trees and hedgerows have not been provided or confirmation that there would be sufficient mitigation.

If these matters can be adequately addressed, planning conditions would be required to address the following: bat roost assessment of any trees prior to any felling, no vegetation clearance between 1st March and 31st August unless a survey shows absence of nesting birds, implementation of mitigation measures in full, protection of vegetation of the boundaries of the site, control of lighting and submission of landscaping / habitat creation scheme.

LCC Highways Development Control; The highway network in this area is considered to have a good accident record and there are no underlying issues provided a safe access can be provided. From observations on site, most vehicles are travelling at less than the 30 mph speed limit on Garstang Road and the proximity of a bend to the south of the site is a natural traffic calming feature. As such changes to the speed limits and traffic calming are not required. The development would not have a severe impact on highway capacity or congestion in the vicinity of the site.

In relation to the site access, the applicant should prove that larger vehicles can safely negotiate the turn into the site

Highways consider that the footpath along Garstang Road to the north of the site access is not compliant with standards and should be improved to provide a 2 metre width which should continue along both sides of the access road. If these improvements are not possible due to the need to protect trees / hedgerows, the footpath improvement should continue at least as far as the bus stop. If these improvements cannot be provided, planning permission should be refused.

In response to revised plans. LCC Highways comment that the highway and pedestrian access to the site is now acceptable and subject to conditions regarding the bus stop improvement and pavement widening, the development is acceptable.

United Utilities: Water mains and a public sewer cross the site and UU will not permit building over their mains. This should be taken into account or a diversion may be required. If permission is granted, UU request the inclusion of a condition to address the impacts on their infrastructure. UU are also concerned that the drainage strategy for surface water does not follow the drainage hierarchy set out in paragraph 80 of the NPPF. They require a condition to address this matter should permission be granted along with a control to ensure that surface and foul waters are drained on separate systems.

Lead Local Flood Authority: The discharge rate from the completed scheme should be as close as reasonably practicable to the greenfield rates and the applicant's suggested discharge rate is not generally accepted. The drainage strategy also does not consider volume control in order to reduce the burden on the receiving sewer. The drainage strategy also needs to ensure that flood risk within the development site is managed and that there is no diversion of existing surface water flows to areas which do not currently flood. These issues should be addressed prior to determination or made the subject of a planning condition.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Two representations have been received one of which objects to the application on the following grounds:-

- There is a significant concern due to traffic and speeding on the road over Bowgreave Rise. Traffic on the road has increased significantly due to development in Bowgreave. Vehicles have crashed into the resident's property and neighbouring houses due to speeding and failure to negotiate the two bends on Bowgreave Rise. The resident therefore considers that traffic calming measures are required.
- There is no mention of how construction traffic will be managed to reduce the impact on local residents. There are no parking restrictions on the road outside resident's properties which could cause visibility issues if the road were to be used by construction workers.
- The playing field area to the north of the current care home is shown in the local plan as a strategic area of separation. It is therefore important that this field remains protected as it is used by residents for recreational purposes.
- The trees within the site need to be protected as they support a range of wildlife.

The other representation recognises the need for the development but is concerned about increased numbers of vehicles on Garstang Road and the need for additional traffic calming measures between the Dimples Lane roundabout and the Calder Lane junction to enhance the safety of pedestrians, drivers and local residents.

Advice

The proposal is to replace the existing Bowgreave Rise Residential Care Home with new expanded provision with an emphasis on dementia care needs and also provide an associated extra care facility for older people who are able to manage with less intensive care and support. In relation to the demand and need for each of these two care requirements, the following information is relevant to the current planning application.

The Care Act 2014 places a duty on local authorities to cooperate with partners to ensure that care and support is delivered in an integrated way. As a provider of social care and in order to fulfil these legal obligations, the County Council has adopted a Housing with Care and Support Strategy covering the period between 2018 to 2025. This Strategy was adopted by Cabinet in 2018

The Housing with Care and Support Strategy aims to address the requirements of The Care Act 2014 by:-

- Promoting wellbeing – by providing suitable accommodation including 'independent living'.
- Prevention- in terms of the role played by suitable housing in terms of preventing, reducing or delaying adults social care needs and that care and support including housing should be delivered in an integrated way and in cooperation with partner bodies
- Provision of choice – The Act requires local authorities to ensure that there is a sufficient variety of high quality services to provide choice including of housing provision.

Demographic trends are likely to increase the future need for social and care services including suitable types of housing. For example by 2025 it is likely that there will be a 14% increase in the number of adults over the age of 65, a 25% increase in the number of people with dementia, a 17% increase in people with a limiting long term illness and a 19% increase in the people living alone (based on change since 2017). These trends will lead to an increased demand for care and support which will have impacts on the County Council as a key provider of such services. It is therefore important that people's independence is maximised to ensure that the health and social care system is sustainable. This can partly be achieved through provision of extra care housing. Extra care is self contained housing with design features and care and support services which help people to remain independent for as long as possible and defers the need to move into full residential care.

In the UK, the average level of extra care provision equates to 15 units per 1000 people aged 75 and over. Based upon population estimates the total number of extra care units required in Lancashire in 2025 is estimated to be 2117 units. The current level of provision (either existing or in development) is only 350 and therefore there is a significant shortfall. In Wyre, the estimated number of units required is 265 with only 72 existing or in development.

To meet this projected demand, the Housing with Care and Support Strategy aims to provide approximately 1000 extra care units across the County prior to 2025 with at least one new facility in each of the twelve district areas. This target, whilst ambitious, is set lower than the predicted requirement in order to be realistic about the levels of provision that can be developed and to allow further evaluation of the impact and future demand.

In relation to the residential care element of this proposal, Bowgreave Rise Care Home provides care for the Wyre area in particular for dementia care. The home was constructed in 1967 and provides care for approximately 30 residents in the Wyre area which has the highest prevalence of dementia in Lancashire. Consequently, there is currently a high demand for places at Bowgreave Rise with a 92.6% occupancy rate since April 2020. Although the existing home is rated as 'good' by the Care Quality Commission, its layout such as shared toilets and bathrooms makes it difficult to meet current expectations and modern standards.

The approach in the Strategy is for the County Council to work with districts, health partners and registered housing providers to develop individual affordable extra care schemes. In principle, it is considered that there is a need to provide further extra care

housing in Lancashire and in Wyre specifically in order to meet future needs generated by demographic change and to provide greater choice and cost effective care provision.

To meet these requirements for social care and housing, the proposals at Bowgreave Rise provide for the construction of a replacement care home for 45 residents and also for an extra care building consisting of approximately 65 one and two bedroom apartments. The County Council would develop, own and operate the new care home with the existing residents transferring into the new home once built. A registered housing provider would then develop an extra care scheme on the site of the existing home. By relocating the existing care home into a modern care home built to current care standards, it provides some additional and improved residential care capacity to resolve the issues with the current care home. It would also provide space for the extra care facility on adjacent land therefore providing a care pathway for residents as their care needs change over time helping to meet some of the clear needs identified in the Housing with Care and Support Strategy.

Paragraph 59 of the National Planning Policy Framework states that to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. Paragraph 61 requires that the size, type and tenure of housing needed for different groups in the community (which should include older people and people with disabilities) should be assessed and reflected in planning policies. To meet this national policy objective, Policy HP1 of the Wyre Local Plan sets out that between 2011 and 2031 provision will be made for a minimum of 9200 additional dwellings. In order to provide for a mix of dwelling types, Policy HP2 requires that new housing will be required to widen the choice of housing types available and that proposed developments should provide an appropriate mix in terms of size, type and tenure of housing. In addition, in order to meet the needs of an aging population and people with restricted mobility, at least 20% of dwellings within developments of 20 or more dwellings should be of a design suitable for older people or those with restricted mobility. In their response to this application, Wyre Borough Council consider that the proposal would contribute towards housing supply by an equivalent of 39 units. Whilst contributing towards overall housing supply, the development would also meet housing needs for particular groups with specialised needs. Therefore, the development would assist in meeting the objectives of paragraphs 59 and 61 of the NPPF and Policies HP1 and HP2 of the Wyre Local Plan.

Due to the arrangements in how the overall development would be brought forward, the planning application is a hybrid proposal with the full details being provided of the County Council's residential care home and supporting development and the extra care element being in outline only. This would provide the flexibility for the extra care developer to specify the exact design and materials when this element of the development comes forward.

Planning Policy Issues

Policy SP1 of the Wyre Local Plan sets out the broad development strategy for the borough. The spatial approach is for sustainable extensions to towns and rural

settlements with settlements higher up the hierarchy taking more development than settlements lower down the hierarchy. The policy requires that development will take place within the defined settlement boundaries unless development outside in the countryside areas is supported by other policies of the plan. Policy SP1 also provides for the maintenance of strategic areas of separation between certain settlements including between Garstang and Bowgreave in order to maintain the individuality and separate character of settlements. Under Policy SP1 development that would erode the openness of these areas of separation and the effectiveness of the gap in protecting the identity and distinctiveness of the two settlements will not be permitted.

The existing Bowgreave Rise Care Home and part of its grounds lies within the settlement boundary of Bowgreave. The remainder of the application site including the area where part of the new care home would be constructed lies outside the settlement boundary and within the Bowgreave / Garstang area of separation designated in Policy SP1. The proposal therefore potentially conflicts with Policy SP1.

The footprint of the existing care home is not large enough to accommodate a new care home and the extra care building. Therefore, if the Bowgreave Rise site is to be used, some use of land outside of the existing care home and extending into the countryside area and area of separation is inevitable. The area of the site located outside the settlement boundary and within the area of separation measures approximately 36 metres by 110 metres. However, the extension into the area of separation is to the east of the current care home which would not significantly reduce the separation between Garstang and Bowgreave and would retain the distinctiveness of the two settlements. As set out above, there are synergies between the care home and extra care provision resulting in benefits from developing both buildings on a single site. Wyre Borough Council have not objected to the application on the grounds of conflict with Policy SP1 and the proposal is therefore considered acceptable in relation to that policy.

Although part of the site is located outside the settlement boundary, the site as a whole is located close to Garstang which offers a wide range of services and amenities. There is a regular bus service from existing stops close to the site entrance and Garstang is within walkable distance for the more able bodied. It is therefore considered that the site is a sustainable location for a development such as this.

Highway matters

Paragraph 109 of the NPPF requires that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual impacts on the road network would be severe. Paragraph 110 states that applications for development should give priority to pedestrian and cycle movements, facilitate access to public transport and provide facilities that encourage public transport use, address the transport needs of people with disabilities and reduced mobility and enable charging of plug in and other ultra low emission vehicles.

Policy CDMP6 of the Local Plan deals with transport issues and has similar requirements in terms of the safe and efficient provision of transport for all types of users, encourage use of public transport and accommodating the needs of people with disabilities and older people.

The site is located off the B6430 which in the area of the site access is subject to a 30 mph limit. The proposal would give rise to an increase in vehicle movements as the development would replace the existing 32 bed car home with a 45 bed care home and an extra care facility with around 65 units. The development would therefore increase staff numbers and it is also possible that some residents of the extra care facility may have their own vehicles. The applicant's transport statement estimates that the total development would generate 27 two way trips in the morning peak (an increase of 20 compared to existing) and 31 two way trips in the afternoon peak (an increase of 22). Not all of these would be by private car but in any event, the additional traffic generation would be low and LCC Highways do not raise objection in relation to local highway capacity.

In their initial response to the planning application, Highways raised concerns regarding the design of the site access from the B6430 and the footway provision within and outside of the site for pedestrians. In relation to the first issue, the applicant has provided further swept path diagrams showing that the access can safely accommodate the larger vehicles that would visit the site. The access would be widened to 4.8 metres in width to allow a car and HGV to pass. In relation to pedestrians Highways note that the footway along the frontage of the site and to the north towards Garstang is only 1.1 metres wide which is not compliant with Inclusive Mobility Guidance standards. It would not be possible to widen the pavement towards Garstang without removing the roadside hedge which would not be desirable from a landscape perspective. However, widening the footway as far as a bus stop close to the site access would be possible without having too great an impact on existing vegetation. This is a matter that can be covered by planning condition. Highways also raised concerns about the pedestrian facilities within the site itself including the need to provide a footway on both sides of the access road. The applicant has redesigned the footway within the site to address the initial concerns of Highways.

