

Lancashire County Council

Development Control Committee

Wednesday, 7th October, 2020 at 10.30 am - Virtual meeting

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 23 September 2020** (Pages 1 - 4)

The Committee are asked to agree that the Minutes of the last meeting held on 23 September 2020 be confirmed and signed by the Chair.
4. **Update Sheet**

The Update Sheet will be considered as part of each related agenda report.
5. **Wyre Borough: Application Number. LCC/2020/0031** (Pages 5 - 34)

Erection of a new building to accommodate production plant and bagging equipment including linked loading canopy. Erection of a building for product manufacturing rooms and erection of a new roof over wet crumb storage area. Creation of hardstanding and car park area.
Foggs Farm, Hobbs Lane, Claughton on Brock.
6. **Chorley Borough: Application number** (Pages 35 - 60)

LCC/2020/0042
Construction of a new vehicular access and a pressure relief column associated with new waste water infrastructure. Land opposite 107 - 119 Moor Road, Croston, Leyland

7. 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.

8. Date of Next Meeting

The next virtual meeting of the Development Control Committee will be held on Wednesday 21 October, 2020 at 10.30 a.m.

County Hall
Preston

L Sales
Director of Corporate Services

Lancashire County Council

Development Control Committee

Minutes of the Virtual Meeting held on Wednesday, 23rd September, 2020 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	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 9 September 2020

Resolved: That the Minutes of the meeting held on 9 September 2020 be confirmed and signed by the Chair of the Committee.

4. Update Sheet

The Update Sheet was circulated prior to the meeting and attached as a supplementary agenda item.

**5. West Lancashire Borough: application number LCC/2019/0028
Proposed reprofiling of former landfill site using imported inert materials including new access. Former Parbold Hill Quarry, Parbold Hill, Parbold**

A report was presented on an application for proposed re-profiling of former landfill site using imported inert material including new access at the former Parbold Hill Quarry, Parbold Hill, Parbold.

The report included the views of West Lancashire Borough Council, Hilldale Parish Council, Dalton Parish Council, Parbold Parish Council, Wrightington

Parish Council, Newburgh Parish Council, Lathom South Parish Council, Jacobs UK (Landscape Advice), LCC Highways Development Control, Natural England, LCC Ecology Service, the Environment Agency, the Canal and River Trust, the Council for the Protection of Rural England and details of 967 representations received objecting to the application. A representation had also been received from agents for the Miller and Carter restaurant which is opposite the application site and the 'Stop Parbold Hill Landfill Group'. Rosie Cooper MP for West Lancashire and County Councillor Greenall had also raised concerns about 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 an illustration of the proposed contours, landfill design and proposed access arrangements and photographs of the site from various aspects. The officer also referred to a video showing the site and surrounding area which had been circulated to the Committee prior to the meeting.

The Officer reported orally that since the report had been finalised, a further 134 representations had been received objecting to the application, with two in support of the application. (Details set out in the Update Sheet at Item 4 of the agenda).

The Committee was reminded that as a result of the Covid-19 outbreak, members of the public who had formally requested to speak at the committee meeting and who met the criteria, had been invited to give their views in the form of a written statement to be read out in full by officers at the meeting.

The officers therefore took it in turn to read out 15 written statements on behalf of local residents, parish and borough councils and the local MP. (Statements set out at Annex A to the Update Sheet).

A number of the statements called on the committee to visit the site prior to considering the application.

In response, officers advised that they were reluctant to arrange such given the significant rise in covid-19 cases in the area, the age profile of the committee and the current restrictions in Lancashire where government advice is to avoid the mixing of households, even in outdoor areas.

Nevertheless, during debate, several members expressed a wish to visit the site. It was therefore suggested that if the Committee was so minded, and provided that everyone wore PPE, the site visit could take place on an individual, socially distanced basis with each member being allocated a 30 minute time-slot.

Following further debate it was Moved and Seconded:

"That the Committee defer consideration of the application pending a site visit".

On being put to the vote the Motion was Carried. It was therefore:

Resolved: That the Committee defer consideration of the application pending a site visit.

6. Urgent Business

None.

7. Date of Next Meeting

Resolved: That the next virtual meeting of the Committee be held on Wednesday 7 October 2020 at 10.30am.

L Sales
Director of Corporate Services

County Hall
Preston

Development Control Committee

Meeting to be held on 7th October 2020

Electoral Division affected: Wyre Rural East

Wyre Borough: Application Number. LCC/2020/0031

Erection of a new building to accommodate production plant and bagging equipment including linked loading canopy. Erection of a building for product manufacturing rooms and erection of a new roof over wet crumb storage area. Creation of hardstanding and car park area.

Foggs Farm, Hobbs Lane, Claughton on Brock.

Contact for further information:

Faiyaz Laly, 01772 538810

DevCon@lancashire.gov.uk

Executive Summary

Erection of a new building to accommodate production plant and bagging equipment including linked loading canopy. Erection of a building for product manufacturing rooms and erection of a new roof over wet crumb storage area. Creation of hardstanding and car park area. Creation of hardstanding and car park area. Fogg's Farm, Hobbs Lane, Claughton on Brock.

Recommendation - Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of working, highways, materials, drainage, landscaping, noise and dust.

Applicant's Proposal

Planning permission is sought for the erection of two new buildings, a roof over an existing storage area and a hardstanding and car parking area at Fogg's Farm, Hobbs Lane, Claughton on Brock. The site currently operates as a base for the applicant (Envirosystems) who manufactures agricultural animal beddings and biological slurry and silage additives.

The proposal includes the erection of a building which would be used as a new mixing, bagging, and dispatch area with a drive through loading bay. The building would measure approximately 42m x 18m with a height of 8m and would be constructed from metal cladding sheets coloured olive green with a pitched roof coloured natural grey. Connected to the proposed mixing, bagging and dispatch area would be another building which would be used as production and testing laboratory measuring

approximately 30m x 6m with a height of 4m. The building would be attached to the building described above and constructed from vertical timber cladding coloured brown with a mono pitched roof coloured mid grey. Also proposed is the creation of a hardstanding area south of the building covering a total of 500m² which would be used as a car parking area with a total of 7 spaces.

The other aspect of the development is for the construction of a building over an existing outside storage area. The building would measure approximately 30m x 15m with a maximum height of 5.3m. This building would also be constructed from weathered vertical timber cladding coloured brown with a pitched roof coloured grey.

The proposal also includes landscaping works including the planting of 587 trees and 1032 shrubs to be planted to the northern, western and southern boundaries of the site.

Description and Location of Site

Fogg's Farm is located off Hobbs Lane, an unclassified road approximately 4km south east of Garstang within the Forest of Bowland Area of Outstanding Natural Beauty. The site has been historically used as a large dairy farm but ceased to be a working farm in 1998. The surrounding land is comprised of agricultural grazing land. The farm complex is comprised of a range of portal frame and stone farm buildings together with an external drying unit, all of which have been used since 2017 for the applicant's business which is the production of agricultural bedding products from waste paper pulp.

There is one residential dwelling immediately adjacent to the farm complex which is occupied by the landowner's gamekeeper and also used as mess / office accommodation for the business. A public right of way crosses the access track and farm land immediately to the east and north of the site. Other properties are located at other farm complexes, the nearest of which are around 350m from Fogg's Farm.

The building proposed to be used as a bagging and dispatch area would be located west of the existing production building and would be sited on an existing grass and hardstanding area. Immediately south of this site is an existing hardstanding and car parking area but forms part of this planning application. The building which is proposed to be used for the storage of wet storage crumb product is located adjacent to the north western boundary of the site on an existing hardstanding area currently used for outside storage of waste paper pulp.

Background

History

The site is currently used as a facility for manufacturing agricultural animal bedding materials from waste paper pulp. Permission for this use was granted in March 2017 and was for the change of use of existing buildings and land to use for the production of agricultural bedding materials from imported waste paper products including installation of drying equipment and biomass boiler, installation of flue and weighbridge, erection of new storage building, formation of hard standing, access

alterations and siting of two portacabin buildings for offices / rest rooms and toilet / shower block. (LCC/2016/0084)

Planning permission was granted in July 2017 for the erection of a new building for the storage of plant and equipment with a linked canopy for the loading of waste products. (LCC/2017/0036)

Planning permission was granted in October 2017 for the variation of condition 3 of planning permission LCC/2017/0036 to allow the storage of waste materials and plant and machinery within the building. (LCC/2017/0065)

Planning permission was granted by Wyre Borough Council in July 2020 for a change of use of ground floor of residential dwelling to B1 office (ancillary to business on site) (20/00158/FUL). The office space permitted is intended to replace the use of portacabin units which were permitted by LCC/2016/0084.

Planning Policy

National Planning Policy Framework

Paragraphs 7 - 14, 80 - 82, 83 - 84, 102 - 111, 108 - 111, 124 - 132, 170 - 173 are relevant with regards to the presumption in favour of sustainable development, building a strong competitive economy, supporting the rural economy, promoting sustainable transport, considering development proposals, achieving well designed places, conserving and enhancing the natural environment.

National Planning Policy for Waste

Section 7 is relevant with regards the determination of applications for waste development.

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document

Policy CS7 - Managing our Waste as a Resource

Policy CS8 - Identifying Capacity for Managing our Waste

Policy CS9 - Achieving Sustainable Waste Management

Joint Lancashire Minerals and Waste Local Plan

Policy DM2 - Development Management

Policy WM3 - Local Built Waste Management Facilities

Wyre Borough Local Plan

Policy SP1 - Development Strategy

Policy SP2 - Sustainable Development

Policy SP4 - Countryside Areas

Policy SP5 - Forest of Bowland Area of Outstanding Natural Beauty

Policy CDMP3 - Design

Policy CDMP4 - Environmental Assets
Policy CDMP6 - Accessibility and Transport
Policy EP8 - Rural Economy

Consultations

Wyre Borough Council - Objection raised. Policy SP5 of the adopted Wyre Local Plan requires that major developments in an Area of Outstanding Natural Beauty will not be permitted except where it is demonstrated that the harm is outweighed by the benefits in the public interest and in exceptional circumstances. The applicant has provided information attempting to comply with these policy but it is considered further information should be submitted with the application to demonstrate the impacts on the local economy, as what has been submitted with the application is at a strategic level. This should include details on 'local carrier ingredients' and if local construction installers are to be used and any other benefits to the local economy.

It is considered that further information is required to fully assess the potential harm on the wider area and countryside to the south, including from Bleasdale Lane and the south end of Gonder Lane, and wider fells and vantage points, including Beacon Fell and Parlick / Fairsnape. Also, it is requested that the need for the height of the development proposed should be justified. Can information be provided on the need for a ridge height of 8.6m, and if this height could only be provided for part of the building, for example, do the mixing area, HGV loading bay and link to the existing building need to be at this height. On the basis of the above assessment and current information, the council cannot withdraw its objection to the planning application, but welcomes the submission of further information.

Cloughton on Brock Parish Council - No objection.

Environment Agency - No objection, the applicant should ensure that the site's infrastructure and drainage is in compliance with the existing environmental permit requirements.

Lancashire County Council Highways Development Control - No objection and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Landscape Specialist (Jacobs) - No objection, the proposed scheme would benefit from reinforcement of nearby hedgerow field boundaries with tree and shrub species to help integrate the large sheds into the local landscape pattern and, the introduction of oak species into the planting mix. The overall layout, appearance and planting around the development is considered acceptable for landscape and views.

Cadent Gas - No objection, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Public Rights of Way - No observations received.

Lead Local Flood Authority - No observations received.

Ramblers Association - No observations received.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter. No objections have been received but six representations of support have been submitted from groups including the Confederation of Paper Industries, Paper Industry Technical Association, Royal Association of British Dairy Farmers and local councillors raising the following points:

- The importance of the operations at the site by providing a sustainable outlet for the by-product of paper recycling which help thousands of tonnes of material to be diverted from landfill.
- The development will be an opportunity for employment opportunities and economic activity in rural areas.
- The proposed development would help increase productivity and efficiency for dairy farming and farming in general during an unstable economic climate.

