

Lancashire County Council

Development Control Committee

Wednesday, 21st December, 2022 at 10.30am in Committee Room 'A' - The Tudor Room, County Hall, Preston

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 7 December 2022**
The minutes of the last meeting held on 7 December 2022 will be included on the agenda for the meeting to be held on 18 January 2023.
- 4. Update Sheet**
The Update Sheet will be considered as part of each related agenda report.
- 5. Ribble Valley Borough: application number LCC/2021/0015 Revised quarry restoration scheme incorporating tunnel arisings from the Haweswater Aqueduct resilience programme (HARP) namely the Bowland and Marl Hill tunnel sections at Waddington Fell Quarry, Slaidburn Road, Waddington** (Pages 1 - 36)
- 6. Wyre Borough: application number LCC/2021/0030 Excavation of a lake and change of use of land to allow a commercial fishing lake associated with Pheasants Wood Fishery. Fisheries at Crane Hall Barn Estate, Rawcliffe Road, St Michaels-on-Wyre** (Pages 37 - 58)



7. **Pendle Borough: application number LCC/2022/0032** (Pages 59 - 86)
Erection of two storey teaching block including a Special Educational Needs (SEN) unit; internal modifications and refurbishment to several areas of the existing main building; additional staff car parking and vehicular entrance off Cuerden Street. Colne Primet Academy, Dent Street, Colne
8. **South Ribble Borough: application number FP/2022/0001** (Pages 87 - 104)
Town and Country Planning Act 1990, Section 257, To divert public rights of way 9-12-FP12 and 9-12-FP8 to allow the development of the proposed Cuerden strategic employment site (planning application ref: LCC/2022/0044). Land east of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall
9. **South Ribble Borough: application number FP/2022/0002** (Pages 105 - 120)
Town and Country Planning Act 1990, Section 257, To divert footpaths nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1 to allow the development of new cricket facility as proposed in Planning Application LCC/2022/0048 on land at Woodcock Estate, Stanifield Lane, Farington
10. **Planning decisions taken by the Head of Planning and Environment in accordance with the County Council's Scheme of Delegation** (Pages 121 - 124)
11. **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.
12. **Date of Next Meeting**
The next meeting of the Development Control Committee will be held on Wednesday, 18 January 2023 at 10.30am in Committee Room A - the Tudor Room, County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston



Development Control Committee

Meeting to be held on 21 December 2022

Electoral Division affected:
Longridge with Bowland

Ribble Valley Borough: application number LCC/2021/0015

Revised quarry restoration scheme incorporating tunnel arisings from the Haweswater Aqueduct resilience programme (HARP) namely the Bowland and Marl Hill tunnel sections at Waddington Fell Quarry, Slaidburn Road, Waddington

Contact for further information:

Robert Hope, Tel: (01772) 534159, Principal Planning Officer

DevCon@lancashire.gov.uk

Brief Summary

Application - Revised quarry restoration scheme incorporating tunnel arisings from the Haweswater Aqueduct Resilience Programme (HARP) namely the Bowland and Marl Hill tunnel sections at Waddington Fell Quarry, Slaidburn Road, Waddington.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, hours of working, details of access improvements, details of wheel cleaning and mud/dust prevention, vehicle number restrictions, recording of vehicle movements, tunnel excavated mineral waste only, retention of site office, weighbridge and entrance area, reversing alarms, restoration and aftercare.

Applicant's Proposal

Planning permission is sought to allow for the importation and deposit of up to approximately 1.5 million tonnes of excavated tunnel waste at Waddington Fell Quarry. The waste would be derived solely from tunnelling operations which are part of the proposed replacement Haweswater Aqueduct project, and the scheme would take up to 10 years to complete. The timeframe is dictated by the rate of tunnelling operations and works to complete final restoration at the quarry site.

Tunnel excavation compounds would be located at Braddup (the Marl Hill tunnel drive side), Bonstone (the Marl Hill tunnel reception site), and Newton (the Bowland tunnel drive site). The applicant advises that there could be a peak of up to 175 heavy goods vehicle (HGV) movements per day from these compounds to the quarry when the Bowland and Marl Hill tunnels are being driven simultaneously. However, there would also be intervening periods of lower activity with heavy goods vehicle (HGV) numbers typically around 100 per day.

The tunnelling proposal is subject of separate planning applications across Lancashire. Of direct relevance to the Waddington Fell application is an application for the Bowland and Marl Hill tunnels, which will be determined by Ribbles Valley Borough Council (reference no. 3/2021/0660).