There are two bus stops on the B6430 located close to the site entrance. At present these stops do not comply with the Equality Act and Mobility Guidance recommendation as there are no bus shelters. Given that the development would increase staff numbers and residents that would be likely to use bus services, it is considered that these bus stops should be improved. This can be the subject of a planning condition with the improvement works being phased so that the southbound bus stop is improved as part of the Phase 1 development.

Two representations have been received raising concerns about the speed of vehicles on the B6430 and the need for traffic calming to improve safety and amenity. It is acknowledged that a large number of new homes have been built in Bowgreave in recent years and that traffic levels through the village would have increased. However, Highways consider that the 95 percentile speeds are below 30 mph and there are no major safety concerns on the road that would justify the need for traffic calming measures. In addition, there are two significant bends on the B6340 close to the site which will naturally slow traffic on this road.

Subject to the conditions referred to including those relating to the provision of car parking and cycle parking facilities, electric charging points, bus stop and pedestrian

improvements and a construction traffic management plan, the development is considered acceptable in relation to highway impacts.

Building Design

Paragraph 127 of the NPPF requires that developments add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character, optimise the potential of the site to accommodate an appropriate mix and amount of development.

Policy CDMP3 of the Wyre Local Plan relates to design and requires that all development shall be of a high quality of design which shall be assessed in relation to a number of criteria including respecting and enhancing the character of the area, making a positive contribution to an attractive and coherent townscape and ensuring that development would not have an unacceptable impact on the amenity of surrounding or nearby properties.

The existing care home building is a mix of single and three storey red brick buildings with pitched tile roofs and areas of timber panelling and white window frames. The single storey element is located closest to Garstang Road and is separated by a grass verge including a number of large trees which screen the site from the road and from the residential properties to the south.

The proposed development would comprise two main buildings to provide the care home and the extra care facility. The effect of the proposal would be to considerably increase the area of buildings on this site compared to the existing situation. However, the existing site is well screened from Garstang Road by a number of mature trees and there are also trees and other vegetation along the northern boundary of the site. The majority of these trees would be retained. The effect of the existing vegetation is to provide a high degree of enclosure of the site which would reduce the visual impact of the new development particularly when seen from Garstang Road.

An initial design involved a single building incorporating the care home and extra care being located to the rear of the site with the existing care home being demolished and used for car parking. However, further development of the project confirmed the need for two separate buildings.

The application for the care home building is a full application and therefore contains a complete design and materials for this element of the development. The elevation of the care home building facing Garstang Road would be set back from the highway boundary by a minimum of 60 metres and would largely be hidden behind the extra care facility. The new building would be three storeys high (the same as the main part of the existing care home) but would have a flat roof which would minimise the impact and visibility of the new building. As noted by the Borough Council, the elevations of the care home building would have a simple rectangular profile. However, use of different building materials is proposed to break up the elevations of the building and to create interest for example by using a buff stone effect material for the ground floor and full height of the central stair well with red brick used on the upper elevations. The colours and types of materials have been chosen to reflect the building materials used on the residential properties found elsewhere on Garstang Road.

The application for the phase 2 extra care building is in outline so details are provided only of the broad dimensions and design of the building. The phase 2 building would be located directly adjacent to Garstang Road in a similar position to the existing care home building. However, the elevation facing the road would be three storeys high. The part of the existing care home adjacent to the road is only single storey and therefore the new building would undoubtedly have more of a presence in this location. Wyre Council consider that the elevation of the building facing the road would be over bearing and that further justification is required for the size of the building.

The size of the phase 2 building is dictated by the economics of building and running an extra care development. The applicant states that a 65 unit building is the minimum size to create a viable extra care development.

To address the design issues on the frontage of the site, the west facing elevation has been 'pulled apart' so that rather than being a clean three storey facade, the appearance would be of three distinct buildings facing the road. These elements of the building would also have pitched roofs to be more reflective of the design of the residential properties elsewhere on Garstang Road. It is considered that this design is would be successful in terms of breaking up the mass of the building so that it is more reflective of the other properties in the area. Some further consideration should be given to the design on this area to reflect the comments of the Borough Council in particular by reducing the height to two storeys which would reduce the impact on the street scene. These matters including those relating to the detailed design and materials for the phase 2 building can be addressed through any reserved matters application.

Policy CDMP3 of the Local Plan also requires consideration of how buildings impact upon adjacent land users and the amenity of nearby properties. The closest property to the application site is a large house named Wheatfield House immediately to the south of the application site and is located approximately 23 metres from the existing 3 storey part of the existing care home building. The south facing elevation of the extra care building would be significantly closer (approximately 10 metres from the boundary). However, the elevation of the house facing the care home does not have any windows so addressing any overlooking or light issues. There are several other properties on the south side of Garstang Road but these all have an outlook over the fields to the west of the site and the retained trees on the site frontage would further reduce the impact of the new development on these properties.

In conclusion, it is considered that that the design of the building is broadly in accordance with Policy CDMP3 provided that further consideration of the design of the phase 2 building is carried out as part of any reserved matters application and that details of the materials and landscaping of the phase 1 care home building are the subject of conditions to any full permission.

Ecology

The site includes an area of landscaped garden including several mature trees and hedgerow and a former orchard in the north eastern corner of the site. Several of these trees including some within the orchard area would require removal in order to

construct the phase 1 building. Old orchards qualify as priority habitats where the NPPF aims to promote the conservation, restoration and enhancement of such areas. The proposal would also require the demolition of the existing care home together with a number of outbuildings, all of which are potential bat habitat. In addition, there are a number of field ponds in the area close to the site and therefore the application could form terrestrial habitat for Great Crested Newts.

The NPPF (paragraphs 170 and 175) requires that planning decisions should minimise impacts on biodiversity. If significant harm to biodiversity cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused.

The application is accompanied by an ecological appraisal. This has included a phase 1 survey of general ecological habitats of the application site together with specific surveys for protected species including bats and great crested newts. There are five ponds within 250 metres of the site of which three are within 50 metres of the site boundary and which were surveyed for GCN's. The other two ponds are located more than 220 metres to the south and access to these ponds was not possible so were not surveyed. No GCN's were found any in of the three ponds that were surveyed.

In terms of bats, all the existing buildings on the site were subject to external survey to identify features which might be attractive to bats. The buildings were found to be generally good condition with no gaps or holes which could be used by bats. However, the height of the main care home building was a limitation to the survey undertaken from the ground and it was not possible to make an internal survey of this building due to COVID 19. Activity surveys were undertaken which found some use of the site by several bat species but none of the trees on the site were found to have significant bat roost potential.

The phase 1 survey found that the grounds of the existing care home are mainly comprised of amenity grassland with low ecological value. The hedgerows within the site are species poor but as all hedges are a UK priority habitat, the appraisal recommends that they are retained where possible and where loss is unavoidable, they should be transplanted or replaced. The appraisal concludes that there are no significant ecological interests on the site and that any residual impacts (for example through the removal of the trees and other vegetation within the interior of the site) can be adequately compensated for.

The LCC Ecologist considers that the main impacts of the development relate to the impacts on the orchard, loss of trees, hedgerows and shrubs and potential impacts on bats and great crested newts and nesting birds.

In relation to the impacts of European protected species, the LCC Ecologist considers that due to the inability to survey the interior of the existing care home building, the survey effort has been insufficient to properly understand the value of the site for bats. She acknowledges that an internal inspection is not possible currently but that a further external flight survey should be undertaken instead. Such surveys can only be undertaken during the late spring / summer period. However, the existing care home building is of reasonably modern construction and has been well maintained and does not contain features that would make it especially attractive to bats. Although this outline application does include the demolition of the existing care home building, the

demolition is only required prior to the extra care building proceeding which would require a further reserved matters application to be approved. Conditions could therefore be attached to any permission to require further bat surveys including, if necessary, of the interior of the building prior to any demolition taking place. This would allow a further assessment of the value of the building for bats and the need for any mitigation.

In relation to GCN's the LCC Ecologist has considered the applicant's further information in relation to risk of the development affecting GCN's and has concluded that the development could proceed using reasonable avoidance measures including the measures / methods of working that she specifies in a suggested planning condition.

The other important ecological impact relates to the orchard area in the north eastern corner of the site which may be a relic of the previous use of the site as a workhouse. Orchards are priority habitats and therefore should only be impacted upon if there are no reasonable alternatives. Some of the orchard trees would require removal to create the new care home building as some regrading of levels is required due to the sloping site and these impacts are unavoidable. It is therefore appropriate to consider mitigation. The County Council owns a former playing field directly to the north of the application site which is now used for agriculture and informal recreation. The applicant has proposed a habitat mitigation scheme on this area to mitigate for the other losses on the site. Subject to the mitigation being the subject of a planning condition, the impacts on the Orchard area and other vegetation within the site are considered acceptable.

Flooding / drainage

The site is located in flood zone 1 (area at least risk of flooding). Currently all surface and foul water from the site drains to a combined sewer. The proposal would increase the impermeable area of the site from 2085m² to 5681m² and therefore would increase the rates and volumes of surface water from the site.

Paragraph 163 of the NPPF requires planning authorities to ensure that development does not increase flood risk elsewhere. Applications for sites above 1 ha in area should be supported by a flood risk assessment and it should be demonstrated that development is flood resistant and resilient and incorporates sustainable drainage systems unless there is clear evidence that they would be inappropriate. Policy CDMP2 of the Wyre Local Plan relates to Flood Risk and Surface Water Management and requires that major development will be expected to include sustainable drainage measures unless demonstrated to be inappropriate and that all development should achieve green field run off rates and comply with the drainage hierarchy set out in the policy.

The applicant has submitted a flood risk assessment which estimates the additional surface water run off from the development and how this can be managed. The assessment finds that discharge to soakaway or to a surface water course is not possible. Therefore, it is proposed to discharge surface and foul water to the sewer as existing and to regulate the discharge rates using underground geocellular storage or

large diameter pipes. These methods would allow retention of excess storm water to avoid surcharging the sewer network and would limit flows to 16 l/second.

The Lead Local Flood Authority have made several observations on the applicant's drainage strategy which they would prefer to resolve prior to determination but which they acknowledge could be the subject of a planning condition. Their comments relate to the method of calculating the run off rates, the method used to control volume of discharge, the need to consider flooding within the development site itself and to ensure that any land regrading does not divert surface water onto land that is not current subject to flooding. United Utilities have raised similar issues in addition to comments in relation to direct impacts on their foul and surface water infrastructure.

Although the proposed means of managing water from this site falls at the lowest level of the hierarchy within Policy CDMP2, the applicant has demonstrated why more preferable measures are not possible on this site. There is room within the site to include underground systems such as geocellular storage or over sized pipes to reduce discharge rates to the levels required by the policy. It is therefore considered that the exact designs of these systems should be made the subject of a planning condition. With such a condition the proposal complies with paragraphs 163 and 165 of the NPPF and Policy CDMP2 of the Wyre Local Plan.

United Utilities have raised comments about the impacts on their existing infrastructure. None of the new buildings would directly overly the routes of any existing water mains or sewers. The applicant is aware of the location of this infrastructure and the development has been planned so that no diversions are required as a result of any other aspects of the development.

Contaminated Lane / Noise Issues

Wyre Borough Council have suggested in their response that the applicant should undertake a contaminated land assessment. Although the site did have a previous use as a workhouse, the County Council's Archaeologist considers that it is very unlikely that any activities took place on the site to give rise to contamination issues.

The Borough Council also consider that an assessment of noise impacts on the future residents should also be undertaken. Although it is important to ensure that any future residents of the home have a reasonable level of amenity, the traffic levels on Garstang Road are not considered to be so great as to give rise to unacceptable levels of noise. All the windows within the extra care development would need double glazing in order to meet building control standards for thermal insulation which would also ensure the required degree of acoustic attenuation.

Conclusions

There is an identified need to replace the existing care home and to provide extra care facilities in Lancashire due to demographic changes and an increase in the proportion of population with long term care needs. The extra care facility would increase the supply of suitable housing for these groups and delay the need for elderly people to move to residential care.

Although part of the proposed development would be outside the settlement boundary and within an area of separation it is considered that the development would not unduly encroach on the countryside or result in the gap between Garstang and Bowgreave being materially narrowed such that it would be contrary to the Local Plan.