Advice

Planning permission is sought for the erection of two new buildings, the roofing - over of an outside storage area and a hardstanding and car parking area at Fogg's Farm, Hobbs Lane, Claughton on Brock.

The site currently operates as a base for the applicant who manufacture products used for agricultural animal beddings and biological slurry and silage additives. Planning permission was originally granted at the site in 2017 for the change of use of part of the farm complex to a facility to convert waste paper pulp into agricultural bedding materials. This proposal was considered acceptable at the Fogg's Farm site as it largely utilised existing redundant farm buildings. Within the same year the applicant applied to develop a storage building at the site and to provide a canopy at a height of 8m between the storage building and the existing building. This application was approved (LCC/2017/0036) but the building was never constructed as the development could not meet the applicant's operational requirements at that time. The current application is to provide for the additional space which the applicant states is required to meet their demands and also to provide a cover over the external storage area so that the product can be retained in a dry condition.

National Planning Policy for Waste requires that waste materials should be managed at the highest level possible within the waste hierarchy. The site operations assist in recycling paper wastes into useful products therefore moving the management of such wastes higher in the waste hierarchy. Policy CS7 of the Lancashire Minerals and Waste Core Strategy DPD seeks to manage waste as a resource, while Policy CS8 of the Core Strategy DPD seeks to ensure an adequate provision of suitable waste facilities across the county to ensure that waste can be managed as a resource.

The site has been an established waste management site since 2017 and the proposed development would generally accord with the aims of the National Planning Policy for Waste document. However as the site is located within a rural area

designated as an Area of Outstanding Natural Beauty and served by a network of minor roads, it is necessary to consider whether extending the site to the extent proposed is appropriate in its location and ensuring the protection of important landscapes in the area.

Paragraph 172 of the National Planning Policy Framework sets out that the scale and extent of development within Areas of Outstanding Natural Beauty should be limited with planning permission refused for major development except in exceptional circumstances and where the development is demonstrated to be in the public interest. The consideration of such applications should include an assessment of;

- a) the need for the development, including any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing elsewhere outside the Area of Outstanding Natural Beauty designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Policy SP5 of the Wyre Local Plan requires that major developments in Areas of Outstanding Natural Beauty will not be permitted except where it is demonstrated that the harm is outweighed by the benefits in the public interest. Also the policy states a planning application must be accompanied by an assessment of the need for the development including any national considerations and the impacts of permitting it or refusing upon the local economy.

The applicant states for the past two years the operations at Fogg's Farm have reached a critical point where the utilisation of the existing buildings at the site and servicing its operation by staff and resources based at its secondary site in Pasture View, Barton can no longer be sustained with limited space to expand the site. The applicant has stated that without additional, fit-for-purpose floor space at Fogg's Farm they would not be able upgrade the manufacturing process to improve the quality of their products to meet customer expectations and be flexible to react to the industry market.

Whilst the primary purpose of designating a site within an Area of Outstanding Natural Beauty is to conserve and enhance natural beauty, further guidance which complements the National Parks and Access to Countryside Act 1949, goes on to say that in pursuing the primary purpose of its designation, account should be taken of the needs of agriculture, forestry, and other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.

The applicant manufacturer's products at the site which are used by the agricultural industry in particular dairy farming. More recently the applicant's business plan has stated that it is committed to helping livestock farming in the country to become more

sustainable by using natural biological technologies for use in silage production and the management of slurry. Currently the product manufacturing aspect of the applicant's operations is split between two sites (Fogg's Farm and Pasture View, Barton) which means that staff are traveling between the two sites numerous times a day. The benefits of the proposed development includes reducing the need for staff to travel, provide further indoor space to store finished product, on site testing facilities for the operator, machinery to produce finished bagged product ready for distribution and a covered space for raw material. Currently the raw paper waste is stored outside and therefore additional energy is required to dry the material for conversion into a bedding product.

The applicant has provided details of the benefits of the development to the farming industry including a cost analysis and a detailed geographical breakdown of the number of farm holdings who benefit from their products. The proposed development would also have on site testing facilities which would facilitate the applicant's research and development project which aims to find new product introductions that would benefit livestock and soil productivity. Six letters of support have been received from the waste paper, farming industry and local councillor's which have included comments that the development would provide a sustainable outlet for the by-product of paper recycling which will help to safely repurpose paper pulp to agricultural use, help thousands of tonnes of material to be diverted from landfill and provide further employment opportunities in rural areas.

The applicant states if planning permission was to be refused at Fogg's Farm they would be forced to move their operational base to another area which would have further cost implications. Their preference is the development at Fogg's Farm to be approved due to investment they have made at the site and available space and its close proximity to rural areas which is the prime market for their products. Another option which the applicant has investigated is to erect the bagging plant within the existing building at the site. However due to the large scale of the machinery and limited space inside the building this was deemed not to be possible. The applicant has also investigated moving the Fogg's Farm operation to their site at Pasture View, Barton but due to limited space and close proximity to other existing units at that site this was deemed to not be feasible.

Policy CDMP3 of the Wyre Local Plan states that all development will be required to be of a high standard of design and appropriate to the end use. All development must be designed to respect or enhance the character of the area and minimise energy consumption having regard to a number of issues, including density, siting, layout, height, scale, massing, orientation, landscaping and use of materials. Also policy SP4 of the local plan states that development which adversely impacts on the open and rural character of the countryside will not be permitted.

The design of the development has a major bearing on how successfully it can be integrated into the landscape and countryside. The National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The applicant has submitted different architectural designs to mitigate the visual presence of the building using different colours and materials.

The proposed production building would measure approximately 42m x 18m with a height of 8m and would be approximately 2m higher than the existing buildings at the site. The applicant has confirmed that this building needs to be at 8m due to the height and scale of the machinery which is proposed to be installed within this building which will also include dust extraction equipment to capture dust from the mixing area. The loading bay would also have to be at a similar height to allow adequate clearance space for large vehicles. Whilst the building is of a large scale, when considering its visual impacts of, it is important to note the permission which has previously been granted for the storage building which has never been constructed. The building would utilise modern materials in its construction with metal cladding being proposed on the elevations to help reduce noise impacts from the development. Connected to the proposed mixed, bagging and dispatch area would be another building which would be used as production and testing laboratory rooms measuring approximately 30m x 6m with a height of 4m. Both buildings would have the general form and character of buildings that are generally found on farm complexes.

Part of the development includes the erection of a building which would be used for the storage of wet crumb material. This would measure approximately 30m x 15m with a maximum height of 5.3m and includes a drop off pad with a 1.2m high concrete wall. The original proposal consisted of this building being erected at a height of 7m. To minimise the visual amenity impacts of this part of the development, the applicant agreed to lower the height by 1.7m. This building would be faced in vertical timber cladding coloured brown with a pitched roof coloured grey which has been chosen to be in keeping with the rural landscape and surrounding area.

The proposed site is in a relatively remote location and at least 450 metres from the nearest road. However the applicant's proposal is substantial in context of the existing development at the site. The development would still be within the footprint of the original farm complex and even though it would not be particularly visible from Hobbs Lane it would be visible from the public right of way which crosses the field, adjacent to the site. To minimise the visual impacts, the applicant proposes a landscaping scheme comprised of 587 trees and 1032 shrubs to be planted to the north, western and southern boundaries of the site. The applicant has also submitted 3D modelling drawings in combination with a local viewpoint assessment showing the development configuration and impact on the surrounding landscape. After assessing the submitted design, scale and mitigation measures with the inclusion of further landscaping, the landscape impacts of the new buildings are considered acceptable. Conditions can be attached to any planning permission dealing with the final selection of building materials to the design of the buildings and details of the landscaping scheme.

Paragraph 109 of the National Planning Policy Framework states that proposals should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. The proposed development would not increase operational vehicle movements in and out of the site. There would be an increase during building construction works but these would be relatively short term. The proposed development would upgrade the quality of their manufacturing process and the HGV movements in and out of the site would still be within the limitations contained within the 2017 permission (two HGVs per day). The only changes to the vehicle movements is that four members of staff would be permanently located at the site. However, this

would not significantly add to the car movements as these staff already travel between Fogg's Farm and Pasture View on a regular basis. Although the site is served by a network of small rural roads, as the development would not increase HGV movements to the site, LCC Highways do not object to the development and the proposal is therefore considered acceptable in terms of highway impacts. The site is served by a long stone access road and therefore the matters requested by LCC Highways in terms of a construction management plan and wheel cleaning measures are not considered necessary.

The National Planning Policy Framework and the Joint Minerals and Waste Local Plan recognise that waste developments have the potential to give rise to adverse impacts on the quality of life of people for a variety of reasons including noise and dust. More specifically, Policy DM2 of the Joint Minerals and Waste Local Plan supports development for waste management operations where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

Paragraph 183 of the National Planning Policy Framework states the focus of planning decisions should be on whether the development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. The proposed development may cause some additional noise impacts from the bagging plant operating at the site but it is considered due to the rural nature of the site and nearest properties located at a considerable distance these impacts would be negligible. Other environmental impacts resulting from the development would not be significantly increased by the proposed development due its proposed use as laboratory rooms and storage space. A precautionary measure is recommended by way of a condition to control the majority of construction working operations to the typical working day. Subject to the recommended condition it is considered that it would be unlikely that construction activities would have any detrimental impact on neighbouring landowners or local residents due to the site being located in a rural area and the separation from sensitive receptors.

Even though it is considered that the proposed development would have some impact on the Area of Outstanding Natural Beauty, these impacts are not considered to be significant due to the design of the development, its location on a former farm site and the distance to the nearest viewpoints. The applicant has demonstrated special circumstances showing that the products which are manufactured at the site are of importance to the agricultural industry locally and further afield, using waste material promoting recycling. The applicant has also provided evidence of the implications of refusing the development locally and nationally complying with policies in the National Planning Policy Framework and the Wyre Local Plan.

In conclusion, the proposed development would be required for the installation of a bagging plant used in conjunction with the permitted activities to process wet paper pulp into agricultural animal bedding materials. The site has been an established as an agricultural products manufacturing site for a period of three years and the

operations at the site have facilitated economic growth in a rural area utilising disused agricultural buildings. The proposal does include new large buildings that would be visible within the landscape from both local and more distant elevated viewpoints. However, the treatment of the external finish of the buildings and landscaping scheme has evolved through the determination process to ensure that the development could be integrated into the landscape such that there would be no significant landscape or visual impacts. On balance, the development is therefore considered acceptable in terms of policies in the local plan.

Overall it is considered that the development is an acceptable use of the site and it is unlikely that there would be any unacceptable impacts provided that any permission is subject to the recommended conditions. The site operations helps in the re-use of waste which reduces reliance on landfill and moves the management of waste up the waste hierarchy. Subject to the imposition of conditions, as stated above, it is considered that the development accords with the requirements of the National Planning Policy Framework, Policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy, and Policies NPPF 1, DM1, DM2 of Joint Lancashire Minerals and Waste Local Plan.

In view of the nature, scale and location 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:

a) The Planning Application received by the County Planning Authority on 4th June 2020.

b) Submitted Plans and documents

Drawing Number - 20-1133-L01 - Rev C / Site Location Plan

Drawing Number - 20-1133-P01 - Rev D / Shed 1 - Plans, Sections & Elevations

Drawing Number - 20-1133-P02 - Rev B / Shed 4 - Plans and Elevations

Drawing Number - 633901 - Rev C - Landscape Proposal - Mound

Drawing Number - 633902 - Rev A Landscape Proposal - Sections

Drawing Number - 633903 - Hedgerow Enhancement

Drawing Number - VS01A - Existing and Proposed Visuals
Drawing Number - 20-1133-P03 - Indicative Drainage Plan

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 Joint Lancashire Minerals and Waste Local Plan and policies SP2, SP5, and CDMP3 of the Wyre Local Plan.