Description and Location of Site

The existing use of the application site is for mineral extraction. The quarry is located on the summit of Waddington Fell and extends to an area of approximately 25 hectares. The active quarry void includes approximately 11 hectares of the wider quarry area and the southern areas of the site have already been restored, largely through natural regeneration of heather moorland. The site is located in the Forest of Bowland Area of Outstanding Natural Beauty (AONB), 3.5km north of the village of Waddington and 3km south east of Newton. The surrounding land is largely heather moorland including Waddington Fell and Browsholme Moor Biological Heritage Site (BHS). Access to the quarry is gained via the B6478 Slaidburn Road along which are a number of residential properties, the closest being approximately 800m from the quarry.

Background

Waddington Fell Quarry has a long history of mineral extraction and processing commencing in earnest from the 1960s. More recently, older permissions were consolidated under planning permission reference number 03/06/0095 to allow for the continuation of quarrying operations and stone sawing until 31 December 2022 and final restoration by 31 December 2023. A planning application has recently been submitted for a time extension to allow for the removal of the remaining stone reserves by 31 December 2023 and final restoration by 31 December 2024 (see ref. LCC/2022/0057).

Planning Policy

National Planning Policy Framework (NPPF)

Waste Management Plan for England

National Planning Policy for Waste

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document (DPD)

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 NPPF1	Presumption in Favour of Sustainable Development
Policy DM1	Management of Waste and Extraction of Minerals
Policy DM2	Development Management



Ribble Valley Core Strategy 2008 – 2028

Policy DMG1	General Considerations
Policy DMG2	Strategic Considerations
Policy DME6	Water Management

Consultations

Ribble Valley Borough Council – No objection. Conditions should be imposed to prevent any export of materials from the quarry in order to minimise traffic and environmental disturbance to the locality.

Newton-in-Bowland Parish Council – The Parish Council would like to see a condition that all tunnel spoil should go the quarry regardless of its value, to ensure that no material is moved out of area if it is considered valuable and must stay in the quarry once the project is finished.

Waddington Parish Council –

- Broadly welcome and support the key aims of this application but have concerns in relation to highway safety and the longer-term limitations on nature.
- This application should be determined before the tunnel scheme application.
- Mining within the quarry should be completed by 31 December 2022 as per the existing permission.
- There should be no overlap of quarrying activities with tunnel spoil import activities.
- No tunnel spoil waste should be removed from the quarry once deposited.
- The assessment of the application should account for the vehicle movements from the tunnel compounds.
- Should permission be granted there should be sufficient controls in relation to vehicle movements such as sheeting, sealed loads, keeping mud off the highway, noise control.
- The applicant should identify a position of community liaison officer as a point of contact for any issues or complaints during the development.
- There should be a recognition of the current poor condition of the B6478 Slaidburn Road along the whole length between the proposed Braddup haul road junction and the quarry site. The road is already in poor condition and is a particular hazard to cyclists and motorcyclists. Measures will also need to be put in place to ensure monitoring.
- The current planning permission for the site restricts mining operations to the hours of 0630 to 1830, Mondays to Fridays (except public holidays) 0630 to 1200 hours on Saturdays. The Supporting Statement in the application seeks to continue this position. However, the proposed transport of material from the compounds to the quarry is a distinctly different operation than the current on-site mining activity. Operations should not be permitted before 7am.
- There is no indication in the application as to where the heavy goods vehicles engaged in transporting the spoil are to be secured overnight.
- No clear indication of maximum vehicle numbers and how they would be governed.



- Insufficient evidence of biodiversity net gain, ecological management and extended aftercare.
- Should be more community investment.
- Flooding is a concern including sediment laden water.
- There should be no impact on groundwater and springs.
- Wildlife and habitats should be protected. Particularly nesting peregrine falcons at the quarry site.

County Landscape Service – In landscape terms the restoration scheme will make a positive contribution to enhancing the Area of Outstanding Natural Beauty (AONB) landscape. Limited visibility in combination with a sensitive restoration scheme will likely result in overall residual landscape and visual impacts of neutral to positive significance. Full details of fill material should be provided.