Although the proposals would have a number of impacts in relation to traffic, design, ecology and water, it is considered that the impacts of the development can be controlled to acceptable levels by conditions.

Human Rights Act Considerations

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

Equality Act Considerations

This development has the potential to affect persons with protected characteristics as identified by the Equality Act 2010. Section 149 of the Equality Act requires a public authority to have due regard to the need to eliminate discrimination and advance equality and foster good relations between persons who share protected characteristics and those who do not. The development would provide accommodation for the elderly and other sectors of the population with particular care needs. The development would enable a proper standard of care and housing for these sectors of the population and the development has been phased and designed to ensure that the care needs of the existing and future residents would be safeguarded and would therefore seek to meet the relevant aims of the Equality Act 2010.

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 20th November 2020
 - b) Submitted Plans and documents:

Plan PRP 22 00 DR A 20001 A - Site location plan
 Plan PRP 22 00 DR A 20026 C - Care Home Energy Centre
 Plan PRP 22 00 DR A 20200 B - Proposed Extra Care Level O GA Plan
 Plan PRP 22 00 DR A 20201 B - Proposed Extra Care level 1 GA Plan
 Plan PRP 22 00 DR A 20202 B - Proposed Extra Care Level 2 GA Plan
 Plan PRP 22 00 DR A 20029 A - Proposed sections through extra care
 Plan PRP 22 00 DR A 20100 G - Proposed ground floor plan
 Plan PRP 22 00 DR A 20101I - Proposed level 1 plan
 Plan PRP 22 00 DR A 20102 H - Proposed level 2 plan
 Plan PRP 22 00 DR A 20103 - Proposed roof plan
 Plan PRP 22 00 DR A 20120 E - Proposed south east and south west elevations
 Plan PRP 22 00 DR A 20121 E - Proposed North East and North West Elevations
 Plan PRP 22 00 DR A 20130 D - Proposed sections AA and BB
 Plan PRP 22 00 DR A 20131 - Proposed sections CC and DD
 Plan PRP 22 00 DR A 21100 E - Proposed typical bay study
 Plan PRP 22 00 DR A 20027 C - Proposed site sections
 Plan BGR PRP ZZ ZZ DR A 20010 I - Proposed Site Plan Phase 2.

c) All schemes and programmes approved in accordance with this permission.

Reason: To enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policies CDMP1, CDMP2, CDMP3, CDMP4 and CDMP6 of the Wyre Local Plan.

3. No building works to the elevations of the Phase 1 Care Home shall commence until details of the following have been submitted to and approved in writing by the County Planning Authority:-
- a) details of the building materials to be used for the external elevations of the building
 - b) details of external lighting including measures to avoid light spill to adjacent properties
 - c) details for the hard landscaping
 - c) details of the soft landscaping including tree and shrub planting around the building and in the garden area to the rear of the building.

Thereafter, the building shall be constructed and landscaped in accordance with the approved details.

Reason: In the interests of visual amenity and to conform with Policy CDMP3 of the Wyre Local Plan.

4. The finished floor levels of the care home and extra care building shall be as shown on drawing BGR PRP ZZ ZZ DR A 20010 I - Proposed Site Plan Phase 2.

Reason: in the interests of the visual amenities of the area and to conform with Policy CDMP3 of the Wyre Local Plan.

5. No development of the Phase 2 extra care home building shall commence until details of the following have been submitted to and approved in writing by the County Planning Authority;-
- a) the number of rooms / units to be provided
 - b) full details of the location, dimensions, elevations and building materials
 - c) the treatment of the elevation of the building facing Garstang Road including the height of this elevation.
 - d) the numbers of staff to be employed
 - e) the location of kitchen facilities and the means of ventilation provided.
 - f) details of external lighting including measures to reduce light spill
 - g) details of hard and soft landscaping.

The Phase 2 extra care development shall be undertaken in accordance with the approved details.

Any planting works and soft landscaping works shall be carried out in the first planting season following the completion of the Phase 2 development and thereafter maintained for a period of five years including replacement of failures, weed control and maintenance of protection measures.

Reason: To achieve a high quality of design in the interests of the visual amenities of the area and to conform with Policy CDMP 3 of the Wyre Borough Local Plan.

6. No development shall commence until a scheme to demonstrate how surface and foul water flows from the site shall be managed has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of the following:-
- a) details of the areas of the site that will drain to the surface water drainage system and those areas that will be surfaced in permeable materials or which will drain to soakaways or other sustainable drainage systems
 - b) the proposed discharge rates of surface water into the combined sewer. The proposed rates should enable compliance with the DEFRA standards for sustainable drainage systems.
 - c) the means of attenuating surface water flows including use of over sized pipes or geocellular materials including details of the location and design of such measures
 - d) measures to manage surface water flow paths arising from changes in land levels as a result of the development.

- e) details of how the drainage measures for the care home and extra care development will be phased.

The approved drainage measures shall be implemented as part of the construction of the development and shall be maintained in working order at all times.

All drainage from the extra care development shall be connected into the drainage facilities that are contained in the approved scheme and programme.

Reason: In the interest of the sustainable management of surface water and to conform with Policy CDMP2 of the Wyre Borough Local Plan

Highway Matters

- 7. Prior to the phase 1 care home development being brought into use, the access including pedestrian footway shall be laid out as shown on Plan BGR PRP ZZ ZZ DR A 20010 Rev I - Proposed Site Plan Phase 2.

Reason: In order to secure safe and convenient vehicular and pedestrian access to the site and to conform with Policy CDMP6 of the Wyre Borough Local Plan

- 8. Prior to the Phase 1 development being brought into use, a scheme of sustainable transport improvements shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include details of the following:-

- a) details of improvements to the bus stop provision at the existing north and south bound bus stops adjacent to the site including the phasing of the improvement works
- b) improvement and widening of the pavement along the frontage of the site including as far as the bus stop on the southbound side of Garstang Road.
- c) improvement of the site access to demonstrate that the swept paths shown on drawing 3170 -SPO2 Rev A can be achieved.
- d) details of secure cycle parking to be provided within the site including location and types of provision
- e) details of electric vehicle charging points to be installed in the car park including number of points and their location.

The works contained in the approved scheme shall be implemented prior to the phase 1 care home development being brought into use.

Reason: In the interests of sustainable transport and to conform with Policy CDMP6 of the Wyre Local Plan.

9. The car parking including disabled parking spaces shall be laid out and marked out on the surface of the parking areas as shown on Plan BGR PRP ZZ ZZ DR A 20010 I - Proposed Site Plan Phase 2.

The spaces shown on the drawing as parking for the care home shall be made available prior to the care home being opened. The spaces shown on the drawing as parking for the extra care building shall be made available prior to phase 2 of the development (extra care) being opened.

Reason: In order to secure appropriate levels of parking provision and to conform with Policy of the Wyre Brough Local Plan.

Landscaping

10. The trees marked as 'existing tree to be retained' on drawing BGR PRP ZZ ZZ DR A 20010 I - Proposed Site Plan Phase 2 shall be protected and retained during construction works. The trees to be retained shall be marked or enclosed by fencing to prevent accidental removal or damage during construction works.

Reason: In the interests of the visual amenity and to ensure the proper landscaping of the site and to conform with Policy CDMP4 of the Wyre Borough Local Plan.

Construction works

11. No construction development, delivery or removal of materials shall take place outside the hours of:

07.30 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 13.00 hours on Saturday.

No construction development, delivery or removal of materials shall take place at any time on Sundays or Public Holidays.

This condition shall not however operate so as to prevent 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 with Policy CDMP1 of the Wyre Borough Local Plan.

12. During construction works of the Phase 1 or Phase 2 buildings, all construction worker car parking shall be provided within the site. No construction worker parking shall take place on Garstang Road.

Reason: In the interests of highway safety and the amenity of local residents and to conform with Policy CDMP1 and CDMP4 of the Wyre Borough Local Plan

13. Measures shall be taken at all times during construction works to prevent the deposit of mud, dust or other deleterious materials on Garstang Road by construction vehicles leaving the site.

Reason: In the interests of highway safety and local amenity and to conform with Policy CDMP1 and CDMP4 of the Wyre Borough Local Plan.

14. Measures shall be taken at all times during construction works including the demolition of the existing care home building to minimise the generation of noise and dust.

Reason: In the interests of the amenity of local residents and to conform with Policy CDMP4 of the Wyre Borough Local Plan.

Ecology

15. No demolition of the existing care home building shall take place until further surveys to determine the ecological value of the building for bats have been undertaken and the results of the surveys submitted to the County Planning Authority. If the results of the survey indicate that the existing building is used as roosting habitat by bats, details of mitigation measures to be installed at the site shall be submitted to the County Planning Authority for approval in writing.

Any mitigation measures contained in the approved scheme shall be implemented prior to the existing home building being demolished and thereafter be retained.

Reason: In the interests of ecology and to conform with Policy CDMP4 of the Wyre Borough Local Plan.

16. Within six months of the commencement of the development, a scheme of ecological and landscape mitigation shall be submitted to the County Planning Authority for approval in writing. The scheme shall include details of the following:-

- a) details for the provision of replacement tree and hedgerow planting on the land to the north of the site including layout of planting, numbers, species, types and sizes of trees and shrubs to be planted, planting techniques and protection measures
- b) details for replacement orchard planting to mitigate for the impacts of the development on the orchard area. The details shall specify the location of replacement orchard planting, including the numbers and species and sizes of trees, protection measures and planting techniques

- c) measures to provide bird nest boxes including types of boxes and their locations.

The approved planting and mitigation measures shall be implemented in the first planting season following the approval of the scheme and shall thereafter be managed and maintained for a period of five years including weed control, replacement of failed plants and maintenance of protection measures.

Reason: In the interests of ecology and landscape mitigation and to conform with Policy CDMP4 of the Wyre Local Plan.

- 17. The development of the site shall take place in accordance with the following Great Crested Newt Avoidance measures:
 - a) All mown areas of the site shall be maintained in that condition at all times.
 - b) Clearance works of suitable amphibian habitat including log piles, piles of rubble, trees and hedgerows and scrub shall only take place during March to September outside of the amphibian hibernation period. Before any such habitats are cleared, they shall be subject to a hand search by a licenced ecologist immediately prior to any works commencing.
 - c) All excavations and trenches shall be backfilled or covered at the end of each working day. Excavations or trenches which are not backfilled shall be checked for amphibians each morning prior to commencement of works
 - d) If any great crested newts are encountered on the site before or during the works all works should cease immediately and the licenced ecologist contacted immediately for advice. Any other amphibians found shall be moved to a safe area or suitable habitat on site or adjacent to the site that will remain undisturbed.