Hours of Working

3. No construction development shall take place outside the hours of:

08.00 to 18.00 hours Monday to Friday (except Public Holidays),
08.00 to 14.00 hours on Saturday.

No construction development 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 and land users and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and policy SP1 of the Wyre Local Plan.

Highway Matters

4. Within 3 months of the commencement of development, details and location of electric vehicle charging points and cycle storage facilities, shall be submitted to the County Planning Authority for approval in writing.

The ELV charging points and cycle storage facilities shall be implemented in accordance with the approved details prior to the development being brought into use.

Reason: To promote alternative means of accessing the site and to comply with Policy CDMP3 of the Wyre Local Plan.

5. Measures shall be taken at all times during the construction phase of the development to ensure that no dust, mud or other deleterious materials are transferred onto the public highway by vehicles 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 Development Framework Site Allocations and Development Management Policies DPD.

Materials

6. No external cladding or finishes to any building or structure shall be applied until details of the building materials to be used for the external elevations and the roof of all buildings, have been submitted to and approved in writing by the County Planning Authority. Thereafter, only those materials approved by the County Planning Authority shall be used.

Reason: To safeguard the visual amenity of the area and to mitigate visual impacts to the Area of Outstanding Natural Beauty and to comply with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policies SP4, SP5 and CDMP3 of the Wyre Local Plan.

Drainage

7. No development shall commence until a scheme and programme for the management and attenuation of surface water from the development has been submitted to and approved in writing by the County Planning Authority.

The measures for the management and attenuation of surface water from the development shall be implemented as part of the construction works and maintained in operational condition thereafter.

Reason: In the interests of surface water control and to prevent flooding and to conform with policy CDMP4 of the Wyre Local Plan.

Landscaping

8. The landscaping works detailed on Drawing Number 6339.01Rev B - Landscape Layout - Mound and Drawing Number - 633903 - Hedgerow Enhancement shall be implemented within the first planting season, as defined in this permission, following the completion of the development and shall thereafter be maintained for a period of five years including replacement of dead and dying species, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with policies SP5 and CDMP4 of the Wyre Local Plan.

Noise

9. All plant, equipment and machinery used in connection with the operation and maintenance of the site shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the development.

Reason: To safeguard the amenity of local residents and adjacent properties / landowners and land users and to conform with policy CS9 of the Joint Lancashire Minerals and Waste Development Framework Core Strategy and

policy SP1 and SP2 of the Wyre Local Plan.

Dust

10. Measures shall be taken at all times during the development to ensure that no dust or wind-blown material from the site is carried on to adjacent property.

Reason: To safeguard the amenity of the local area and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and policies SP1, SP2 and CDMP4 of the Wyre Local Plan.

Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from the Environment Agency.

The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.

The applicant's attention is drawn to the observations of the Environment Agency in their letters on the 15th July.

Definitions

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

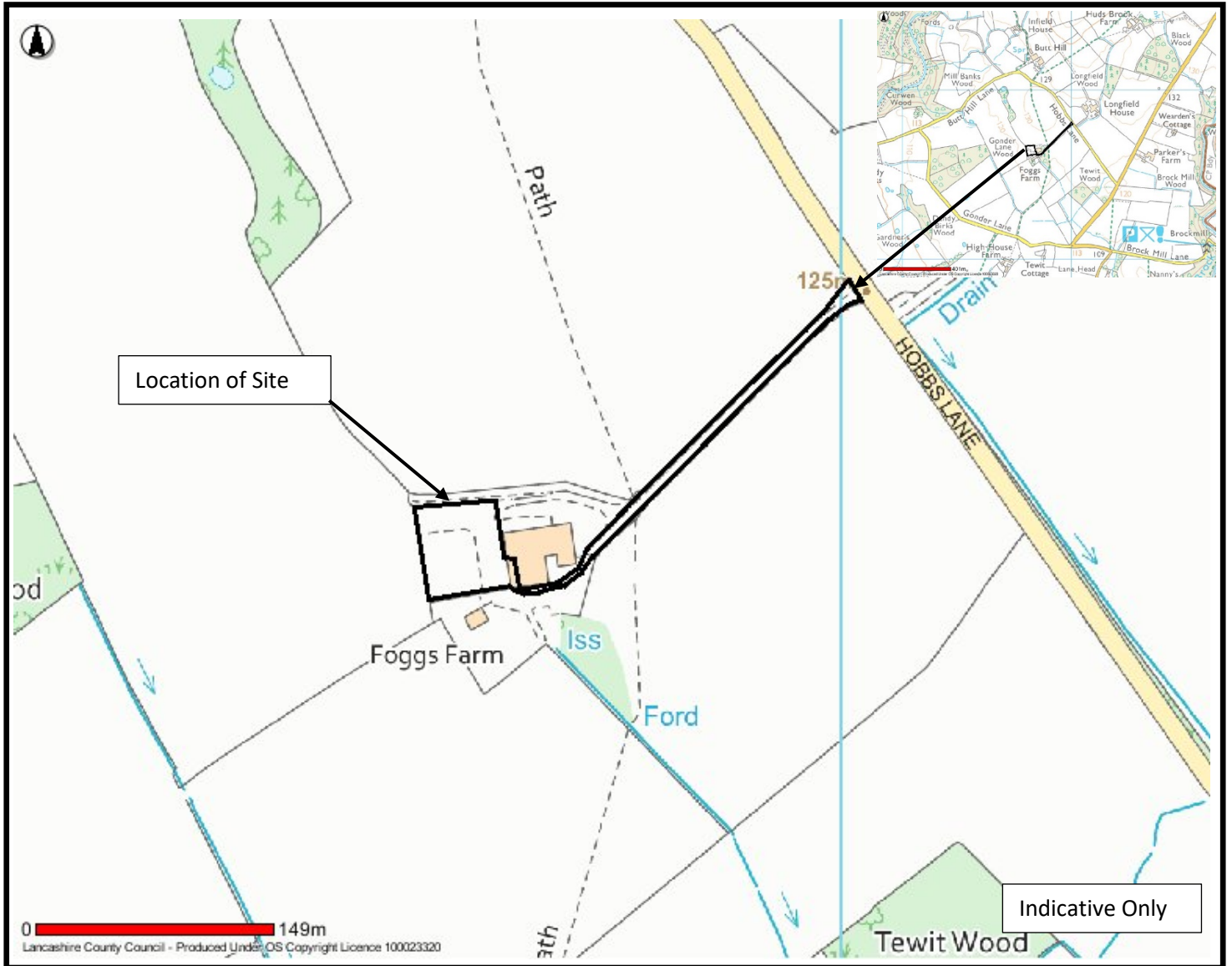
Local Government (Access to Information) Act 1985 List of Background Papers

None

Reason for Part II

N/A

APPLICATION LCC/2020/0031 ERECTION OF A NEW BUILDING TO ACCOMMODATE PRODUCTION PLANT AND EQUIPMENT INCLUDING LINKED LOADING CANOPY. ERECTION OF BUILDING FOR PRODUCT MANUFACTURING AREA AND ERECTION OF A NEW ROOF FOR WET CRUMB STORAGE AREA AT FOGGS FARM HOBBS LANE CLAUGHTON ON BROCK.



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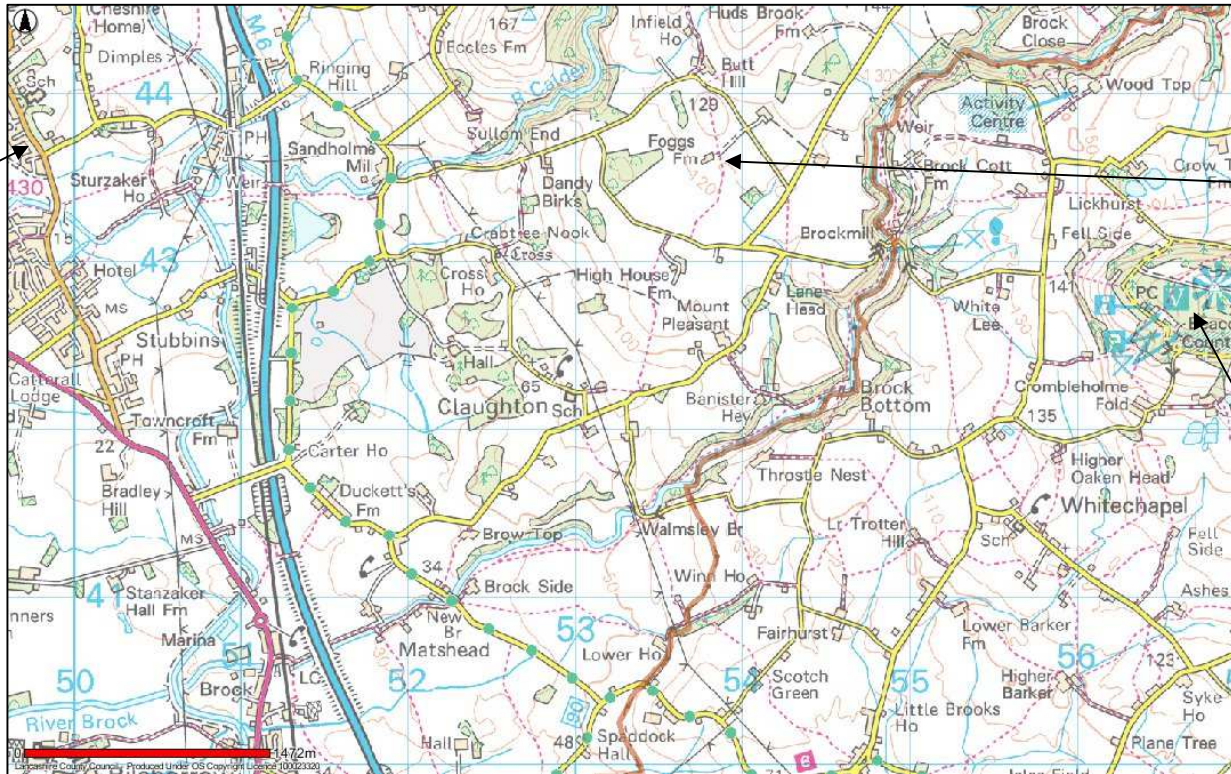
Planning Application - LCC/2020/0031

Erection of a new building to accommodate production plant and bagging equipment including linked loading canopy, erection of a building for product manufacturing rooms and erection of a new roof over wet crumb storage area. Creation of hardstanding and car park area.