County Ecology Service – It needs to be demonstrated that any materials that would be used as part of the revised quarry restoration proposals will be suitable for the establishment of locally appropriate habitats, including moorland habitats typical of the adjoining Biological Heritage Site, such as heathland and acid grassland, and potentially mire communities on areas of impeded drainage; will not affect pH and/or nutrient status of the site in such a way that would be detrimental to the establishment or long-term maintenance of habitats and native plant communities appropriate to the locality (as above); will not encourage colonisation by invasive species or development of inappropriate habitats. It should be demonstrated that the proposals would not impact on bats.

Environment Agency – Have reviewed the two supplemental submissions from December 2021 and October 2022 and are satisfied that the detail contained within these two documents is sufficient to overcome a previous objection. The Environment Agency is satisfied that any further detail can be submitted as part of the Environmental Permit application that will be required for the restoration of the quarry using the tunnel waste.

Lancashire County Council (LCC) Highways Development Control – Whilst this full application is for access, it is clear that its purpose is to satisfy the Haweswater Aqueduct Resilience Programme (HARP) project. With consideration for all the information now provided, Lancashire County Council (LCC) Highways Development Control is satisfied that an access can be delivered that takes on board local influences. The design and delivery must be controlled by suitably worded planning condition to overcome concerns highlighted including vehicle number restrictions.

The intrinsically linked Haweswater Aqueduct Resilience Programme (HARP) project would deliver the necessary highway changes from each compound to Waddington Fell Quarry and would be controlled by a construction management traffic plan. In the event that Waddington Fell Quarry progresses with works, as an alternative to, prior or post the Haweswater Aqueduct Resilience Programme (HARP) project, that exceed vehicle movements line with the current permission/license, then under this scenario Waddington Fell Quarry would need to deliver its own construction management traffic plan and necessary highway changes. This should be controlled by a suitably worded planning condition.



Natural England – No objection.

Lead Local Flood Authority – No objection.

The Wildlife Trust for Lancashire, Manchester and North Merseyside – It should be ensured that there are no unacceptable impacts on protected and priority wildlife species and the neighbouring Biological Heritage Site. Excavated tunnel material must be of suitable composition for the proposed habitat creation. It should be demonstrated that there would be biological net gain. It is not clear what the long-term aspirations are for the site, but the Wildlife Trust would be willing to enter discussions regarding creation of a nature reserve.

Representations – The application has been advertised in the local newspaper, by site notice, and neighbouring residents have been informed by individual letter. 15 representations have been received raising the following concerns:

- Insufficient communication and consultation by United Utilities with neighbours.
- There will be a huge environmental impact.
- Slaidburn Road is already extremely dangerous.
- Slaidburn Road is already in a very poor state of repair.
- Negative impact of heavy goods vehicle (HGV) movements on residential properties adjacent to Slaidburn Road and current road users including many cyclists and horses.
- There has been no survey of the number of cyclists using Slaidburn Road.
- There must be more mitigation for road users other than cars.
- Impact of heavy goods vehicles (HGVs) on the surface of Slaidburn Road, which is already in poor condition.
- Quarry vehicles don't currently use the section of Slaidburn Road between the quarry and Newton.
- The proposals (Haweswater Aqueduct Resilience Programme (HARP) and quarry) envisage an additional 675,000 vehicle movements along Slaidburn Road during the 6-year lifetime of the project. Over 50% of these additional movements are expected to be heavy goods vehicles (HGVs) moving spoil from the Newton and Marl Hill Haweswater Aqueduct Resilience Programme (HARP) compounds to the quarry.
- It is estimated that there would be 175 heavy goods vehicle (HGV) loads per day, which equates to 350 heavy goods vehicle (HGV) movements and given the proposed 12-hour operating day means that there would be a heavy goods vehicle (HGV) on the B6478 Slaidburn Road every 2 minutes. Even using the average estimate of 105 heavy goods vehicle (HGV) loads per day there would be a heavy goods vehicle (HGV) on the road every 3 minutes. The mitigation for this increase in traffic is based upon road widening and passing places being established on the B6478 together with a 30-mph speed limit. This is unacceptable and unworkable.
- Slaidburn Road between Newton and the quarry is very steep and includes narrow sections with cattle grids. It is also an open grazing area.
- The current quarry entrance is unsuitable for the proposed number of vehicle movements.
- Overtaking slow moving heavy goods vehicles (HGVs) will be very difficult and dangerous.