Reason: In the interests of ecology and to conform with Policy CDMP4 of the Wyre Local Plan.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Notes

This consent requires an improvement to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact Lancashire County Council Highways quoting the planning permission reference.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
-------	------	-------------------------

LCC/2020/0069		
---------------	--	--

Jonathan Haine		
Planning and Environment		
534130		

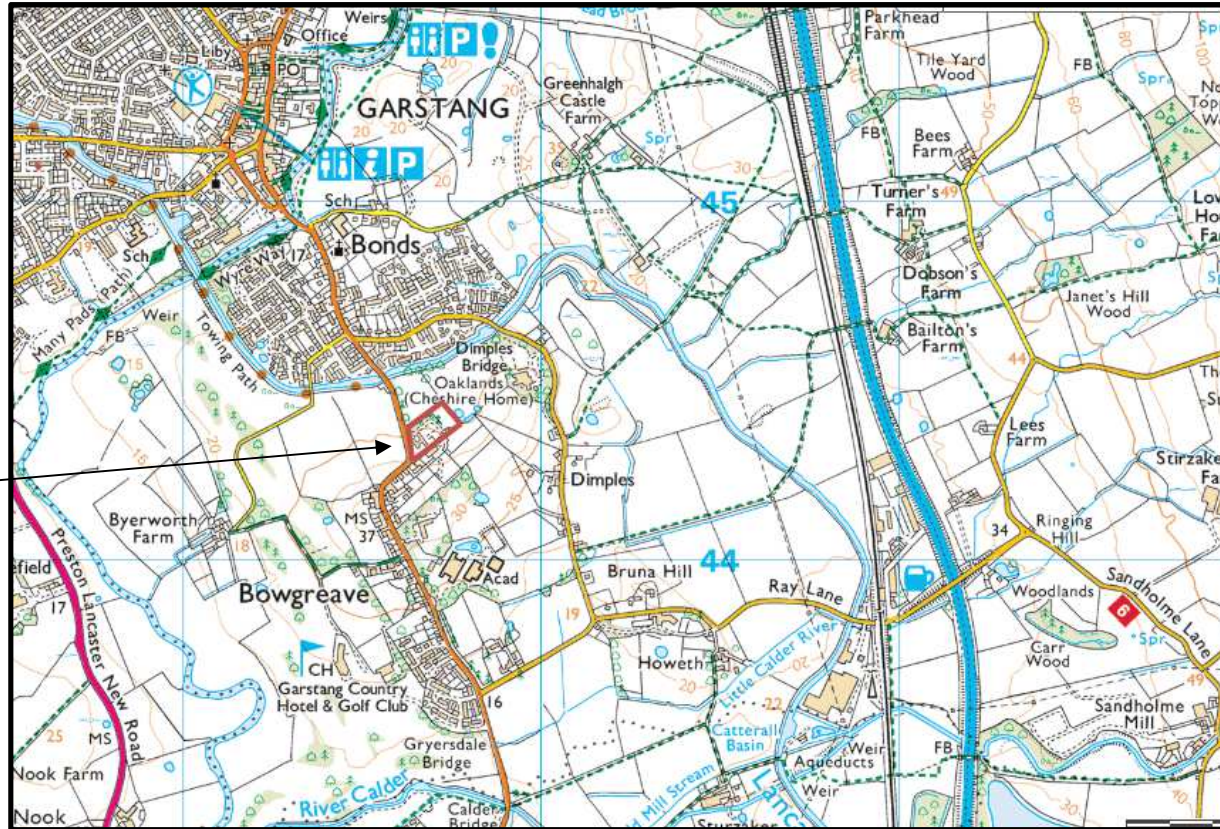
Reason for Inclusion in Part II, if appropriate		
N/A		

Planning Application LCC/2020/0069

**Hybrid planning application for 45 bed space care
home and 65 apartment extra care facility**

Bowgreave Rise, Garstang Road, Garstang

Planning application LCC/2020/0069



Application site

Planning application LCC/2020/0069



Planning application LCC/2020/0069 – Air photo



Garstang Road

Existing Care Home

Area of site within Area of Separation (Green line)

Application LCC/2020/0069 – Photograph of existing care home

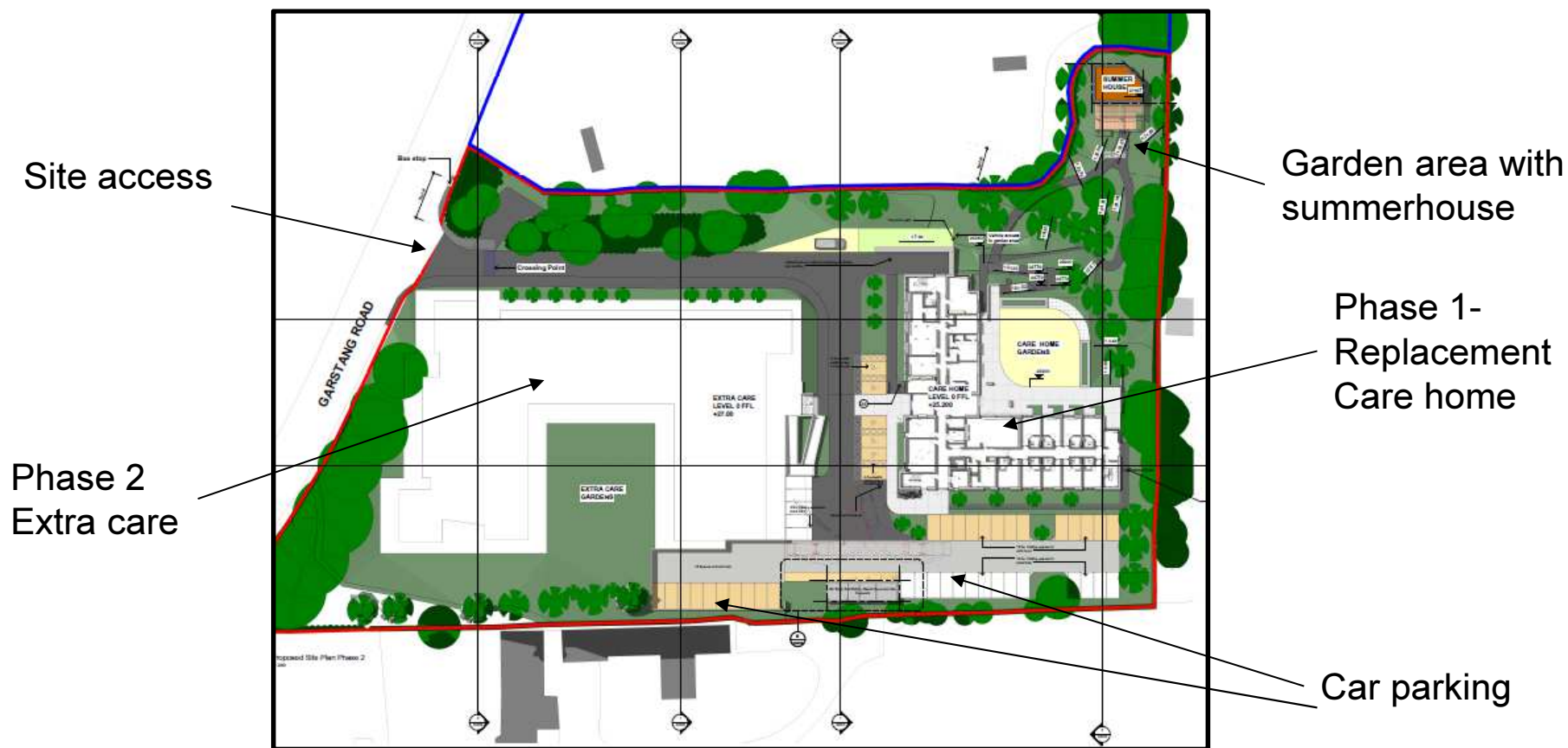


Nearest dwelling

Garstang Road

Existing Care home

Planning application LCC/2020/0069 – overall site layout plan



Planning application LCC/2020/0069 – Elevations of Replacement Care Home (south east and south west)



1 | Proposed South West Elevation
1:100



2 | Proposed South East Elevation
1:100

Planning application LCC/2020/0069 – extra care design (indicative)

Phase 1
Care home

Proposed
Extra care
building



Adjacent
house

Garsta
Road

Planning application LCC/2020/0069 – View from Garstang Road

Existing
Care home



Application LCC/2020/0069 – View of existing care home from site entrance



Application LCC/2020/0069 – View of application site from field to north



Development Control Committee
Meeting to be held on 21 April 2021

Electoral Divisions affected: Penwortham West, Preston City
--

Preston City and South Ribble Boroughs: application number LCC/2021/0002
Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston

Contact for further information:
Robert Hope, 01772 534159
DevCon@lancashire.gov.uk

Executive Summary

Application – Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston.

Recommendation – Summary

That planning permission and Listed Building Consent be **granted** subject to conditions controlling commencement, working programme, building materials, construction working hours, Ribble Sidings landscaping plan, construction environmental management plan, sports pitches, United Utilities assets, surface water drainage, landscape and habitat establishment and management plans (on-site and off-site).

Applicant's Proposal

Planning permission is sought for development associated with a flood risk management scheme consisting of new and improved flood defences. The overall scheme includes a number of sections of the River Ribble and River Darwen but this application only relates to two sections of the River Ribble and neighbouring land.

Area 1 is located on the north bank of the River Ribble, to the south of Preston City centre. This area is approximately 1.2km long, extending from Liverpool Road Bridge upstream to the West Coast Mainline railway bridge (WCML). The proposed works in this area will consist of:

Area 1A

- Replacement of the existing riverside concrete wall (up to 1.2m high), with a 1.4m-1.5m high new concrete wall, between Liverpool Road bridge and Penwortham Old Bridge.

Area 1B

- Replacement of the existing concrete wall (up to 1m high), with a new concrete wall with glass panels on top up to 2m total height, along Riverside between Penwortham Old Bridge and Miller Gardens Apartments.
- A new 1.35m high steel flood gate located in front of Miller Gardens Apartments.
- A new 1.4m high concrete wall along the boundary of the BAC/EE Preston Social and Sports Association cricket pitch between Miller Gardens Apartments and Ribble Cottage;
- A new 1.35m high steel flood gate located adjacent to Ribble Cottage;
- Replacement of the existing concrete wall (1m high), with a new concrete wall with glass panels on top up to 2.3m high, running on the river side of the road between Ribble Cottage and the railway viaduct; and
- In addition, 3 lengths of the existing riverbank from just downstream of Old Penwortham Bridge to the WCML will be stabilised with a blockwork revetment. From the Penwortham Old Bridge to the WCML these lengths are approximately 68m, 230m, and 150m respectively.

Area 1C

- A concrete wall up to 1.9m high and two flood gates (1.4m high and 1.8m high) adjacent to the western end of the WCML railway bridge.

Area 1D

- New access gates, slipway, resurfacing works and footpath/cycleway realignment at the Sea Cadets.

Area 2

The proposed works in Area 2 are located on the south bank of the River Ribble, to the south of Preston city centre. This area is approximately 0.8km long, extending from Penwortham Methodist Church to Penwortham Old Bridge and along Riverside Road upstream to the WCML. Proposed defences include:

Area 2A

- A new concrete wall totalling 174m in length and up to 2.47m high to the west and south of the Penwortham Methodist Church running along the allotment boundary, tying into the old railway embankment;

- Inclusion of iron railings adjacent to allotment boundary to maintain 1.8m high security;
- Road raising at the entrance to Penwortham Methodist Church; and
- Ground raising along the footpath that cuts through the disused railway embankment into Penwortham Residential Park.

Area 2B

- Replacement of the existing concrete wall, with a new concrete wall with glass panels on top up to a total height of 2.2m high, along Riverside Road extending upstream from the Cadent Gas Pipe Bridge;
- New 1.5m high concrete wall along the river front linking Riverside Road to Ribble Sidings. A Redi-Rock retaining wall and inclined embankment would be constructed to stabilise the existing bank; and
- A 3.5m high earth embankment along the river front of Ribble Sidings, replacing the existing 1.7m high embankment.

Area 2C

- Filling in a culvert with concrete under the WCML, approximately 500m inland from the River Ribble.
- Ecological and landscape enhancements at Ribble Sidings;

Temporary construction compounds would be required for the duration of the construction period. The main works compound is proposed to be located at Portway Park and Ride Car Park, with smaller satellite compounds located at Broadgate Gardens and Preston Sports Club Car Park for the Area 1 works. For Area 2, lay down areas for the outlying works would include an area to the north west of the Golden Way adjacent to the footpath, amenity grassland of Ribble Sidings, and within the St Mary Magdalene Primary School adjacent to the WCML underpass.

Description and Location of Site

The application site includes a number of locations along both sides of the River Ribble at Preston between the Liverpool Road Bridge and the West Coast Mainline railway bridge. There would also be some minor ancillary works at the Sea Cadets site just beyond the Liverpool Road Bridge, at Penwortham Methodist Church/Penwortham Allotments, and a culvert infill under the west coast mainline at Crossley House Industrial Estate.

The route along the northern bank of the river is also used by the Preston Guild Wheel cycle way.

Part of the South Ribble channel side at Riverside Road, Penwortham Methodist Church and allotments and Ribble Sidings are in the Green Belt.

An existing concrete flood wall extends eastwards along both sides of the river, changing to a grass embankment between Miller Gardens Apartments and Ribble Cottage on the north bank, and to the east of Riverside Road on the south bank through Ribble Sidings.

Landmarks within the vicinity of the site include the Penwortham Old Bridge (Scheduled Monument, Grade II listed), which is a pedestrian bridge connecting Broadgate on the north bank to Riverside Road on the south bank; Liverpool Road bridge, the railway viaduct (Grade II Listed) carrying the WCML; and mature trees and ornamental features within Miller Park and Avenham Park which are both Grade II* listed and form part of Avenham Conservation Area.

A row of residential properties and a Public House on Broadgate are Grade II Listed.

The development site falls within Flood Zone 2 and 3.