Fogg's Farm, Hobbs Lane, Claughton on Brock

LCC/2020/0031 - Map

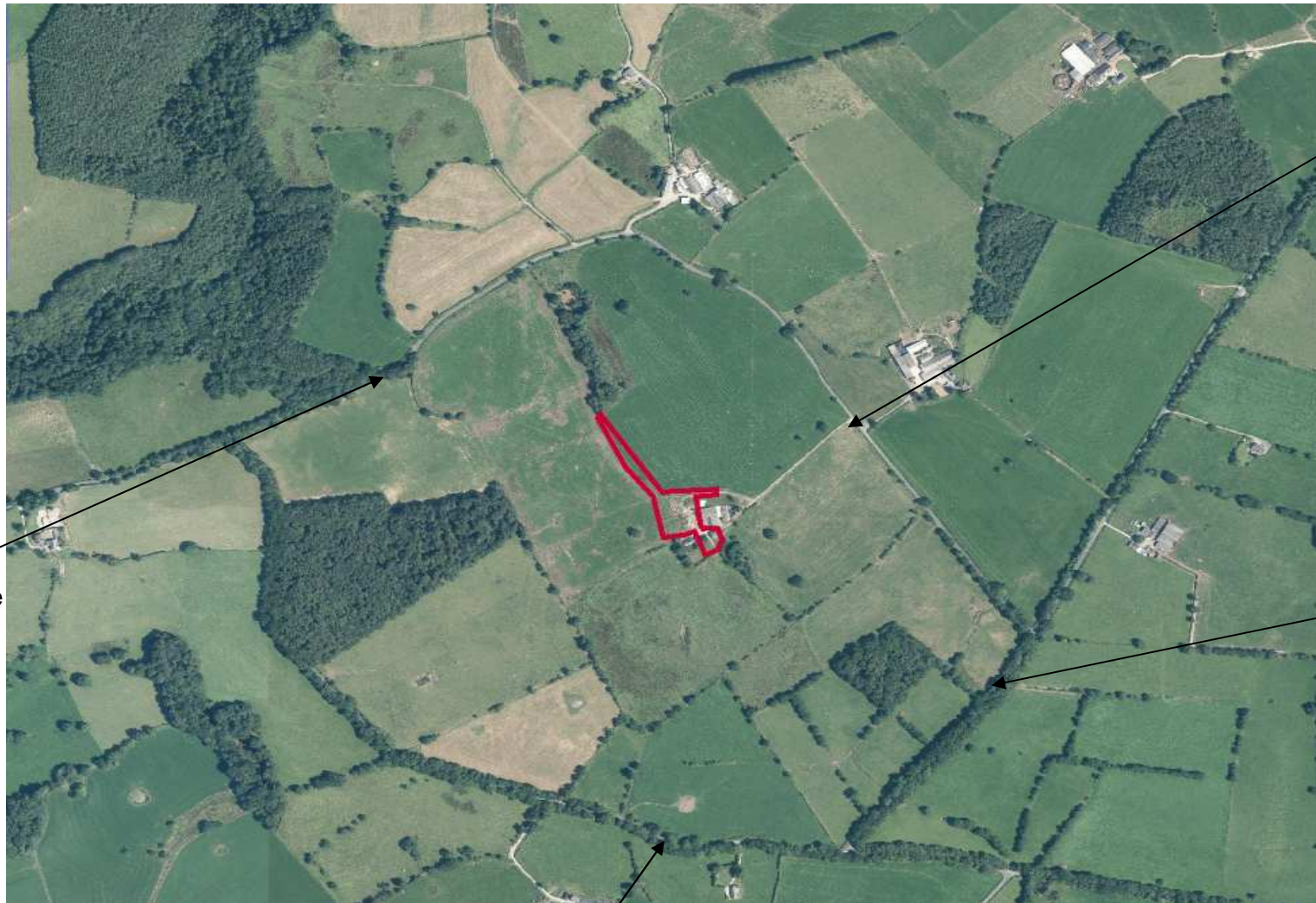
Garstang



Foggs Farm

Beacon
Fell

LCC/2020/0031 - Image







Site
Entrance /
Hobbs
Lane

Bleasedale
Lane

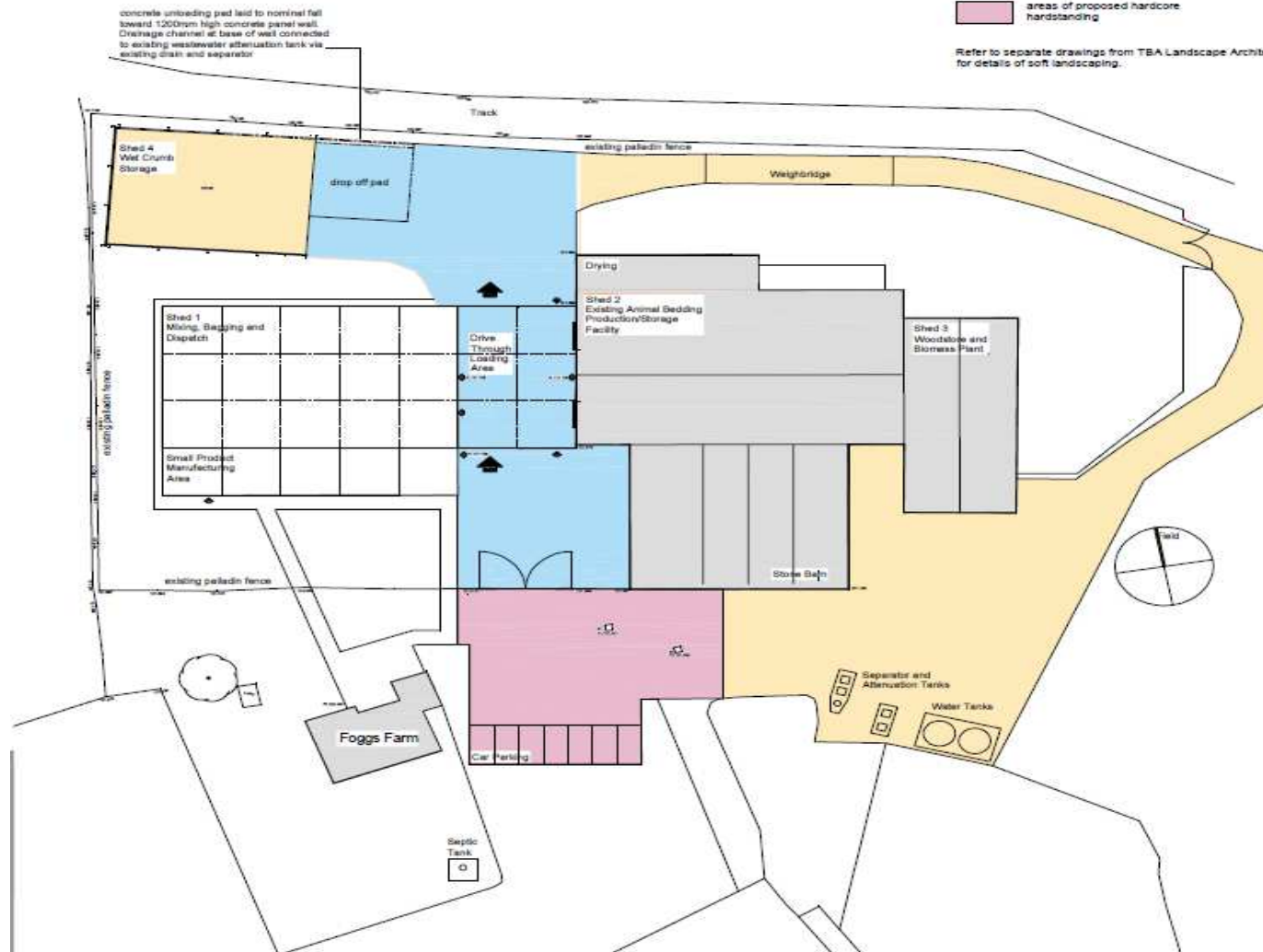
Gonder Lane

Butt Hill Lane

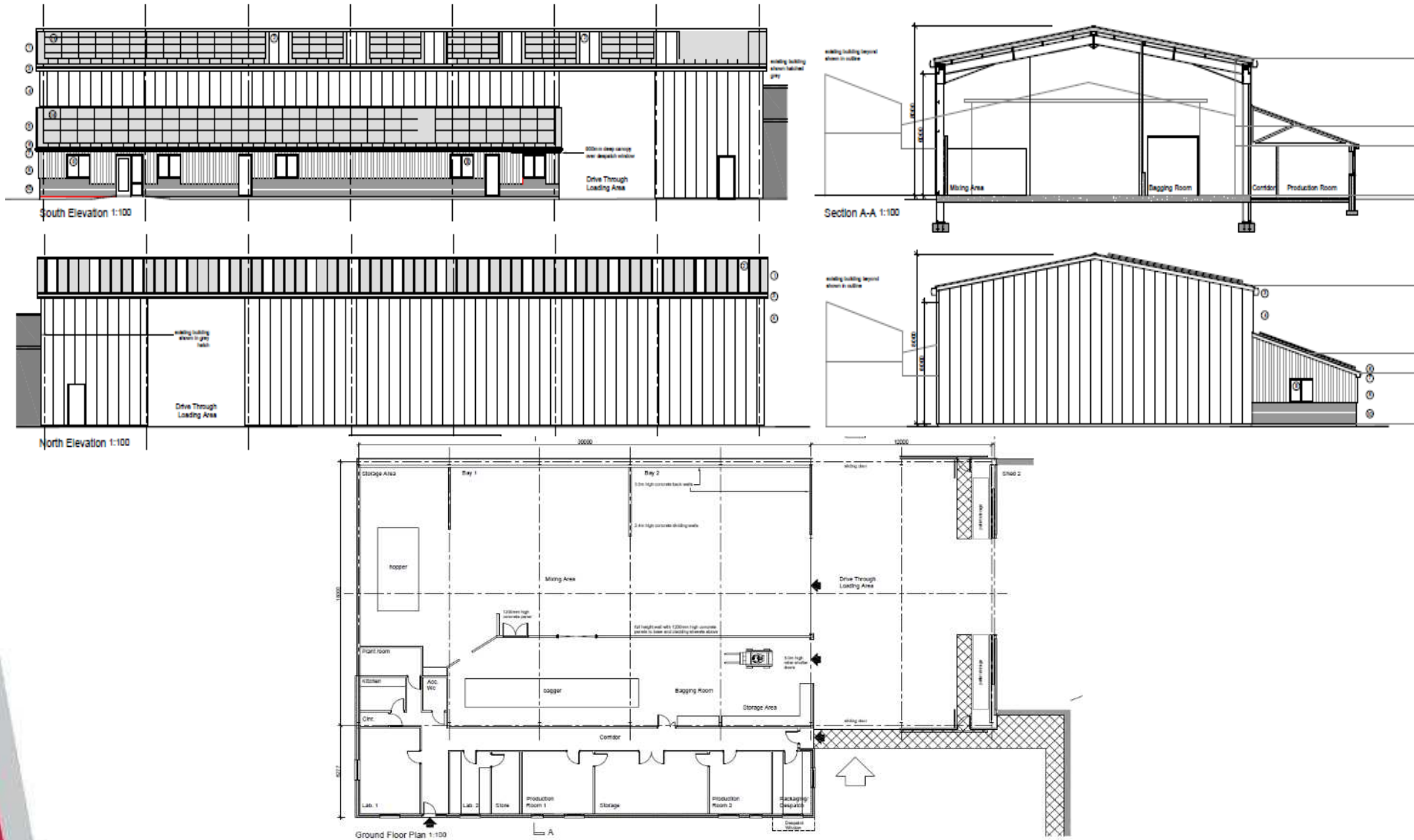
LCC/2020/0031

-  existing buildings
-  existing hardstanding areas
-  areas of proposed concrete hardstanding
-  areas of proposed hardcore hardstanding