- Dust impact of heavy goods vehicles (HGVs).
- Potential early operating times and disturbance to neighbouring residents.
- Not clearly in the public interest.
- Not sufficient evidence of biodiversity net gain.
- Noise impact on nesting birds.
- Impact on Area of Outstanding Natural Beauty (AONB).
- There is no construction traffic management plan.
- Alternative transport options should be considered such as conveyors.
- There is no assessment of climate impacts.
- What noise and dust mitigation are there for properties adjacent to the roadside?
- Site is within 20 metres of a watercourse – Walloper Well.
- Impact on protected species and wildlife.
- Under hours of opening the application says 06.30-18.30 which conflicts with United Utilities' (UU) statement that vehicles will be using the Fell Road from 07.00-19.00.
- Application says it's not a waste development.
- What is the new Lancashire County Council Minerals and Waste Local Plan and how will this affect the project?
- Are there exceptional circumstances to allow this major development in Area of Outstanding Natural Beauty (AONB)?
- Proposed completion by 2033 isn't very temporary.
- Impact on private water supplies.
- Impact on residents' mental health.
- Will pollution levels be monitored?
- Just because the Haweswater Aqueduct is there now and formed part of a solution almost 100 years ago, it is not a reason to construct a new pipeline along the existing route now. United Utilities (UU) should consider alternative water supplies.
- The project will devalue properties while in operation.

Advice

This application has arisen in response to the United Utilities' commitment to replace the existing Haweswater Aqueduct, an essential part of United Utilities' water supply network in the Northwest region. The project, known as the Haweswater Aqueduct Resilience Programme (HARP) would consist of the replacement of an existing aqueduct using a tunnel boring machine below ground level with short open-cut surface trenching sections at each end making connections back to the existing aqueduct. Tunnel boring would commence at the launch compound and would be received at the reception compound. Tunnel risings from the bore would be brought to the surface at the launch compound.

The Haweswater Aqueduct Resilience Programme (HARP) would consist of numerous sections and compounds across Lancashire, but three compounds are of relevance to this application. These are the Braddup, Bonstone, and Newton-in-Bowland compounds, that United Utilities propose would supply excavated tunnel spoil to Waddington Fell Quarry. Currently, Waddington Fell Quarry has planning permission for mining and stone sawing operations until 31 December 2022 and restoration works until 31 December 2023. The applicant anticipates that tunnel



arisings from the Haweswater Aqueduct Resilience Programme (HARP) project would become available between April 2024 and February 2028.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) sets out the Government's planning policies and is a material consideration in planning decisions.

Forest of Bowland Area of Outstanding Natural Beauty

The site is located within the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and is surrounded by the Waddington Fell and Browsholme Moor Biological Heritage Site (BHS). Paragraph 176 of the National Planning Policy Framework advises that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and the scale and extent of development within designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Paragraph 177 of the National Planning Policy Framework (NPPF) instructs that planning permission should be refused for major development in the Area of Outstanding Natural Beauty (AONB) other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the 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.

The quarry has limited visual impact given that mineral working currently takes place below surrounding ground levels. The quarry is largely worked out save for approximately 100,000m³ (200,000 tonnes) of sandstone under the recently demolished saw sheds, which is currently being extracted. The quarry floor is at around 337m above ordnance datum (AOD) with surrounding quarry faces rising to 364m – 368m above ordnance datum (AOD). Tunnelling spoil would be deposited across the quarry floor to a typical depth of 350m above ordnance datum (AOD), rising to 360m above ordnance datum (AOD) nearer to the site compound and entrance.

Under the existing planning permission, the quarry operator has to cease mineral extraction operations by 31 December 2022, and it is unlikely that all the permitted sandstone reserve will have been extracted by this time. The County Council is currently in receipt of an application to extend the duration of mineral extraction until 31 December 2023 (ref. LCC.2022.0057). However, that is yet to be determined and there is no certainty that permission would be granted. Nevertheless, given the considerable tipping area within the quarry void and estimated waste calculations, any small loss of void space due to remaining mineral reserve being unworked is

unlikely to have any significant impact on the scope of the proposed restoration site profile.