The River Ribble is a Biological Heritage site.

Public Bridleway number 37 runs to the north of Ribble Sidings from Riverside Road and beyond the WCML bridge.

Background

There is no relevant planning background.

Planning Policy

National Planning Policy Framework

Central Lancashire Adopted Core Strategy

Policy 16	Heritage Assets
Policy 18	Green Infrastructure
Policy 22	Biodiversity and Geodiversity
Policy 29	Water Management

South Ribble Local Plan

Policy G1	Green Belt
Policy G13	Trees, Woodland and Development
Policy G16	Biodiversity and Nature Conservation
Policy G17	Design Criteria for New Development

Preston Local Plan

Policy V1	Model Policy
Policy AD1	Development within (or in close proximity to) the Existing Residential Area
Policy EN2	Protection and Enhancement of Green Infrastructure
Policy EN3	Future Provision of Green Infrastructure
Policy EN8	Development and Heritage Assets
Policy EN9	Design of New Development
Policy EN10	Biodiversity and Nature Conservation
Policy EN11:	Species Protection

Consultations

South Ribble Borough Council – No objection in principle to the scheme but request that there is a commitment to continued discussion with Penwortham Town Council and South Ribble Borough Council about the open space provision at Ribble Sidings, and that further consideration is given to the final design of the replacement flood defence wall at Riverside Road.

Preston City Council – No objection. Conditions are recommended in relation to replacement tree planting, protection for trees to be retained during construction, construction access details around South Meadow Street, landscaping details, flood defence measures to protect Avenham Park Pavilion, construction environmental management plan, flood gate construction against the west coast mainline bridge, and pre-construction otter survey.

Penwortham Town Council - Whilst the Town Council fully appreciate the needs for the flood risk management scheme there are some concerns regarding Penwortham Allotment site and the play area aside Margaret Road, Penwortham. Also, the wall to replace the fencing between Penwortham Methodist Church on Leyland Road and the Penwortham Town Council allotment site. Penwortham Town Council would like to ensure that:

- The allotment site is kept secure at all times during the building period.
- The finished wall is built in such a way as to ensure the security of the site on completion.
- Once complete the Penwortham Allotment site is, at very least, returned to the standard it was prior to building, but preferably enhanced with further plots being made available.
- That the contractors, LCC and the Environment Agency work closely with the Penwortham Allotments & Gardens Association (PAGA), who manage the site for Penwortham Town Council, during the building period.

Penwortham Town Council also have major concerns that this new flood risk wall will protect the Penwortham Methodist Church and not the allotment site. There is a fear that the allotment site will now become more prone to flooding. As such the Town Council would ask that the Fish House Brook, which runs around the allotment site, is cleared and dredged, and a maintenance programme put in place to ensure the brook is cleared and dredged on a regular basis. This will not save the allotment site from flooding but will help the site recover from food events more quickly.

The Town Council would like to see the play area adjacent to Margaret Road, Penwortham left with some open area to allow a “kick about” area to be retained. Whilst the planting of trees in that area is appreciated it is felt that the area should be left with some open space to allow for a free children’s play area.

The Town Council are aware of the surface water issues in the Middleforth area of town, and would like to see, LCC, the Environment Agency and the local borough council work together to help alleviate this issue for our residents at the lower end of Leyland Road in Penwortham. This area of Town is regularly prone to flooding and

any works to aid the movement of flood waters away from this area would be most appreciated.

Lancashire County Council Ecology Service – A range of detailed advice is provided in relation to ecological impacts, surveys and the need for ecological mitigation/compensation.

The proposed development would result in significant habitat loss, including loss of trees and woodland on a landscape scale as well as losses of other Habitats of Principal Importance (NERC Act, 2006), habitats associated with River Ribble Biological Heritage Sites, habitats of protected and priority species and habitats that may be used by SPA qualifying species. The NPPF states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing sites of biodiversity value.

The NPPF also states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. This 'mitigation hierarchy' and other requirements of the NPPF should be applied to the planning decision.

Therefore, the scheme should only be approved if Lancashire County Council is first satisfied that there is no satisfactory alternative design solution that would provide adequate flood protection whilst avoiding the proposed extent of habitat loss.

It is noted that Section 4 of the Biodiversity Net Gain report concludes that "There is still an overall loss in tree cover and additional sites are required to compensate for this habitat loss". Tree planting/habitat creation at Fishwick Bottoms and Golden Way are discussed within the submitted documents. However, it does not appear that any plans have been submitted to identify the location/extent/boundary of the proposed land. Also, no survey data seems to have been provided to confirm current conditions on these sites. It needs to be ensured that any habitat creation proposals on these sites would not be detrimental to any existing ecological interest. The feasibility of the proposed habitat creation also needs to be demonstrated. Additionally, it needs to be demonstrated that the proposed mitigation function will be achievable, including landscape scale compensation for impacts on habitat connectivity and the loss of bat commuting/foraging habitat. Details of the additional mitigation land should therefore be provided before the application is determined.

Subject to the above, should permission be granted it should be subject to a s.106 agreement or conditions relating to off-site mitigation, a construction environmental management plan/Environmental action plan, and detailed habitat creation proposals.

Environment Agency – No objection. The Environment Agency has reviewed the Flood Risk Assessment in so far as it relates to their remit and they are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this Flood Risk Assessment and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved Flood Risk Assessment and / or the

mitigation measures identified will require the submission of a revised Flood Risk Assessment.

LCC Highways Development Control – Awaiting comments.

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar has no objection.

To meet the requirements of the Habitats Regulations, it is advised that a decision can be recorded that a likely significant effect can be ruled out. The following may provide a suitable justification for that:

- The distance of Ribble and Alt Estuaries SPA / Ramsar and significant areas of functionally linked land mean that there is no likely significant effect for the project. There would be no likely significant effect in the HRA for the project alone, and in combination.
- The phasing and nature of the works will ensure that changes in the physical regime (e.g. flow velocity) will not be significant in relation to the SPA / Ramsar.

Network Rail - Before any works commence Network Rail will need to review and agree the proposal in detail, which may not be possible within the statutory timeframe of this consultation. The proposal must not impact the safe operation and integrity of railway infrastructure.

Lancashire County Archaeology Service - As the need for any recording will in this instance be decided by Historic England, it would be included in any scheduled monument consent if considered necessary. If Historic England are of the opinion that they don't consider any recording necessary, the Archaeology service would be happy with the approach.

Lancashire County Landscape Service – Concern over the extent of tree loss and lack of sufficient evidence to explain that tree loss was essential and unavoidable. Concern over the removal of riverside trees prior to planning approval being secured. Concern over the proposals for Ribble Sidings which involve the partial removal of an area of public open space. Proposals for this should be reconsidered bearing in mind that it should respect the informal public open space used by the local community for a variety of activities, the existing irreplaceable mature trees are retained or, if this is unavoidable, appropriate mitigation/compensation is provided, the 'engineered' flood embankment is sympathetically integrated into the landscape, views of open space enjoyed by residents are respected, and all unavoidable tree losses are clearly identified.

The pre-cast concrete walls would have a very simple almost 'brutalist' appearance which is not appropriate for the area's local landscape character. The dominant building material in the locality is brick and structures directly across or within the river channel are constructed of stone. No reference is made to these materials or local architectural features in the proposed flood wall. This in combination with the bland and monotonous single material/surface finish only broken by very widely spaced but matching pillars, would ensure that the new walls appeared as stark incongruous

structures especially once the concrete has become aged and weathered. The use of glass panels as proposed is a worthwhile attempt to minimise the visual effects of the flood walls but overall, these generic structures - a retrograde step in comparison to those currently in place which at least have some detailing reflecting local design elements - would detract from the local landscape character and affect the setting of the historic Penwortham Old Bridge (an effect magnified by the applicant's felling of all existing riverside trees in the vicinity) and Penwortham New Bridge. It is strongly recommended that the applicant re-design the proposed flood walls, select appropriate materials, surface finishes and detailing so that they create locally distinctive structures which contribute positively to maintaining and enhancing the local landscape character and heritage assets.

There are also concerns over the redi-rock revetment material, which may be an inappropriate artificial material at the proposed location and small recesses may not be sufficient to hold growth medium.

There is insufficient detail on the proposed mitigation/compensation for tree and habitat loss in terms of off-site locations and calculations for the extent of replacement planting needed.

Historic England – No concerns in relation to the proposal. Additionally, Scheduled Monument Consent will not be required.

Marine Management Organisation – A Marine Licence will be required to replace the revetments.

Lancashire Gardens Trust – No objection in principle. However, there is an inconsistency in the treatment of the flood walls in the Conservation Area, indicated as concrete on the General Arrangement Drawing of Area 1C. The Landscape Vision Document at Section 2 indicates in the Design Strategy Table that concrete floodwalls are intended for use outside Conservation Areas. This suggests that within the Conservation Areas there should be more sympathetic treatment with more appropriate natural materials. As the new walls will abut stone viaduct abutments a natural stone facing for walls and copings within the conservation area should be used. An amendment to the proposals is recommended.

The western side of the railway embankment is faced with massive rockwork and care will be required to avoid disturbance during construction working.

A further inconsistency arises in the treatment of the area in front of the flood wall, previously within the Council depot. On the General Arrangement this is indicated as topsoil, but on the Environmental Masterplan Sheet 5 is shown as tarmac. A more appropriate design is required which recognises the sensitivity of this area giving access to the Grade II* Miller Park and lying within the Conservation Area. The Environmental Masterplan Sheet 5 indicates an 'Opportunity to enhance park entrance. Proposals to be agreed with PCC and landowner'. The Trust looks forward to this dialogue securing an improvement to this area beneath the viaduct, to be coordinated with the redesign west of the viaduct described above.

Lead Local Flood Authority – The LLFA notes that the Jacobs Impacts on Flood Risk from Preston and South Ribble FRMS in Area 1 and 2 Project no.B550B008 dated 5th March 2021 states 'The impact on surface water (overland runoff), groundwater, sewer and water main sources of flood risk is negligible.'

Although detailed layout plans have been provided it was not known and remains unclear whether all the surface water outfalls into the River Ribble from Broadgate have been located and detailed on the plans. A 450 mm diameter surface water culvert outfall between River Parade and Winckley Road detailed on United Utilities apparatus plans has not been detailed. Potentially there are also other surface water outfalls from Broadgate that discharge highway surface water that have not been included. Therefore, the LPA is advised to require a condition to secure final detailed drainage designs once the applicant has progressed to detailed design stage.

The LLFA notes that there will be a small increase in impermeable area between Penwortham Old Bridge and Miller Gardens Apartments which is proposed will be captured by the new double gullies in the highway. It is unclear who the asset owner(s) will be for the additional footway area and proposed new surface water outfalls into the River Ribble. It is advised that this matter be reviewed appropriately by the Highway Authority and United Utilities to ensure there is clarification with regards to any communication with existing assets and future ownership and maintenance of such assets. It is also advised that the verification of new assets would be required by the intended asset owners.

The Lead Local Flood Authority recommends that the development is implemented in accordance with the submitted plans and has no objection to the proposed development subject to the inclusion of conditions relating to detailed surface water drainage design and a construction phase surface water management plan.

Ribble Steam Railway Ltd - No objection to the overall plan so long as the railway crossing area at Strand Rd is not affected.

Sport England – No objection subject to a pre-commencement condition relating to the provision of a mitigation strategy for the temporary loss of sports pitches during construction working and in relation to the safe operation of retained sporting facilities at the BAC/ EE Preston Social and Sports Association and Preston Sports Club.

United Utilities – United Utilities holds no objection in principle to the proposals, and is supportive of measures to reduce the impact of flooding across the region, however these proposals include significant engineering works either on or immediately adjacent to our public sewer network and water mains. Whilst UU have been in direct liaison with the applicant (the Environment Agency) to reach a suitable solution to ensure United Utilities' assets are protected, there are a number of areas of the proposed development site where UU still require further information to ensure that the public sewer network and public water supply are protected. On this basis, UU request that further information is submitted for their consideration prior to the determination of this application. Given the presence of water and wastewater infrastructure along the route of the proposed scheme, amendments to the proposed route of the flood defence scheme or the diversion of infrastructure may be required, UU request this is given further consideration prior to determination. Whilst it is noted

that the planning application makes reference to some mitigation measures, such as confirmation of the line and level of services to be carried out prior to construction and services to be protected, this does not take account of what mitigation measures will be proposed, where the route of the flood defences will need be amended to take account of the presence of water and wastewater infrastructure or where diversions are proposed. In addition, there is no assessment of the impact upon UU outfalls or any proposed mitigation measures.