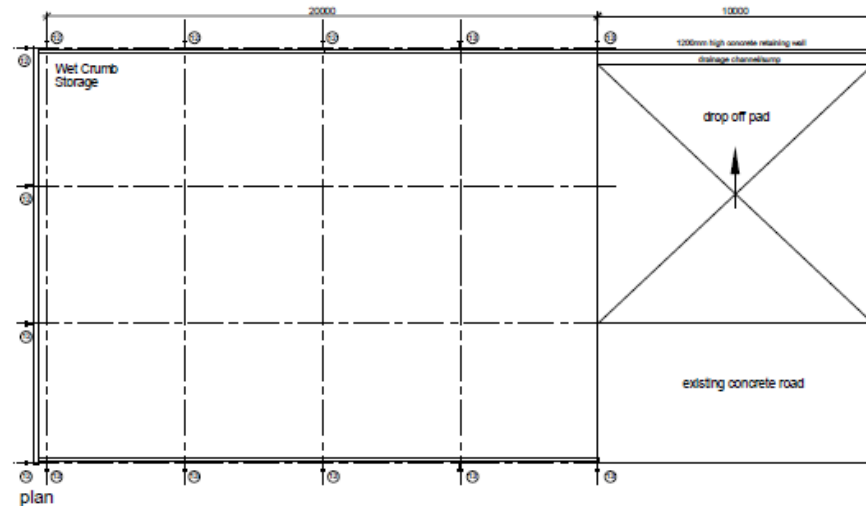
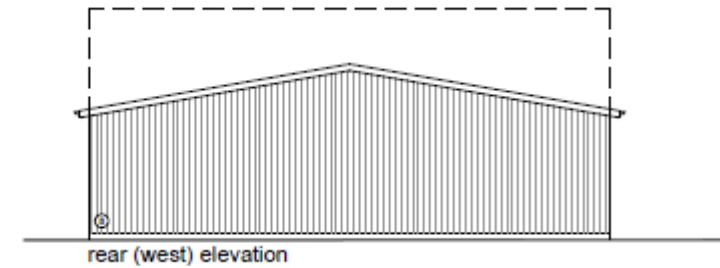
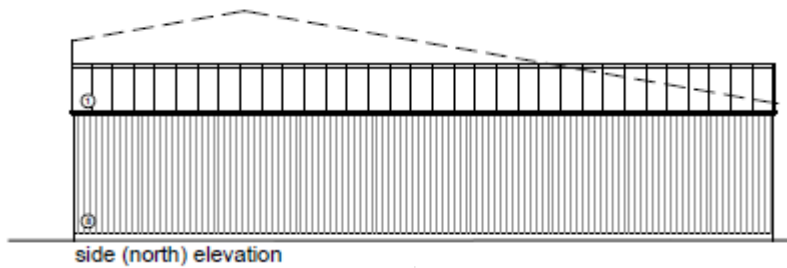
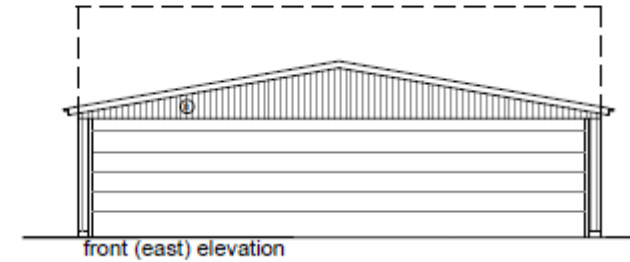
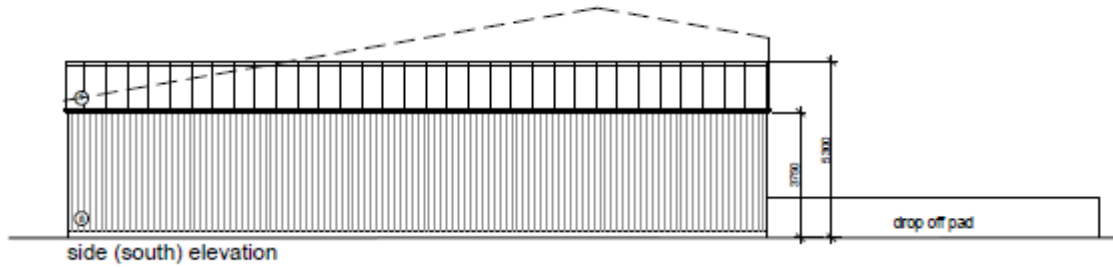
Refer to separate drawings from TBA Landscape Architect for details of soft landscaping.



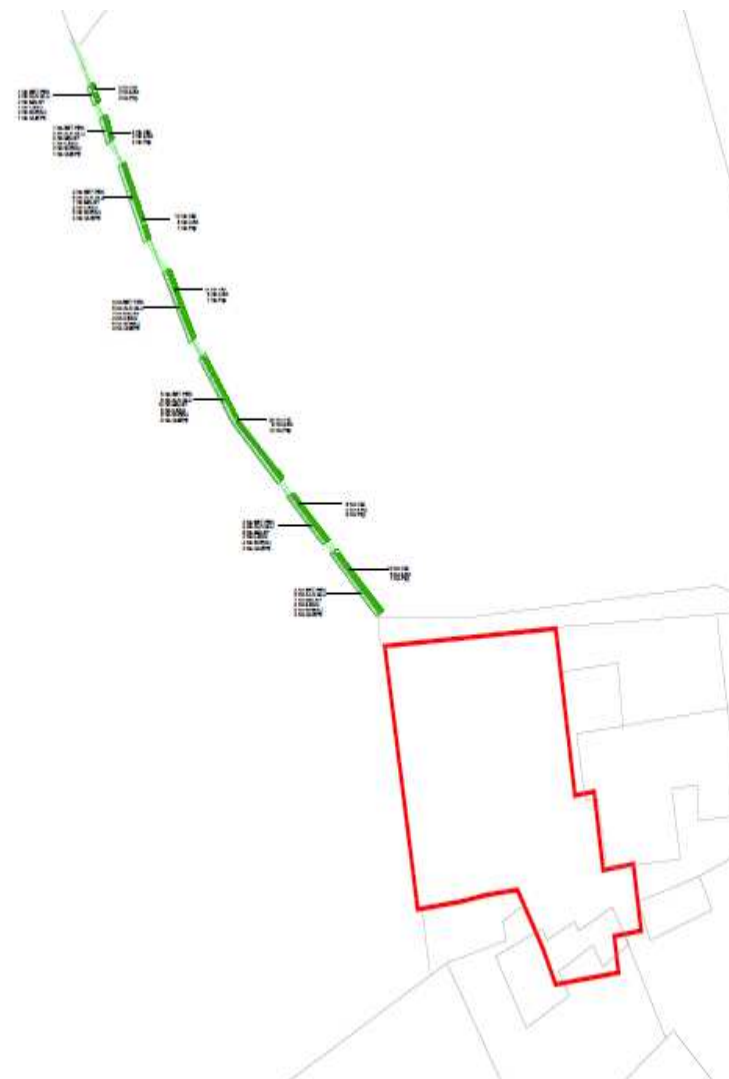
LCC/2020/0031 - Elevations and Floor Plan (Shed 1)



LCC/2020/0031 - Elevations and Floor Plan (Shed 4)



Landscape Proposals



Comparison of existing permitted building (shown in grey) against building proposed in planning application

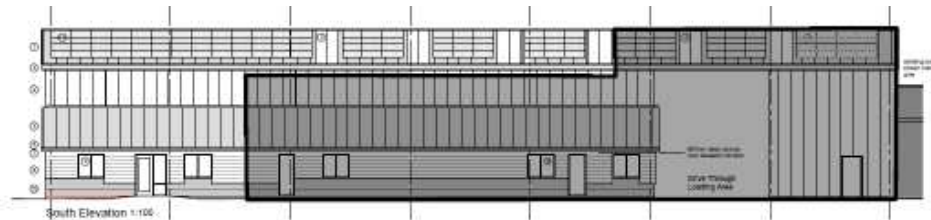


Figure 1: Profile of the proposed development compared with the approved application LCC/2017/0036 (in grey)

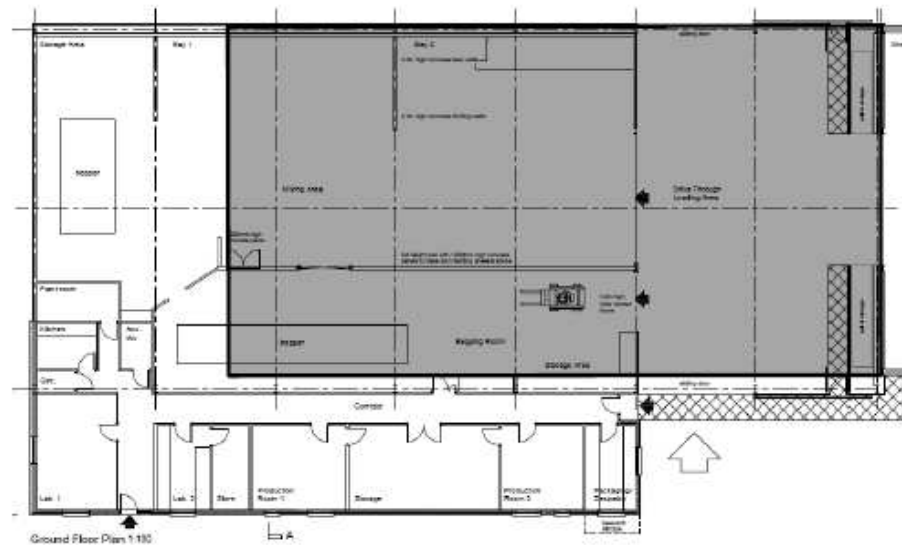


Figure 2: Footprint of the proposed development compared with approved application LCC/2017/0036 (in grey)

Visualisations



Current View



View with Proposed Building



View with Proposed Building and Landscaping



Current View



View with Proposed Building



View with Proposed Building and Landscaping

Visualisations



Current View



View with Proposed Building



View with Proposed Building and Landscaping



Current View



View with Proposed Building



View with Proposed Building and Landscaping

Photographs



Photographs



Site Access Hobbs Lane



Bleasdale Lane



Gonder Lane



Butthill Lane

Photographs - Beacon Fell and Parlick

View from Beacon Fell



View from Parlick



Development Control Committee

Meeting to be held on 7th October 2020

Electoral Division affected: Chorley Rural West
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Chorley Borough: Application number LCC/2020/0042

Construction of a new vehicular access and a pressure relief column associated with new waste water infrastructure. Land opposite 107 - 119 Moor Road, Croston, Leyland.

Contact for further information:

Rob Jones, 01772 534128

DevCon@lancashire.gov.uk

Executive Summary

Application - Construction of a new vehicular access and a pressure relief column associated with new waste water infrastructure. Land opposite 107 - 119 Moor Road, Croston, Leyland.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, colour of equipment, hours of working, highway matters, landscaping, floodlighting, noise and dust.

Applicant's Proposal

Planning permission is sought for a new vehicular access and a pressure relief column.

The proposed access would include a new junction off Moor Road that would have a total width of 26.5 metres at Moor Road leading to a 5.5 metre wide access road.

The new access would have visibility splays of 2.4 metres when measured to the nearside carriageway edge of the Moor Road, and of 45 metres to both the east and west along Moor Road.

The first 13.5 metres of the access road from the junction with Moor Road would be tarmacked. The remaining access road would be approximately 70 metres long, be constructed from compacted stone, and would include a hammerhead turning/ parking area and would run around the west and south sides of the proposed new waste water infrastructure.

The new access and visibility splays would involve removing an 85 metre length of existing hedgerow along the southern side of Moor Road. A replacement hedgerow would be set back approximately 2.5 metres from the current location along Moor Road to create the visibility splays for the new junction. The area between the new hedgerow and the edge of Moor Road, and along the edge of the tarmacked access road, would be a grass verge. In total, approximately 150 metres of hedgerow would be planted along the frontage and inside the site. A 1.2m high post and rail fence would flank the rear of the hedgerow.

The pressure relief column would be constructed of steel, be 4 metres high with a diameter of 0.45m, and be coloured Holly Green.

The new vehicular access would be required to access a new compound area containing an underground storm water attenuation tank and associated control kiosk and the pressure relief column. The new compound area would be in association with upgrades to the existing sewer beneath Moor Road to alleviate issues with localised sewer flooding at nearby properties. The underground tank, compound and control kiosk is covered by permitted development rights and would not require planning permission.

The original proposal had a deceleration taper lane for traffic approaching from the east but this was deleted; the space was filled by moving the replacement hedgerow closer to Moor Road. In the original scheme, there was also a new footway along the frontage of the site to the east of the new entrance. This has since been deleted from the scheme and replaced with a grass verge. The width of the access road has also been narrowed by 1 metre to 5.5 metres wide. The surface of the compound has also been changed from a stone to a grassed surface, except for the access road that would have a compacted stone surface.

It is anticipated that construction hours would be Monday to Friday 0800 – 1800 and Saturday 0900 – 1200 with no working on Sundays or Bank Holidays.

Description and Location of Site

The application site is an agricultural field that is located on the south side of Moor Road (B5249), and on the eastern edge of Croston, approximately 11km to the south west of Preston.

A wooden post and 3 rail fence and mature hedgerow separates the field from Moor Road. Two telegraph poles serving the adjacent residential properties are located between the mature hedgerow and Moor Road. A 5 metre wide field gate is located in the eastern corner of the field to allow access from Moor Road.

Residential properties are on the north side of Moor Road and opposite the field, on the east side is a farm with a small woodland and agricultural fields beyond, on the south side are agricultural fields, and the west side is residential housing off Lostock Road.

There are no trees within the site boundary that would be affected by the works.

The application site is in the Green Belt.

Background

There is no relevant planning history.

Planning Policy

National Planning Policy Framework

Paragraphs 7 - 11, 47, 54 - 55, 80, 83 – 84, 102, 108 - 110, 118, 124, 127, 130, 133 – 134, 143 – 146, 170 and 180 are relevant with regard to the following: Achieving sustainable development - the presumption in favour of sustainable development; Decision making – determining applications, and planning conditions and obligations; Building a strong, competitive economy – supporting a prosperous rural economy; Promoting sustainable transport – considering development proposals; Making effective use of land; Achieving well-designed places; Protecting Green Belt land – proposals affecting the Green Belt; and Conserving and enhancing the natural environment – ground conditions and pollution.

National Planning Policy for Waste - Section 7 is relevant in relation to the determination of planning applications.

National Planning Policy Framework Planning Practice Guidance

National Planning Practice Guidance

Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One

Policy NPPF 1	Presumption in favour of sustainable development
Policy DM2	Development Management

Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document

Policy V1	Model Policy
Policy ST1	New Provision or Improvement of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development
Policy BNE1	Design Criteria for New Development
Policy BNE6	Light Pollution
Policy BNE9	Biodiversity and Nature Conservation
Policy BNE10	Trees

Consultations

Chorley Borough Council - No objection.

Croston Parish Council – No observations received.

Lancashire County Council Highways Development Control – No objection subject to the imposition of planning conditions to require the following: no development shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved, and the approved scheme has been constructed and completed in accordance with the details; construction of new access road between the site and Moor Road shall be to at least base course level before any development takes place; before the site access is used for vehicular purposes, it shall be appropriately paved in tarmacadam, concrete, block paving, or other approved materials; the provision of wheel cleaning facilities; the existing field access shall be physically and permanently closed prior to the development being brought into use; and no development shall take place, until a Construction Management Plan has been submitted and approved. It is also commented that the applicant be advised that the grant of planning permission will require the developer to enter into an appropriate Legal Agreement, with the County Council as Highway Authority.

Environment Agency – No objection.

Lancashire County Council Specialist Advisor (Ecology) – No objection. Planning conditions should require that:

- Details of replacement habitat creation and management to be submitted for approval.
- Protection measures for all trees, hedgerows and shrubs being retained in or adjacent to the application area.
- No vegetation clearance works (including cutting/removal of hedgerows, trees, shrubs, bramble and tall ruderal herbs) shall take place between 1st March and 31st August inclusive.
- External lighting associated with the development shall be directional and designed to avoid excessive light spill and shall not illuminate trees and hedgerows on the site or in the area.

Lead Local Flood Authority – No objection.

Representations – The application has been advertised by site notice, press notice and neighbours have been notified by letter. 28 representations have been received objecting to the proposal for the following reasons:

- The proposals detail the existing hedge to be removed and a 2 metre wide public footpath that would be of no use and purpose to anyone as it leads nowhere.
- The monies set aside for the footpath would be better spent on replacing the damaged tarmac road surface that is in front of the proposed entrance.
- The removal and destruction of the existing 85 metres of hedgerow that is well established and more than 40 years old is completely unnecessary.
- There is absolutely no need to remove the existing kerb line especially as this particular section of Moor Road from properties 107-119 is governed by double white lines. If a new kerb line and grass verge is installed then who is responsible for the upkeep and maintenance?

- When exiting the proposed vehicular access, the visibility to the east in the direction of the approaching traffic is severely handicapped by the curvature of the bend. One has to be 4.5 metres into the carriageway before one can even glimpse the approaching traffic to the east. Whereas the existing access needs only 1.2 metres to view the road to the east. The new proposed access is an accident waiting to happen.
- There is no need to set the hedgerow back a further 2 metres because the vehicles visiting the site will have visibility above the existing hedgerow due to the height of the cab. Therefore, there would be no visual obstruction of any oncoming traffic.
- The current design does not fit in with the rural street scene as it is industrial looking.
- To install a double width road access to allow access for one works vehicle per week is an overly large development. The access road width should be no more than 3.5m wide (the width of a large single track road) that is perfectly acceptable for any vehicle.
- Any gates fitted should be of a single standard field/farmyard gate construction to fit in with the rural street scene.
- Residents were initially informed that access would only be required by United Utilities twice a year but, now after a meeting on site with a United Utilities representative, it is now to be at least once a week which seems rather excessive, for a flood relief system for 5 properties at the western end of Moor Road.
- The entire access road and compound should be fenced in on all sides by one outer fence and not just a fence round the compound.
- The potential for the travelling community to set up site in the new junction without any restrictions is also a major concern. It will also encourage off road parking, and the local council and highways agency will incur extra work and expense in maintaining the area. Will the new entrance and access be painted with double yellow lines?
- To scale down the proposed plan will reduce the cost to United Utilities and the local authorities and hopefully the timescale will be shorter for the overall project.
- Two telegraph poles that service the properties at 107-119 Moor Road would need to be removed from the new 2 metre wide footpath. What is the plan for them?
- The vehicle access appears to be in part for any future housing development, and a mechanism by the land owners to remove any future objections around access to housing. In Chorley Borough Councils Local Plan, in Annex 1, for Lostock, the field where this work is to take place is not shown in Site Suggestions by Chorley for possible housing, but in Annex 5, Addendum to Lostock, it is added for possible housing after site submission received by Chorley.
- The scheme can be re-designed in a way that would not compromise the objective of providing a solution to the drainage issues to the five properties affected at the top on Moor Road.

Existing field entrance

- There is currently an existing entrance to the field that has always been used for by the landowner to maintain the land and allow access and egress for the sheep to graze the land. The local residents are using this existing field entrance for access to the temporary car park during the closure of Moor Road while the sewer upgrade works take place: the number of vehicles that are using it on a daily basis is around 50, plus all the work vehicles, and the site lines are perfectly adequate for all users

of the temporary car park who have no trouble driving in and out each day with perfect visibility.

- The entrance could be located at the current location it is now by constructing a slightly wider opening in a west direction from its current approximate 5m width. The site lines to the existing field gate are good in both directions. One can see the wisdom of the farmer who placed the access point on the apex of the bend (where it is now) enabling much better vision to the east and the approaching traffic. A pull in area could also be created so as to allow off road parking prior to entering the gated compound.
- Any concerns over the safety can be eased by the use of new signs, a concave mirror located opposite the gateway, road markings and speed restrictions.

Landscaping

- The landscape view of the proposed tank site would be enhanced for residents by the planting of a small number of trees on site or in the new hedgerow.
- There are concerns that contractors work may cause root damage to two silver birch trees at the front entrance of a property opposite the application site. This could cause the trees to die and necessitate being felled or falling on properties and/or vehicles.
- The replanting of the hedgerow with a mix of four different species will take a number of year to become established. There is no indication to the size of the whips to be planted and who will be responsible for the overall care and general maintenance. There is a risk that the planting would not be successful leaving just a fence along the site frontage.

Flooding

- The proposal would reduce the flood area behind the hedge as a result of the proposed works. This will redirect surface water across the road and affect existing properties. It is not clear what measures will be taken to alleviate this issue.

Maintenance

- From the plans there does not seem to be any maintenance access for the two ditches and hedgerow both to the east and west boundaries of the site. These ditches drain the field to the south into what is known locally as Little Brooke.

Chorley Borough Councillor Paul Sloan – Provides the following comments:

- Whilst the amended plans have removed the proposed deceleration taper, there are concerns about the impact of the proposed 2 metre wide footpath: it would involve an unnecessary removal of existing hedgerow; it seems both excessive in width and entirely unnecessary; it would not form any connections and pedestrians using the length of this footpath now will be required to cross at a dangerous location and therefore would be safer using the existing pavement on the other side of the road; the increased hard surfacing should be avoided as Croston and many other places suffer from surface water flooding; and it may encourage parking, impacting sight lines, adding additional hazards to traffic on this road and causing problems for residents living opposite.

- If the hedgerow needs to be set back for the purposes of providing sight lines, then the area between the road and the new hedgerow would better serve the area by being a grass verge, an area to plant wildflowers or both. This would be a much more sympathetic design for local residents.

Advice

Planning permission is sought for a new vehicular access, an access road and a pressure relief column.

The new vehicular access would be in association with the provision of a new compound area containing an underground storm water attenuation tank. The works would be in association with upgrades to the existing nearby sewer beneath Moor Road to alleviate issues with localised flooding at nearby properties due to insufficient capacity in the local sewer network. The development aims to reduce the flood risk to a 1 in 20 storm return period.

The project forms part of United Utilities' Asset Management Plan 7 programme which is a major programme of work to refurbish and upgrade assets across the north-west region as agreed with the Environment Agency (EA) and the Office of Water Trading (OFWAT), to be implemented between 2020 and 2025.

The majority of these works would be underground and are permitted development and would therefore not require planning permission except for the new access, access road and pressure relief column.

The proposal has been amended since submission to omit the deceleration taper lane for traffic approaching from the east, moved the replacement hedgerow closer to Moor Road, reduce the width of the access road and remove the footpath/ pavement along the majority of the frontage of Moor Road and vehicular access.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In considering the issues that arise from the proposed development, it is necessary to take into consideration the relevant policies of the Development Plan and the planning history of the site and all other material planning considerations. Government policy is a material consideration that should be given appropriate weight in the decision making process. The Development Plan for the site comprises the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

The application site is located within the Green Belt. The National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of

inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Certain forms of development such as engineering operations (which would include the construction of new highway accesses and access roads as proposed) are not inappropriate in the Green Belt provided they preserve openness and do not conflict with one or more of the five purposes of including land within it. These purposes include assisting in safeguarding the countryside from encroachment.

However, while the majority of the development would be at ground level, it is considered that the development would not assist in safeguarding the countryside from encroachment and would therefore not preserve the openness of the Green Belt. Very special circumstances must therefore be demonstrated to justify the location of the development in the Green Belt.

There is no location in the area where this new waste water infrastructure could be provided that would not be within the Green Belt. Furthermore, the proposal would be essential development associated with necessary upgrades to the existing nearby sewer beneath Moor Road to alleviate issues with localised sewer flooding at nearby properties. These are significant material considerations that would outweigh the harm to the Green Belt by virtue of the presence of built development. Very special circumstances are therefore demonstrated and hence it is considered that the development would be acceptable within the Green Belt.

There would be minimal visual impact from the new waste water infrastructure in the field but, to reduce any such impact, a planning condition should require that the pressure relief column and control kiosk be coloured Holly Green 14-C-39.

The main issue is the creation of the new vehicular access and the associated highway safety and visual impacts. To facilitate ongoing maintenance, the new vehicular access would be created from Moor Road to provide access to the control kiosk and attenuation tank. Vehicle movements associated with the operational maintenance of the development would be low and typically limited to small commercial vehicles. Approximately twice a year the tank would need to be visited by a 6 wheel tractor unit and a 25 tonne crane to lift out the pumps for maintenance and clean out the tank.

To create the new access and maintain the necessary visibility splays, it is proposed to remove 85m of hedgerow along the frontage of the site. A new hedgerow would be replanted behind the visibility splays.