Given the significance of the proposed scheme and that this is an application for full planning permission UU request the following information is submitted for their consideration prior to determination:

- Survey of existing infrastructure including water and wastewater infrastructure, manholes and outfalls – this will determine what water and wastewater infrastructure will be impacted and whether this will require diversion of the affected infrastructure or realignment of the proposed flood defences.
- Modelling information to determine the hydraulic effect of the new flood defences on the existing sewer network (including any assessment of tidal conditions) which might lead to surface waters being trapped behind the flood defences, or of river locking prevent the outfalls from discharging (causing sewer surcharging and flooding of land and properties).
- A clear schedule of proposed mitigation/protection measures to ensure the existing water and wastewater infrastructure is protected during construction and for the lifetime of the development.

In the event that the above information is not submitted for our consideration prior to determination, and whilst is not UU's recommended approach, conditions are recommended in relation to asset protection, protection of outfalls, and surface water drainage.

National Grid Gas and Electricity- Gas pipelines are located in the vicinity of the site. The developer must get in touch with the Cadent Pipelines Team.

Ancient Monuments Society – No comments received.

The Georgian Group – No comments received.

Victorian Society - No comments received.

The Twentieth Century Society - No comments received.

Society for Protection of Ancient Build - No comments received.

Council for British Archaeology - No comments received.

Canal and Rivers Trust – No requirement to consult.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. 14 representations have been received with the following summarised comments:

- Penwortham Methodist Church raise no objection but suggest conditions for further details of materials and colours for the walls and fences.
- Concern over the impact of flooding on Penwortham Allotments and Leyland Road in terms of the proposed scheme and also from Fish House Brook. The proposed flood wall should be extended downstream of Penwortham Old Bridge on the Leyland Road bank.
- Concern over construction working impacts on Penwortham Allotments and the need for new walls and footpath amendments adjacent to Penwortham Methodist Church.
- The colour of the wall should be reviewed as the colour on the visualisations is not appropriate.
- Car parking is currently a problem near the entrance to Miller Park and adjacent to the Continental Pub.
- An additional access to Miller Park should be provided via the hockey pitch car park.
- A diagonal path should be provided under the WCML bridge.
- Tree planting and wildflower seeding should be provided at the BAC Sports ground.
- What is being done to prevent riverbank erosion?
- The river also needs dredging.
- Riverside Road should be reinstated with pedestrian routes and tree planters to minimise the impact of the wall and reduce conflict walkers, cyclists and motorists.
- Concern over anti-social behaviour associated with proposed seating on Riverside.
- Concern over availability of space for the proposed footpath/cycleway, existing road and tree planters etc.
- Concern over the nature and operation of the floodgates.
- Noise and vibration concerns during construction and the need for re-housing.
- Fully support the plans for bank stabilisation.
- There will be a need for cycleway/ road segregation markings.
- Concern over increased flood risk in Samlesbury following completion of this scheme.

Advice

This application is part of a wide-ranging Preston and South Ribble Flood Risk Management Scheme consisting of new and improved flood defences to better manage flood risk along the River Ribble and River Darwen to provide greater flood protection to approximately 4,800 properties across Preston and South Ribble.

Preston and South Ribble have a history of flooding, the most significant of which was Storm Eva in 2015. There are extensive lengths of existing flood defences along both watercourses, however they do not provide a high Standard of Protection and this is predicted to worsen with climate change.

This first planning application relates to Areas 1 and 2 as outlined in the applicant's proposal's above and would seek to reduce the high level of flood risk to properties,

businesses and infrastructure along the River Ribble. This will mainly be achieved through a combination of new and replacement concrete walls and earth embankments to increase the height of existing defences. Planning applications are programmed in future for area 3: Frenchwood and Walton-le-Dale along the Ribble; Area 4: Walton-le-Dale along the Darwen; and Area 5: Higher Walton.

Options appraisal

The applicant has performed an appraisal to consider the options that are available to a flood risk management scheme. A list of options was developed ranging from doing nothing, to linear defences, to flood storage options. The latter option was rejected due to a lack of suitable candidate areas, high costs of construction, high operation and maintenance demands, and the major negative environmental impact of large storage structures. A riverside structural defence option was ultimately selected to improve the standard of flood protection incorporating year 2080 climate change predictions.

Flood Risk

In accordance with Paragraph 163 of the National Planning Policy Framework, a Flood Risk Assessment (FRA) accompanies this application to demonstrate that the proposed works would improve the integrity, function and standard of protection afforded by existing flood defences.

Clearly the development must be located in an area of high flood risk, and by its very nature, is designed to reduce the overall level of flood risk. The proposed scheme is classified as “water-compatible” and therefore, is considered appropriate development within Flood Zone 3 and 3b in accordance with the NPPF.

Concern has been raised that the scheme would increase the likelihood of flooding at the Penwortham allotments and properties on Leyland Road given that there would be no new flood defences along the River Ribble downstream of the Old Penwortham Bridge within South Ribble. However, hydraulic modelling has confirmed that there would be no change to the risk of flooding when comparing the current risk with post defences construction. Properties on Leyland Road and land at the Penwortham Allotments are in Flood Zone 3 and are currently at risk of flooding particularly from tidal influences. However, the Environment Agency have advised that no additional funding is available for flood defences at this location and state that targeted strategies to protect low sensitivity land and the limited number of properties and businesses at this location are preferable. Given that the modelling suggests that there would be no change in flood risk with the proposed scheme compared to the current situation then the planning authority can only assess the proposed development on its merits and cannot reasonably require that flood defences be extended. It is predicted that there will be an increase in flood risk in these areas as a result of future climate change predictions but not as a result of the scheme.

There is also concern that increased river flow would impact on the flows of surface water from Fish House Brook thus indirectly increasing flood risk at the allotments. The modelling indicates that the proposed scheme would result in a negligible increase in water levels within the River Ribble and therefore the impact on the flapped outfall

from Fish House Brook would be negligible. With an outfall invert of 3.56 m AOD, the flap valve would already be tide locked during normal high tides so high-water levels within the Ribble Estuary would be prevented from flowing upstream along this watercourse.

The Environment Agency has raised no objection.

The Lead Local Flood Authority raise no objection in principle but recommend that conditions be imposed for the detailed surface water drainage design to ensure that all surface water features discharging to the River Ribble be accounted for, and for surface water drainage and water pollution controls to be incorporated within a construction phase management plan. Conditions are recommended accordingly.

Preston City Council raise no objection but recommend a condition for flood defence measures to protect the Avenham Park Pavilion. Avenham Park is recognised as an existing area of river floodplain, which periodically floods. This application does not extend to the Avenham Park area and the proposed scheme would not increase the likelihood of flood events affecting the pavilion. A condition to provide flood defence works would therefore not be reasonable. Nevertheless, the Environment Agency has committed to assist Preston City Council in providing property level flood mitigation measures, which could be achieved outside the planning control process.

United Utilities has no objection in principle but is of the view that further information is required to assess the impact of the proposal on public sewer network infrastructure and water mains. United Utilities request that this information be provided prior to the determination of the application or failing that, the less preferred option of imposing conditions for the protection of assets and outfalls during construction working and in relation to potential river hydraulic changes, and also in relation to surface water. Given the applicant's desire to secure funding and commence the project later this year it is considered reasonable to address United Utilities' comments through conditions rather than delay determination.

On other matters, a resident has suggested that dredging may be a better solution. However, the Environment Agency have commented that dredging at the River Ribble is very complex and the Environment Agency has never dredged the tidal river for a number of reasons primarily as the lower estuary is subject to significant natural processes and tide levels are subject to levels in the Irish Sea. The bed of the river between Lower Penwortham and Broadgate is exposed bedrock, which makes dredging ineffectual in this location. Furthermore, a dredging regime would damage the important riverine ecosystem.

There are concerns that the proposed development at Area 1 and 2 would affect flood risk upstream at Samlesbury. However, this is not the case.

Heritage

The proposed works are located within proximity to fifteen heritage assets, including Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument and Grade II Listed Building); Miller Park Grade II* Registered Park and Garden; Avenham Park Grade II* Registered Park and Garden; nine individually Grade II Listed Buildings

within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. A Heritage Statement accompanies this application and assesses the proposed Scheme's impact on these heritage assets. Additionally, no. 1, 3-8, and 9-18 Broadgate are Grade II listed mid-19th century terraced houses along with a Public House.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a statutory duty for the decision maker in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This statutory duty needs to be given considerable importance and weight in the decision making process.

Paragraph 193 of the National Planning Policy Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of the level of harm judged to be caused.

Paragraph 196 of the National Planning Policy Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In summarising the overall impact of the proposed scheme on the identified heritage assets, the Heritage Statement concludes that negligible to minor temporary and negligible to minor permanent impacts are assessed on two medium value assets; the neighbouring Avenham Conservation Area and the viaduct over River Ribble and on two high value assets; Miller Park (RPG1) and Penwortham Old Bridge. The significance of effect of these impacts (both temporary and permanent) is assessed to be slight to neutral. As such, these are not considered significant and equate to less than substantial harm. Once the proposed scheme is completed, no significant permanent adverse effects on the special architectural and historical interest of any of the designated assets discussed in the Heritage Statement are predicted. The new replacement flood wall at Broadgate has the potential to be incongruous adjacent to the Grade II listed properties at Broadgate. However, sensitive final design of the wall combined with its separation across the Broadgate public highway and pavements should ensure that the setting of the listed buildings is not harmed. Historic England has no objection and have confirmed that scheduled monument consent would not be required in relation to the interaction between the new flood defence walls and the infrastructure of Penwortham Old Bridge.

Green Belt

Part of the planning application area at the river channel side of Riverside Road, Penwortham Methodist Church and allotments, and Ribble Sidings are located in the Green Belt. Paragraph 133 of the NPPF states that the Government attaches great

importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 of the NPPF explains that the purposes of including land in Green Belt include checking the unrestricted sprawl of large built up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

A 3.5m high earth embankment along the river front of Ribble Sidings would replace an existing 1.7m high embankment. As set out in paragraph 146 of the NPPF, this type of development is recognised as not inappropriate in Green Belt provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. It is considered that is the case here particularly taking into account the existing arrangement.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Reference to buildings usually includes structures and erections. However, exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

The replacement flood wall along Riverside Road and walls and fencing adjacent to Penwortham Methodist Church would involve replacement larger structures and new build. Taking a precautionary approach it could be argued that this constitutes inappropriate development and very special circumstances must be demonstrated. In this instance there would be limited additional impact on the Green Belt and any inappropriateness is clearly outweighed by other considerations relating to the benefits of flood protection. On this basis it is considered that very special circumstances exist to justify the location of these elements of the proposal within the Green belt.

Landscape, design and visual impact.

In determining planning applications, paragraph 127 of the National Planning Policy Framework requires the decision maker to ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting while not preventing appropriate innovation or change. Developments should function well and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Policy EN9 of the Preston Local Plan refers to the design of new development and states that opportunity should be taken to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context. Policy G17 of the South Ribble Plan promotes similar themes and advises that a proposal should not have a detrimental impact on neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials.