A number of objections have been received claiming that the existing field access on the eastern side of the site could be used as an access and it is unnecessary to create a new access and remove all the hedgerow. The residents note that the existing field access is being used to serve a temporary car park for residents' cars that have been displaced by the current sewer replacement works and therefore if it is safe now, it should be safe for the proposed development. However, due to the sewer replacement works, Moor Road is currently closed to through traffic so the current situation is not representative of normal traffic conditions.

A properly located and well-designed access is essential for the safety and convenience of all road users. As such, there are standards and site-specific requirements to which the design of the access must comply with taking into account the location of the access, safety, volume and type of traffic, pedestrian and cycle flows, accident record of the road and unobstructed visibility related to vehicle speeds etc.

The existing field access has inadequate visibility in the east direction and does not meet the requirements to allow safe access to be provided. As this section of Moor Road is subject to 30mph speed limit restriction, current standard requires visibility splays of 2.4 metres x 43.0 metres to be provided in both directions of the access to enable pedestrians and drivers leaving the site to see and be seen by drivers approaching the site access. The visibility splay, which is an essential safety requirement, is met at the proposed central location of the access.

LCC Highways has not carried out any assessment of the existing field access as part of any planning consultation to establish its suitability and safety for use to access a temporary car park for which it is currently being used. However, if the existing field access were to be used to access the proposed development, almost the entire hedgerow in front of 130 Moor Road (the property on the east side of the site) would have to be removed or reduced to a height of less than 1 metre for the required visibility splay to be achieved, which is not possible as 130 Moor Road is not within the applicant's control. If the existing field access is moved westwards, as suggested by some residents, the required sightline to the east would still not be met and in any event would still require the removal of the roadside hedge.

Highways therefore raise no objection to the application subject to conditions relating to the construction and phasing of the new access, the provision of wheel cleaning measures and closure of the existing access. Highways consider that a Construction Management Plan should be submitted but this is not considered to be necessary.

The main visual impacts would be the removal of an 85 metre length of existing hedgerow along the southern boundary of Moor Road, and the provision of the access and the 2 metre wide tarmacked footpath/ pavement along the visibility splay and the site frontage on Moor Road. To address the concerns about the visual impacts of the new access, the applicant has reduced the width of the access to 5.5 metres. In relation to the pavement, the Lancashire County Council Highways Development Control have confirmed that it would be acceptable for the section to the east of the access to be removed and replaced by a grass verge because the pavement would not serve any useful purpose. Highways are still requiring the pavement to the west of the access to be retained for use by site operatives. However, it is not considered that the nature of the development proposed would generate any pedestrian movements that would justify the provision of this footway and therefore it can be replaced by a grass verge. To mitigate the removal of the hedgerow, a total of approximately 150 metres of hedgerow would be planted along the frontage and inside of the site. The applicant has confirmed that the landscaping would also include a number of tree species. The details of landscaping can be the subject of a planning condition.

In terms of ecology, an Extended Phase 1 Habitat Survey Report of the site and a nearby pond has been submitted. The survey confirmed the presence, or potential

presence, of bats, nesting birds, rabbits/fox, great crested newt and riparian mammals. However, apart from the removal of the roadside hedge which has the potential to affect nesting bird, the development would not affect any features of particular ecological interest.

Lancashire County Council Specialist Advisor (Ecology) has not objected subject to imposing conditions to require the following: no site clearance, site preparation or development work until full details of replacement habitat creation and management have been submitted and approved; protection measures of all trees, hedgerows and shrubs being retained in or adjacent to the application area; no vegetation clearance works (including cutting/removal of hedgerows, trees, shrubs, bramble and tall ruderal herbs) shall take place between 1st March and 31st August inclusive; and restriction of any external lighting. The proposal would include the planting of more hedgerow than removed with a greater diversity of species and would therefore be a net gain compared to the existing ecological value.

Subject to the inclusion of these conditions, in addition to a condition to require that all species protection and mitigation measures be implemented, as stated in Paragraph 4.2 of the Extended Phase 1 Habitat Survey Report, then the proposal is acceptable in relation to nature conservation and landscaping.

There would be increased noise levels and possible dust during construction. This can be addressed through a condition to require that effective silencing equipment or sound proofing equipment be used, hours of construction work be specified, and dust suppression methods be utilised.

In response to some of the issues raised in the representations, the applicant has provided the following information:

- The hedgerow that is to be removed has been surveyed and does not meet the criteria to be defined as an 'important hedgerow'. It meets the length and location criteria but none of the protected species listed on schedule 1, 5 and 8 of the Wildlife and Countryside Act are present.
- Hedgerow plants of 120-150cm high will be planted in the proposed new hedge.
- The new hedgerow around the United Utilities owned land will be maintained by United Utilities, and the hedgerow to the other side of the access road will be maintained by the landowner.
- The proposed timber post and rail fence would not present a problem for small wildlife.
- The development would not impact on existing drainage.
- The silver birch trees opposite the new access would not be affected by construction. All activity is on the opposite side of the road therefore the potential for root damage to impact tree health is minimal.

To conclude, the proposed development would be part of essential and necessary upgrades to the existing sewer beneath Moor Road to alleviate issues with localised sewer flooding at nearby properties. The infrastructure could not be provided elsewhere. These are a significant material considerations that would outweigh the harm to the Green Belt by virtue of the presence of built development and the overall visual change resulting from the proposed development that is considered to be minor

in nature. Very special circumstances are therefore demonstrated and hence it is considered that the development would be acceptable within the Green Belt. Subject to the imposition of the suggested conditions, the development would be acceptable on highway and traffic safety grounds and the landscape and ecology impacts would also be acceptable. The development complies with the requirements of the National Planning Policy Framework and the policies of the Development Plan.

In view of the scale, location and nature of the proposed development it is considered no Convention Rights as set out in the Human Rights Act 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 10 June 2020, and the email and attached submitted plans and documents received by the County Planning Authority on 21 August 2020.

b) Submitted plans and documents received by the County Planning Authority on 21 August 2020:

Drawing Number PC1036-RHD-PD-H1-DR-D-0120 Rev. P03 - LOCATION PLAN

Drawing Number PC1036-RHD-PD-H1-DR-D-0102 Rev. P04 - SITE ACCESS PLAN

Drawing Number PC1036-RHD-PD-H1-DR-D-0151 Rev. P05 - PROPOSED SITE PLAN

Drawing Number PC1036-RHD-PD-H1-DR-D-0250 Rev. P07 - PLANTING PLAN

Drawing Number PC1036-RHD-PD-H1-DR-D-0300 Rev. P06 - FENCING PLAN

Drawing Number PC1036-RHD-PD-H1-DR-D-0550 Rev. P08 - ATTENUATION TANK STANDARD DETAIL

Drawing Number PC1036-RHD-PD-H1-DR-D-0560 Rev. P02 - KIOSK AND PRESSURE RELIEF COLUMN TYPICAL DETAIL

Drawing Number PC1036-RHD-PD-H1-DR-D-0800 Rev. P04 - EXISTING CROSS-SECTIONS SHEET 1 OF 2
Drawing Number PC1036-RHD-PD-H1-DR-D-0801 Rev. P04 - EXISTING CROSS-SECTIONS SHEET 2 OF 2
Drawing Number PC1036-RHD-PD-H1-DR-D-0802 Rev. P06 - PROPOSED CROSS-SECTIONS SHEET 1 OF 2
Drawing Number PC1036-RHD-PD-H1-DR-D-0803 Rev. P06 - PROPOSED CROSS-SECTIONS SHEET 2 OF 2
Drawing Number PC1036-RHD-PD-H1-DR-D-0170 Rev. P01 - SECTION 159 LAYOUT PLAN

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 Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies V1, ST1, BNE1, BNE6, BNE9 and BNE10 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Building Materials

3. The external elevations of the pressure relief column and control kiosk shall be coloured Dark Green (BS colour code 14C39) and thereafter maintained in that colour.

Reason: In the interests of the visual amenities of the locality and in order to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Hours of Working

4. No construction development or delivery or removal of materials, including that associated with permitted development works, shall take place outside the hours of:

0800 to 1800 hours, Mondays to Fridays (except Public Holidays)
0900 to 1200 hours, Saturdays (except Public Holidays)

No construction development or delivery or removal of materials, including that associated with permitted development works, 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 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 Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Highway Matters

5. All vehicles shall enter or leave the site in a forward direction.

Reason: In the interests of highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

6. Measures shall be taken at all times during the construction of the development to ensure that no mud, dust or other deleterious materials are tracked onto Moor Road by vehicles leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

7. No development shall commence until a plan showing a revised design for the construction of the site access has been submitted to and approved by the County Planning Authority. The plan shall contain details of the following.

a) the design of the access including pavement construction, visibility splays, kerb radii and gates.

b) the reduction in the width of the access road at the proposed gates to 5.5 metres wide

c) the removal of the footways along the frontage of the site and their replacement with a grass verge

The access shall be constructed in accordance with the approved details prior to any other development taking place at the site.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site, and that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of

the highway scheme/works, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

8. The Construction Management Plan and site layout as detailed on Drawing Number PC1036-RHD-PD-H1-DR-D-0170 Rev. P01 - SECTION 159 LAYOUT PLAN shall be adhered to throughout the construction period.

Reason: In the interests of highway safety and to protect the amenities of the nearby residents, and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Landscaping

9. No development work shall take place until a landscaping plan for the site has been submitted to and approved in writing by the County Planning Authority.

The plan shall include details of the following:

- a) The layout of the landscaping works. The layout plan shall provide for the existing field access to be closed and for the new hedgerow to be continued along the entirety of the site boundary with Moor Road.
- b) Details of species, plant sizes, planting techniques and protection measures.
- c) Details of seed mixes to be applied to grass areas

The tree and hedge planting works shall be undertaken in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including weed control, replacement of failed plants and maintenance of protection measures.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies BNE1, BNE9 and BNE10 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

10. All trees, hedgerows and shrubs being retained in or adjacent to the application area shall be adequately protected during construction, including the use of appropriate protection fencing, in accordance with BS5837: 2012 Trees in

relation to design, demolition and construction: Recommendations or in accordance with the recommendations of a suitably qualified arboriculturalist.

Reason: In the interests of visual and local amenity and the local environment and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies BNE1, BNE9 and BNE10 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

11. No vegetation clearance works (including cutting/removal of hedgerows, trees, shrubs, bramble and tall ruderal herbs) shall take place between 1st March and 31st August inclusive, unless surveys carried out by a competent ecologist within this period and immediately prior to the works show that nesting birds are absent and would not be affected.

Reason: To protect nesting birds and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies BNE1, BNE9 and BNE10 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

12. All species protection and mitigation measures, as stated in Paragraph 4.2 of the Extended Phase 1 Habitat Survey Report, shall be implemented during the duration of construction works.

Reason: To protect and mitigate for any impacts on species and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies BNE1 and BNE9 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Floodlighting

14. The use of flood lighting shall be restricted to the duration of the construction operations including those associated with permitted development works. Any floodlighting utilised on the site shall be angled downwards into the site and shaded to minimise light spill.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies BNE1 and BNE6 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Control of Noise

15. All plant, equipment and machinery used in connection with the construction of the development shall be equipped with effective silencing equipment or sound proofing equipment to the standard of design set out in the manufacturer's specification and shall be maintained in accordance with that specification at all times throughout the duration of construction works.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Dust

16. Measures shall be taken at all times during the construction phase of the development, including those works undertaken under permitted development rights, to minimise the generation of dust and prevent its migration off site.

Reason: In the interests of local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policy BNE1 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.