The proposed works include the loss of the following landscape elements:

Area 1

- Sea Cadets – 3 young trees are to be removed adjacent to roadside footpath;
- Broadgate Gardens – 10 mature trees along the landward side of the flood wall are to be removed
- Broadgate, between Liverpool Road Bridge and Penwortham Old Bridge – 540m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between Penwortham Old Bridge and the Cadent Gas Pipe Bridge – 28m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between the Cadent Gas Pipe Bridge and Miller Gardens apartments – approximately 10 trees are to be removed from riverward side of flood wall;
- Removal of garden vegetation from within Miller Gardens apartment grounds;
- Riverside, along the boundary of the cricket ground – 150m of hedgerow is to be removed; and Riverside, between Ribble Cottage and WCML Viaduct – approximately 10 trees are to be removed from riverward side of flood wall.
- Temporary closure of the Preston Guild Wheel, NCR 62 and the Ribble Way;
- Temporary loss of amenity grass areas along the length of the new replacement flood wall

Area 2

- Ribble Sidings – approximately 170 trees including 34 mature trees are to be removed along the existing flood embankment;
- Ribble Sidings – trees along the riverfront are to be retained;
- Ribble Sidings, Hawkhurst Road frontage – approximately 40 trees including 20 mature trees are to be removed;
- Riverside Road – approximately 13 trees are to be removed from the riverward side of flood wall.
- Penwortham Methodist Church – 1 mature tree protected by a TPO and vegetation within the grounds;
- Tie-in to old railway embankment – the footpath raising is likely to require some tree works along the toe of the embankment. All these trees are protected by a woodland TPO;
- Penwortham Residential Park – works to trees may also be required along the old railway embankment, which fall under the same TPO;
- WCML underpass – some minor clearance of scrub required;

Following completion of construction activities, any disturbed ground would be seeded to establish amenity grass or species-rich grassland where appropriate. All lost habitat would be replanted, including the replanting of trees at a 5:1 ratio. However, due to limited space for mitigation tree planting within the immediate vicinity of the scheme a number of nearby locations such as Fishwick Bottoms have been identified through discussions with Preston City Council and South Ribble Borough Council. This is discussed further in the ecology section below.

Broadgate Gardens would be reinstated with shrub planting, wildflower meadow and a seating area. The layout of the existing viewing platform has been incorporated into the proposed design.

The route of the Preston Guild Wheel cycle/footpath would be widened along the sections of revetment works from the Cadent Gas Pipe Bridge to Miller Gardens apartments, and from Ribble Cottage to the WCML viaduct. New tree planters would be located on these wider areas to enhance the existing streetscene and complement existing landscape character.

A new wetland is proposed on the dry side of the new flood defence embankment at Ribble Sidings, which would provide new habitat. The new flood embankment would be sown with species-rich grassland.

The replacement flood walls would represent a significant change to the visual appearance of the river bank especially given the tree loss that would accompany the development. The existing concrete flood walls have become a part of the fabric of the area and are well weathered but are not especially attractive or of architectural merit. The proposed new buff coloured pre-cast concrete walls and walls with glass panels would present a stark new visual feature and care would be required to ensure that the final colour and surface texture and design is suitable. Over time the impact of the walls should diminish as a result of weathering and the regrowth of vegetation. Overall, it is accepted that the pre-cast concrete walls would be an acceptable solution but a condition is recommended to ensure that finer details are agreed should permission be granted.

It should be noted that all the self-seeded trees from the riverbank side of Broadgate have now been removed.

Ecology

Paragraph 175 of the National Planning Policy Framework advises that when determining planning applications, local planning authorities should apply a number of principles. Of relevance, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Secondly, development on land within or outside a Site of Special Scientific Interest, which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. Thirdly, opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The applicant has undertaken an ecology and nature conservation assessment, which includes ecological survey data to investigate the effects on habitats and species.

The proposed development would result in significant habitat loss, including loss of trees and woodland on a landscape scale as well as losses of other Habitats of Principal Importance (NERC Act, 2006), habitats associated with River Ribble

Biological Heritage Sites, habitats of protected and priority species and habitats that may be used by SPA qualifying species.

On the basis of the requirements of the NPPF the County Council must first be satisfied that there is no satisfactory alternative design solution that would provide adequate flood protection whilst avoiding the proposed extent of habitat loss. Given the options appraisal assessment that has been undertaken it appears that on balance of social, economic and environmental considerations, the chosen option provides the best solution. However, this being the case the applicant's Biodiversity Net Gain report concludes that there is still an overall loss in tree cover and additional sites are required to compensate for this habitat loss.

Lancashire County Council's ecological and landscape advisors have both noted that mitigation/compensation tree planting/habitat creation at Fishwick Bottoms and Golden Way are discussed within the submitted documents but no further information has been provided. More recently the applicant has provided proposed masterplan details of a mitigation/compensation planting area at Fishwick Bottoms close to the River Ribble and supporting correspondence from the landowner, Preston City Council. This provides enough evidence that a satisfactory off-site scheme could be provided and delivered. On this basis a condition is recommended to require details for the establishment and management of off-site habitat and landscaping covering a period of 15 years. A condition is also recommended in relation to establishment and management of on-site habitat and landscaping covering a period of 15 years, and in relation to a construction environmental management plan/Environmental action plan.

The application site is upstream of European protected sites listed as the Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar. The applicant has provided a Habitat Regulations Assessment and Marine Conservation Zone Assessment. Natural England has reviewed the submissions and have concluded that the proposed development would not have likely significant effects on the Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar and has no objection to the proposed development. The distance of Ribble and Alt Estuaries SPA / Ramsar and significant areas of functionally linked land mean that there is no likely significant effect from the project. On this basis it is considered that the County Council can reasonably conclude that likely significant effects on European protected sites can be ruled out.

It should be noted that all the self-seeded trees from the riverbank side of Broadgate have now been removed.

Highway Matters/construction working

The proposed development would not in itself generate traffic once completed. However, construction working would generate traffic and disruption and require a number of temporary diversions for vehicles, cyclists and pedestrians.

A number of local residents have raised concerns in relation to diversions and temporary access restrictions. During construction working access through to Miller Park from Riverside and South Meadow Street would be closed and a diversion route would be in place using the park entrance off West Cliff. Further details of proposed

access arrangements and diversion routes are the subject of a recommended construction and environmental management plan.

Concerns have also been raised in relation to existing parking arrangements and traffic issues at Riverside Road, Riverside and South Meadow Street particularly in relation to park visitors. Given that the proposed development raises no traffic issues beyond those associated with construction working, it would be unreasonable to require any form of traffic controlling conditions. However, there is some uncertainty around how the widened footway/cycleway arrangement would interface with the public highway at Riverside and therefore a condition is recommended for further details.

There is also concern from Sport England that insufficient information has been provided to demonstrate how alternative sports provision would be provided during construction working when there would be an impact on the use of sporting facilities at the BAC/ EE Preston Social and Sports Association and Preston Sports Club and in relation to the safe operation of sporting facilities that can be retained. However, Sport England would accept the imposition of a planning condition to require the submission of further details of how this matter would be managed prior to the commencement of development. A condition is recommended accordingly.

Construction noise

Although the proposed development would not generate any noise, construction activities could do. The applicant has provided a construction noise assessment that identifies potential noise sources and includes predicted noise calculations based on British Standard guidance. Construction activities would be likely to include demolition of existing flood walls; piling; concrete pouring; installation of new flood walls; excavation/compaction work; Redi-Rock installation; and road/footpath construction & surfacing. The noise assessment concludes that some activities may result in construction noise and vibration levels in excess of the construction noise trigger levels at nearby residential receptors. However, the assessment states that the short term nature of various noise events would not be likely to exceed noise insulation or temporary re-housing thresholds. Nonetheless, noise mitigation in order to minimise noise and vibration impacts would be required in order to reduce the impacts of the construction works as much as possible.

A range of methods and practices are available to minimise construction noise and it is recommended that a condition be imposed requiring further details of construction noise specific to the development and chosen contractor within a requirement for an overarching construction and environmental management plan. Additionally, one of the most effective ways to minimise construction noise disturbance particularly in close proximity to housing is through restrictions on working hours. Therefore, a condition is also recommended such that all construction working, importation of construction materials or removal of waste materials off-site shall only take place between the hours of 08.00 – 18.00 Monday to Friday and 09.00 – 14.00 on Saturdays and at no time on Sundays, public or bank holidays.

Human Rights

In view of the scale, location and nature of the proposed development, and the requirement for the developer to comply with other statutory controls, it is considered that no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Conclusion

This application is for a flood risk management scheme consisting of new and improved flood defences in and around the River Ribble. The aim of the scheme is to reduce the likelihood of future storm events and high tides causing flooding at local residential properties and businesses. The proposal covers a wide area and raises many issues including hydrological changes, disturbance from demolition and construction working, design of the flood defences, impacts on ecology, landscape, Green Belt, and heritage assets. The applicant has provided a substantial volume of supporting documentation and environmental assessments to seek to demonstrate that the proposal would deliver long-term improvements in flood protection for large areas of at risk sensitive properties, while generating no measurable increased risk of flooding elsewhere. On balance the benefits of the scheme would outweigh the impacts that would occur particularly in relation to temporary construction working, loss of existing trees and habitat and the visual impact of a new flood wall structures that should diminish over time. The proposal is considered to comply with the policies of the National Planning Policy Framework and the policies of the development plan subject to recommended planning conditions.

Recommendation

That planning permission and listed building consent 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) Submitted Plans and documents:

Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-PL-0002	Rev	P02
Site Location Plan		
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-PL-0001	Rev	P03
Layout Plan		Site

Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0001	Rev	P01
Area 1A - General Arrangement 1 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0002	Rev	P02
Area 1A - General Arrangement 2 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0003	Rev	P02
Area 1A - General Arrangement 3 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0001	Rev	P01
Area 1B - General Arrangement 1 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0002	Rev	P01
Area 1B - General Arrangement 2 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0003	Rev	P01
Area 1B - General Arrangement 3 of 3		
Drawing no. ENV0000009C-JAC-DZ-41C-DR-PL-0001	Rev	P01
Area 1C - General Arrangement 1 of 1		
Drawing no. ENV0000009C-JAC-ZZ-41D-DR-PL-0001	Rev	P01
Area 1D - General Arrangement 1 of 1		
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0001	Rev	P01
Area 1 - Typical Wall Details		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0001	Rev	P01
Area 1A - Wall Sections and Details 1 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0002	Rev	P01
Area 1A - Wall Sections and Details 2 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0003	Rev	P01
Area 1A - Wall Sections and Details 3 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0004	Rev	P01
Area 1A - Wall Sections and Details 4 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0005	Rev	P01
Area 1A - Long Sections 1 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0006	Rev	P01
Area 1A - Long Sections 2 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0007	Rev	P01
Area 1A - Long Sections 3 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0008	Rev	P01
Area 1A - Long Sections 4 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0009	Rev	P01
Area 1A - Long Sections 5 of 5		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0001	Rev	P01
Area 1B - Sections and Details 1 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0002	Rev	P01
Area 1B - Sections and Details 2 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0003	Rev	P01
Area 1B - Sections and Details 3 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0004	Rev	P01
Area 1B - Sections and Details 4 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0005	Rev	P02
Area 1B - Sections and Details 5 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0006	Rev	P01
Area 1B - Sections and Details 6 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0007	Rev	P01
Area 1B - Sections and Details 7 of 7		

Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0008 Area 1B - Long Sections 1 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0009 Area 1B - Long Sections 2 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0010 Area 1B - Long Sections 3 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0011 Area 1B - Long Sections 4 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0012 Area 1B - Long Sections 5 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0013 Area 1B - Long Sections 6 of 6	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-41C-DR-PL-0001 Area 1C - Sections and Details	Rev	P01
Drawing no. ENV0000009C-JAC-DF-41B-DR-PL-0001 Area 1B - Flood Gate 1 Miller Gardens Apartments	Rev	P01
Drawing no. ENV0000009C-JAC-DF-41B-DR-PL-0002 Area 1B - Flood Gate 2 Ribble Cottage	Rev	P01
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0003 Area 1 - Tie-in Details 2 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0002 Area 1 - Tie-in Details 1 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0004 Area 1 - Tie-in Details 3 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-ZZ-42A-DR-PL-0001 Area 2A - General Arrangement 1 of 2	Rev	P01
Drawing no. ENV0000009C-JAC-ZZ-42A-DR-PL-0002 Area 2A - General Arrangement 2 of 2	Rev	P01
Drawing no. ENV0000009C-JAC-ZZ-42B-DR-PL-0001 Area 2B - General Arrangement 1 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0002 Area 2B - General Arrangement 2 of 3	Rev	P02
Drawing no. ENV0000009C-JAC-ZZ-42B-DR-PL-0003 Area 2B - General Arrangement 3 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-ZZ-42C-DR-PL-0001 Area 2C - Network Rail Underpass GA & Sections	Rev	P01
Drawing no. ENV0000009C-JAC-DW-42X-DR-PL-0001 Area 2 - Wall Typical Details	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0001 Area 2A - Sections and Details 1 of 3	Rev	P02
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0002 Area 2A - Sections and Details 2 of 3	Rev	P02
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0003 Area 2A - Sections and Details 3 of 3	Rev	P01
Drawing no. ENV0000009C-JAC-DG-42B-DR-PL-0001 Area 2B - Gas Pipe Bridge Sections & Details	Rev	P02
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0001 Area 2B - Sections and Details 1 of 4	Rev	P01
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0002 Area 2B - Sections and Details 2 of 4	Rev	P01

Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0003	Rev	P01	
Area 2B - Sections and Details 3 of 4			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0004	Rev	P01	
Area 2B - Sections and Details 4 of 4			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0005	Rev	P01	
Area 2B - Longitudinal Section 1 of 3			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0006	Rev	P01	
Area 2B - Longitudinal Section 2 of 3			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0007	Rev	P01	
Area 2B - Longitudinal Section 3 of 3			
Drawing no. ENV0000009C-JAC-ZZ-00-DR-PL-0001	Rev	P01	Highway
Typical Details 1 of 2			
Drawing no. ENV0000009C-JAC-ZZ-00-DR-PL-0002	Rev	P01	Highway
Typical Details 2 of 2			
Drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0001	Rev	P03	Ribble
Sidings Draft Landscape Sketch			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0002	Rev	P04	
Environmental Masterplan Sheet 1 of 8 - Overview			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0003	Rev	P04	
Environmental Masterplan Sheet 2 of 8 - Broadgate			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0004	Rev	P04	
Environmental Masterplan Sheet 3 of 8 - Broadgate			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0005	Rev	P05	
Environmental Masterplan Sheet 4 of 8 - Riverside			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0006	Rev	P04	
Environmental Masterplan Sheet 5 of 8 - Riverside			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0007	Rev	P04	
Environmental Masterplan Sheet 6 of 8 - Ribble Sidings			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0008	Rev	P04	
Environmental Masterplan Sheet 7 of 8 - Riverside Rd and Penwortham Methodist Church			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0009	Rev	P04	
Environmental Masterplan Sheet 8 of 8 - Penwortham Residential Park			

b) All details approved in accordance with this permission.

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

3. No development shall take place until samples of the building materials to be used for the flood protection walls and any fencing/gates have been submitted to the County Planning Authority and approved in writing. Thereafter, only those materials approved by the County Planning Authority shall be used.

Reason: To protect the visual amenities of the area and to preserve the setting of the Listed Buildings and to conform with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

4. No development shall commence until details of the final surfacing and interface of the new footpath/cycleway with the public highway at Riverside have been submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of users of the public highway and in the interests of local amenity and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

5. No development shall commence (including construction working) until details of a mitigation and continuity strategy for the temporary loss of sports pitches during construction working, and in relation to the safe operation of retained sporting facilities at the BAC BAC/ EE Preston Social and Sports Association and Preston Sports Club, have been submitted to and approved in writing by the County Planning Authority following consultation with Sport England. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring the continuity of sports provision and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

6. No development shall commence until detailed surface water drainage design plans showing all the outfalls into the River Ribble for the site have been submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of flood risk management and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

7. No development shall commence (including any earthworks) until details of the means of ensuring the water and wastewater infrastructure, including associated easements and access areas, laid within the site boundary are protected from damage as a result of the development, have been submitted to and approved in writing by the County Planning Authority. The details shall include a survey of the exact location of the water and wastewater infrastructure and outline the potential impacts on the infrastructure from construction activities (including the construction compound and temporary parking areas) and the impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any detrimental impact to the infrastructure and its operation both during construction and post completion of the development.

The details shall include a pre and postconstruction condition survey. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that a diversion/diversions of the infrastructure is required, the developer shall submit evidence to the County Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of the water and wastewater infrastructure laid within the site and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

8. No development shall commence (including any earthworks) until an assessment of impact of any raised river levels on existing outfalls has been submitted to and approved in writing by the County Planning Authority. The details shall include a survey of the affected outfalls and outline the potential impacts both during construction and post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any detrimental impact to the outfalls and their operation both during construction and post completion of the development. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

Reason: In the interest of public health and to ensure protection of the water and wastewater infrastructure laid within the site and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

9. Notwithstanding the details shown on drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0001, rev P3 - 'Draft Landscape Sketch', no landscaping works shall be undertaken at Ribble Sidings until a revised layout incorporating more open space and peripheral planting has been submitted to and approved in writing by the County Planning Authority. Thereafter the landscaping shall be carried out in accordance with the approved details within 12 months of the completion of development.

Reason: To ensure satisfactory landscaping of the site, and retention of recreational provision, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

10. No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include details of the following:
 - a) Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction.
 - b) Control of noise from construction operations in relation to residential and ecological receptors, and neighbouring businesses.
 - c) Control of Vibration from the site.
 - d) Control of dust from the site.

- e) Control of mud (including wheel cleaning arrangements) to ensure no mud is tracked onto the public highway.
- f) surface water drainage and water pollution control measures.
- g) Any artificial site illumination (including proposed hours of use).
- h) Protection of trees and vegetation to be retained.
- i) Pre-works precautionary surveys/inspections for protected and priority species, including (but not limited to) bats, otter and badger.
- j) Protection measures for wildlife features that may be encountered on site.
- k) Management of construction waste.

The Construction Environmental Management Plan shall be implemented in accordance with the approved details and applied throughout the construction phase of the development.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

11. All construction working, importation of construction materials or removal of waste materials off-site shall only take place between 08.00 – 18.00 Monday to Friday and 09.00 – 14.00 on Saturdays and at no time on Sundays, public or bank holidays.

Reason: As a precautionary measure to safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

12. No development shall commence until a landscaping and habitat establishment and management plan for land within the application site, has been submitted to and approved in writing by the County Planning Authority.

The plan shall include the following:

- a) The nature and depth of any soil making materials.
- b) The design, construction and planting of waterbodies.
- c) Locally native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of the type, number and location of bird and bat boxes.
- f) Details of the ongoing maintenance and management of the landscaping and habitats at the site for a period of 15 years.

Thereafter, the approved landscaping and habitat establishment and management plan shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) following completion of the development.

Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

13. No development shall commence until a landscaping and habitat establishment and management plan for land shown on drawing number no. ENV0000009C-JAC-ZZ-ZZ-DR-L0010, Rev P03 - 'Environmental Masterplan, Sheet 9 of 9 - Fishwick Bottoms', has been submitted to and approved in writing by the County Planning Authority.

The plan shall include the following details:

- a) The nature and depth of any soil making materials.
- b) The design, construction and planting of waterbodies.
- c) Locally native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of the type, number and location of bird and bat boxes.
- f) The ongoing maintenance and management of the landscaping and habitats at the site for a period of 15 years.

Thereafter, the approved landscaping and habitat establishment and management plan shall be implemented within 12 months of the completion of the development and managed and maintained in accordance with the approved plan for a period of 15 years.

Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

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

Paper	Date	Contact/Ext
LCC/2021/0002	March 2021	R Hope/34159

Reason for Inclusion in Part II, if appropriate

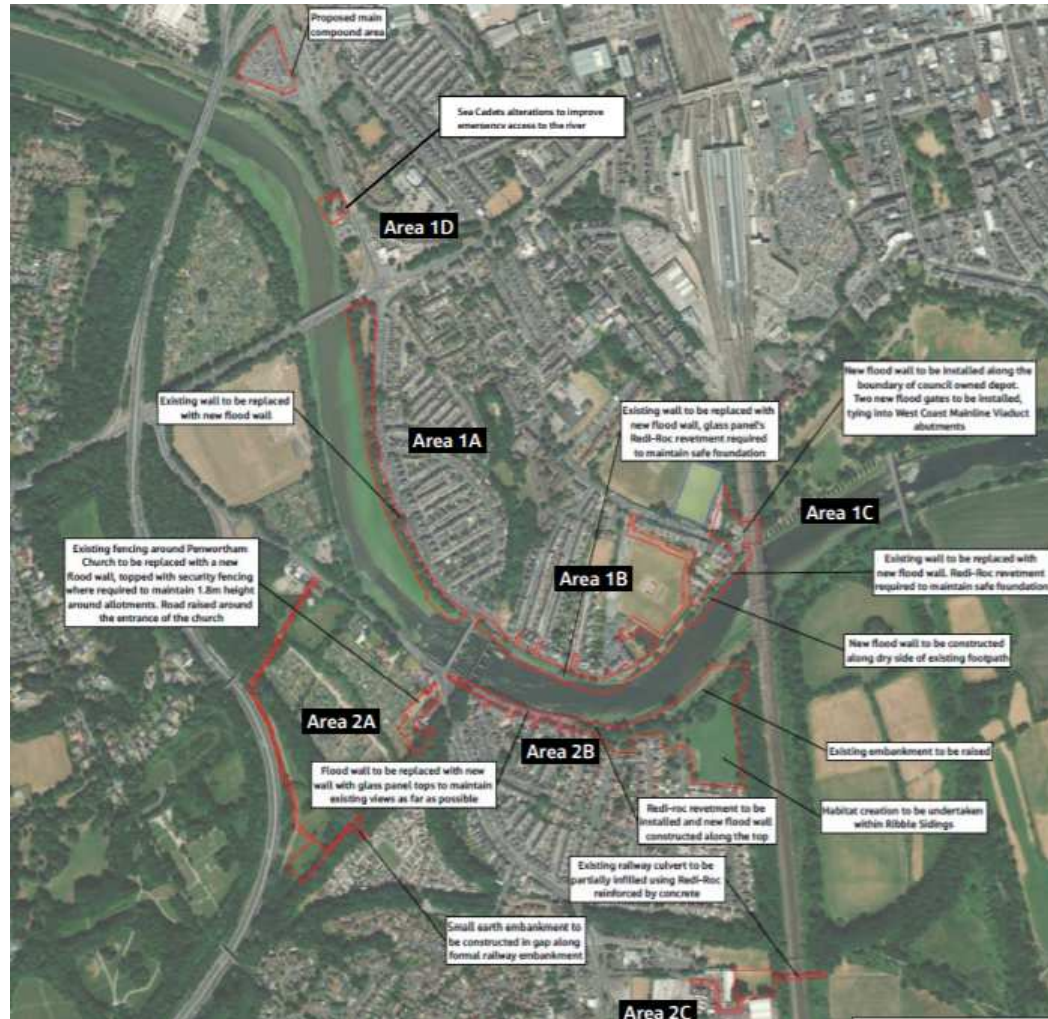
N/A

Planning application LCC/2021/0002

Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston

Planning application LCC/2021/0002

Aerial view



Planning application LCC/2021/0002



Riverside Road looking towards the gas pipe bridge and Penwortham Old Bridge

Planning application LCC/2021/0002



Riverside Road looking towards Riverside

Planning application LCC/2021/0002



Riverside Road

Planning application LCC/2021/0002



Ribble Sidings

Planning application LCC/2021/0002



Broadgate

Planning application LCC/2021/0002



Visualisation of the concrete flood wall

Planning application LCC/2021/0002



Leyland Road downstream of Penwortham Old Bridge

Planning application LCC/2021/0002



Penwortham Allotments off Leyland Road

Planning application LCC/2021/0002



Allotment/church boundary

Planning application LCC/2021/0002



Former railway embankment cut through

Planning application LCC/2021/0002



Golden Way footpath

Development Control Committee
Meeting to be held on 21 April 2021

Electoral Division Affected: All

Decisions taken on development control matters by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation

Contact for further information:
Susan Hurst 01772 534181
devcon@lancashire.gov.uk

Executive Summary

Decisions taken on development control matters by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation.

Recommendation – Summary

That the report be noted.

Since the last meeting of the Development Control Committee on the 3 March 2021, the following decisions have been taken on development control matters by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation:

Fylde

Application SCP/2020/0002
Environmental Impact Assessment Scoping opinion for proposed sand extraction from St Annes Foreshore, St Annes

Preston

Application: No. LCC/2019/0049NM1
Fulwood And Cadley Primary School, Cadley Causeway, Preston
Non material amendment for change in colour from approved external elevations feature Trespa cladding light grey colour, to dark grey colour RAL 7016. Change from double doors entrance to a single door and colour change from white to light grey

Application: No. LCC/2016/0085/4
Former Park Hotel Complex, East Cliff, Preston

Compliance with conditions 7 and 13 of permission LCC/2016/0085 - traffic calming scheme and noise

Recommendation

That the report be noted.

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

None

Reason for Inclusion in Part II, if appropriate

N/A