Definitions

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

Notes

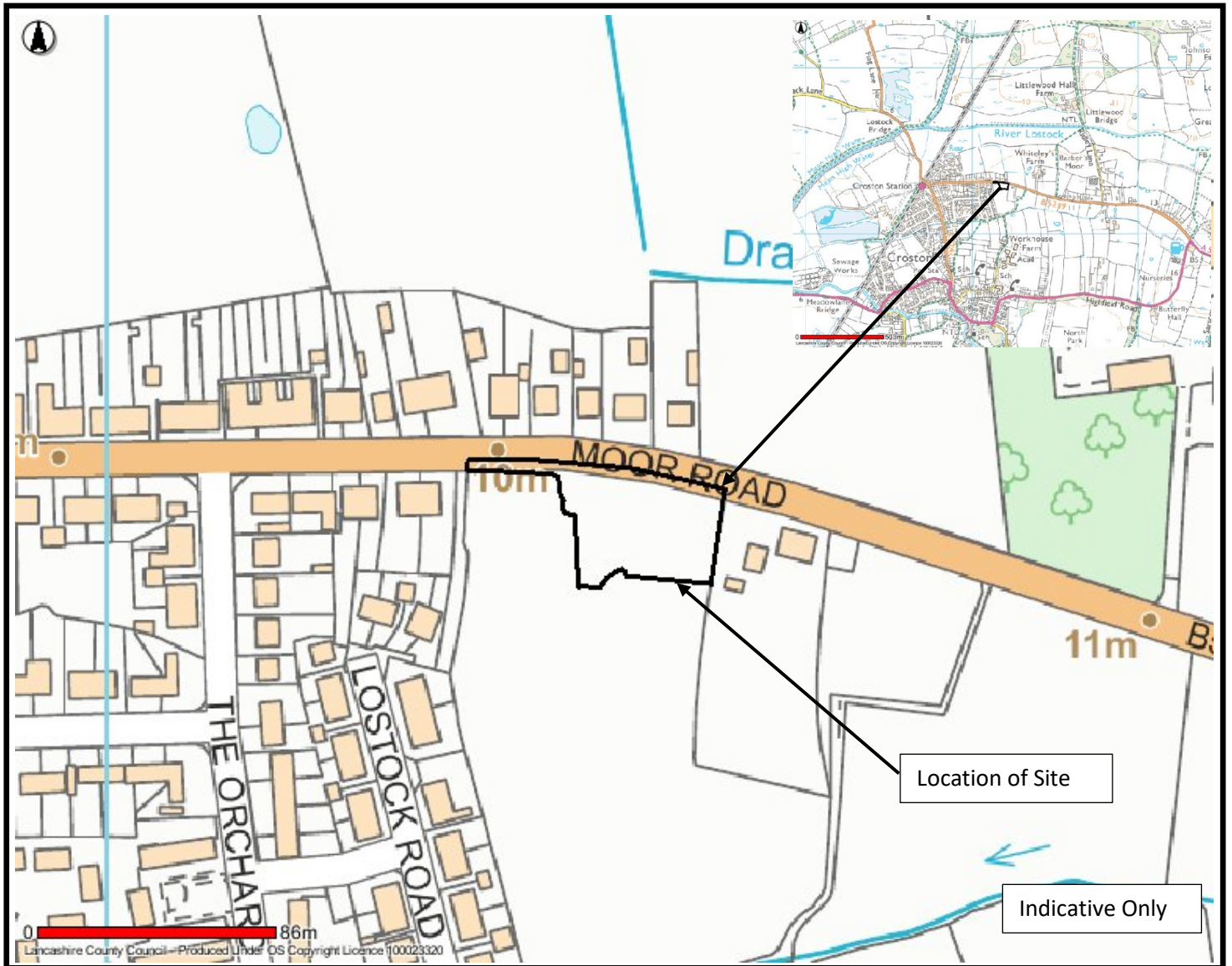
The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Community Services for further information by emailing the County Council's Highways Development Control Section on lhscustomerservice@lancashire.gov.uk or by writing to the Highways Development Control Manager, Lancashire County Council, Cuerden Depot, Cuerden Way, Bamber Bridge, Preston, PR5 6BS, quoting the planning application number in either case.

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

None

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

APPLICATION LCC/2020/0042 CONSTRUCTION OF A VEHICULAR ACCESS WITH DECELERATION TAPER, HEDGEROW REMOVAL AND A PRESSURE RELIEF COLUMN AT LAND OPPOSITE 107 MOOR ROAD CROSTON.



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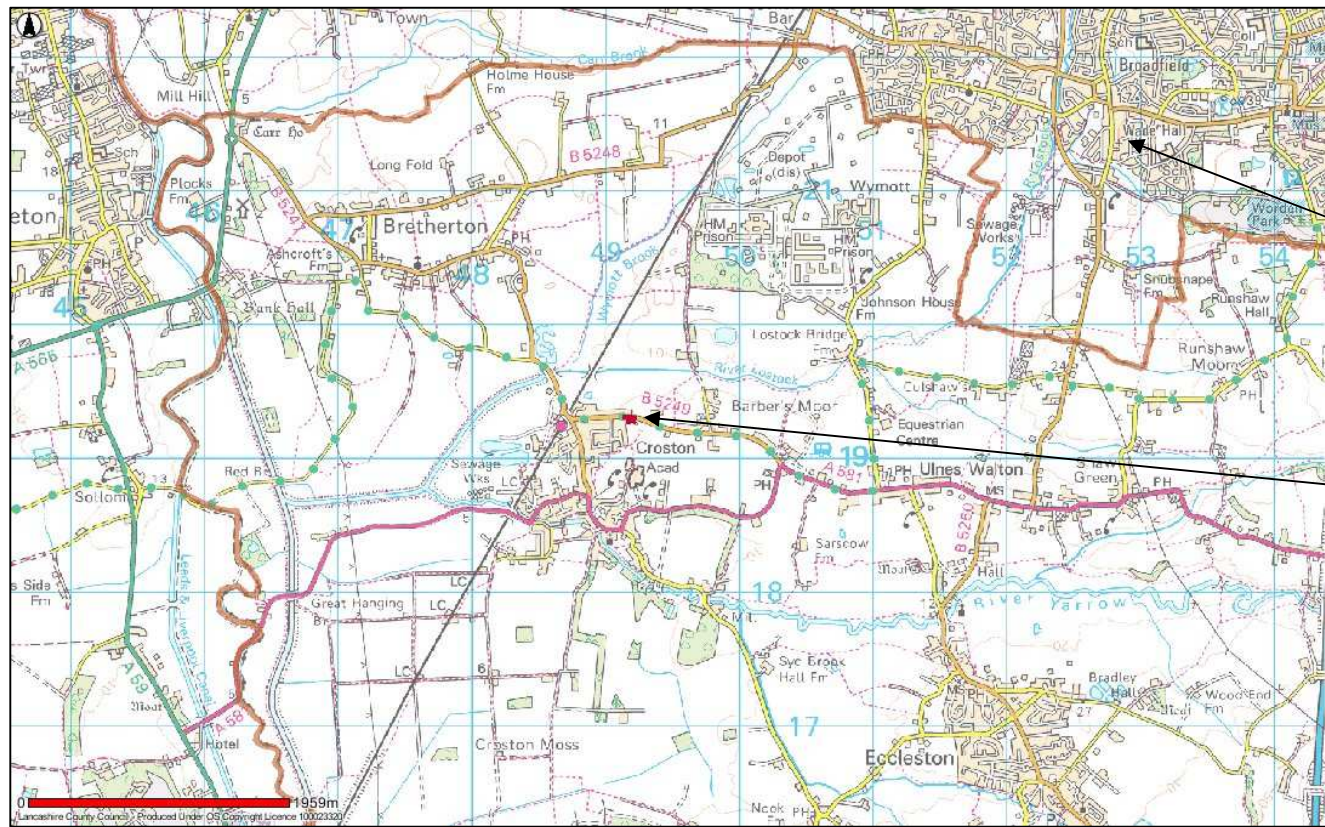
Planning application LCC/2020/0042

Construction of a new vehicular access and a pressure relief column associated with new waste water infrastructure.

Land opposite 107 - 119 Moor Road, Croston, Leyland.

Planning application LCC/2020/0042

Site Location Plan



Leyland

Application site on east side of Croston

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Planning application LCC/2020/0042

Aerial View

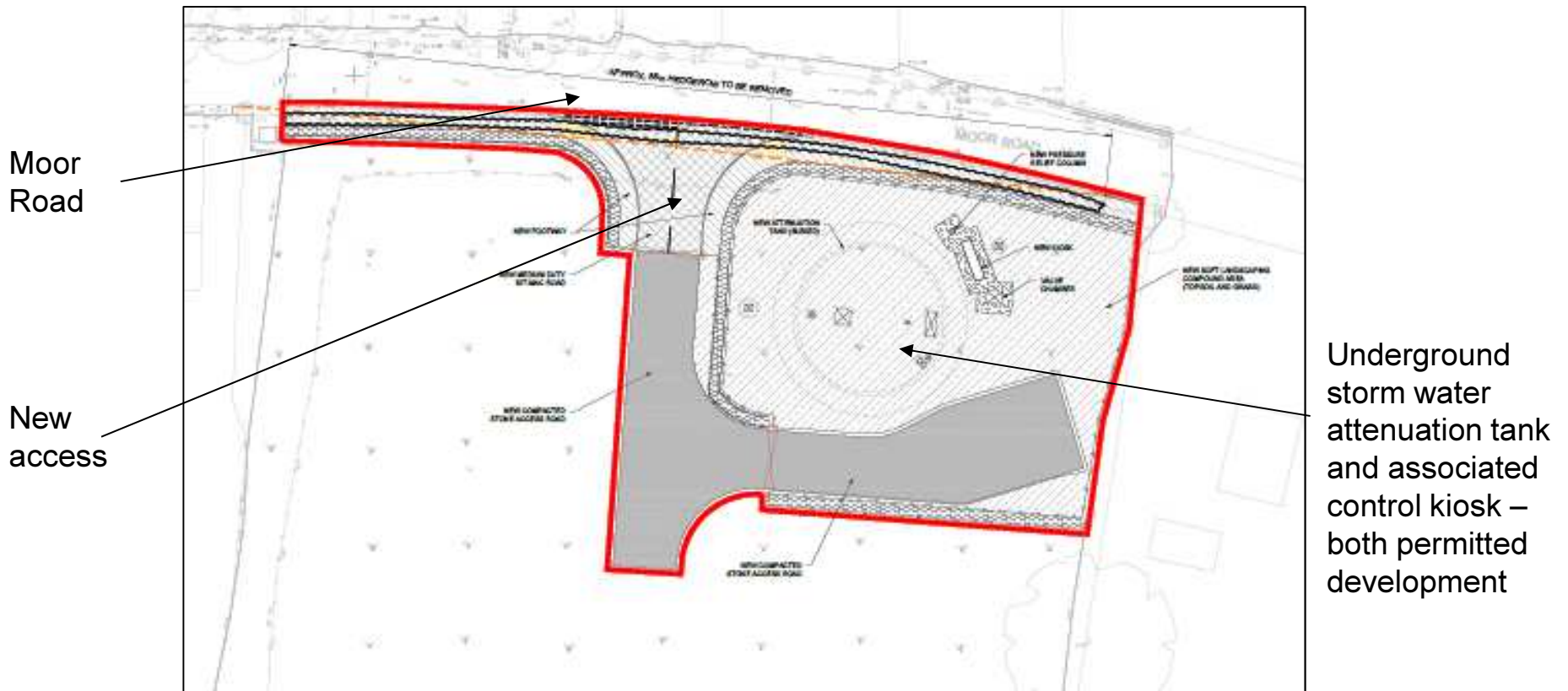
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Extent of upgrade to existing sewer beneath Moor Road (B5249) to which application is associated



Application site inside edge of Green Belt

Planning application LCC/2020/0042 Amended Proposed Site Plan – to be amended by condition 7



Moor Road

New access

Underground storm water attenuation tank and associated control kiosk – both permitted development



Planning application LCC/2020/0042

View west of location of proposed junction

Location of proposed vehicular access point on south side



Planning application LCC/2020/0042

View east of location of proposed junction

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Location of existing field access



Houses opposite location of proposed junction

Planning application LCC/2020/0042

View east of location of proposed junction

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Location of existing field access



Location of proposed access