The need for tunnel waste disposal at the quarry is clearly driven by the need to avoid the impact of heavy goods vehicles (HGVs) having to travel through largely residential areas and/or to avoid the need to dispose waste elsewhere within the Area of Outstanding Natural Beauty (AONB) with potentially significant landscape impacts. Furthermore, should permission be granted for this application, it could only be implemented if the application for the replacement Haweswater Aqueduct is subsequently granted permission. Given these circumstances it is considered that the disposal of the tunnelling waste within Waddington Fell Quarry is the best option in terms of minimising the landscape impacts of the tunnelling project. On this basis it is considered that exceptional circumstances for the development in the Area of Outstanding Natural Beauty (AONB) have been demonstrated and it is in the public interest. Conditions are recommended to ensure that waste disposal operations are only permitted in relation to tunnel waste and that once deposited the material shall not be reworked and exported off-site.

Pollution control

The National Planning Policy Framework (NPPF) and the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) recognise that minerals and 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, dust and vibration. Paragraph 185 of the National Planning Policy Framework (NPPF) states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. New development should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Paragraph 188 of the National Planning Policy Framework (NPPF) states that the focus of planning policies and decisions should be on whether proposed 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 Environment Agency has raised no objection and has stated that the site operator employs the relevant management systems to enable them to comply with their permit.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan supports development for minerals or 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.



The importation of tunnel waste to the site would be subject to Environment Agency controls and discussions are currently taking place in relation to Environmental Permitting requirements. The Environmental Permit would control the specific nature of the waste and measures to prevent pollution. There are no residential properties in close proximity to the quarry and the major nuisance and disturbance source would likely be from heavy goods vehicle (HGV) movements transporting the tunnelling spoil. Issues such as vehicle number restrictions, wheel cleaning and hours of operation are covered in the highway matters section below. Furthermore, it would be expected that similar controls would be imposed by Ribbles Valley Borough Council should permission for tunnelling works be approved.

Highway matters

Paragraph 110 of the National Planning Policy Framework (NPPF) states that planning applications should be assessed to ensure that appropriate opportunities have been taken to promote sustainable transport; safe and suitable access to the site can be achieved for all users; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 111 makes it clear that development should only be prevented or 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 policies of the Development Plan in particular DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) seek to ensure that proposals for minerals and waste development do not give rise to unacceptable traffic and road safety problems or unacceptable effects on amenity along the routes used.

It is proposed that vehicles would access Waddington Fell Quarry to and from the Newton-in-Bowland compound (approximately 3 miles north of the quarry), the Bonstone compound (approximately 1.5 miles north of the quarry) and the Braddup compound (approximately 2 miles south of the quarry). All three Haweswater Aqueduct Resilience Programme (HARP) compounds are proposed to be accessed off the B6748 Slaidburn Road/Hallgate Hill and the use of the quarry for tunnel arisings from the Haweswater Aqueduct Resilience Programme (HARP) would significantly reduce the need for vehicles to travel through residential towns and villages including Waddington and Clitheroe. The length of the B6748 proposed as part of the routeing strategy for the delivery of tunnel arisings is approximately 6.5km.

The existing quarry permission allows for an average of 60 heavy goods vehicles (HGVs) leaving the site per working day, in any calendar year, with a daily maximum of 85 heavy goods vehicles (HGVs) leaving the site in any one working day. It should be noted that the vast majority of heavy goods vehicles (HGVs) associated with the existing quarry operation travel from the site down through Waddington village and average movements are typically well below the permitted limits.

The existing quarry entrance is not of sufficient size and shape to accommodate simultaneous heavy goods vehicle (HGV) movements from both approaches of Slaidburn Road. Consequently, the applicant has provided details of a proposed wider entrance apron and visibility splays following the receipt of comments from



Lancashire County Council Highways Development Control. This is considered acceptable subject to further details of design and construction that can be imposed as a condition. A condition is also recommended in relation to the general arrangement of the entrance area to accommodate a larger numbers of heavy goods vehicles (HGVs) and also for upgraded wheel cleaning facilities. A range of other highway improvements are required including passing places, and an overarching construction traffic management plan but these can be more appropriately addressed through the Haweswater Aqueduct Resilience Programme (HARP) application as the source of the waste material and other tunnel construction related traffic.

In relation to this application, the applicant estimates that there could be up to 175 heavy goods vehicle (HGV) trips per day during concurrent tunnel bores (at Marl Hill and Bowland) and 100 per day during the Bowland bore only. Slaidburn Road would ordinarily be unsuitable for the movement of significant numbers of heavy goods vehicles (HGVs) particularly from Newton side of Waddington Fell. However, should the application for the replacement Haweswater Aqueduct be considered acceptable subject to the disposal of tunnel waste at Waddington Fell Quarry, then it should be in the wider public interest to reach a compromise on a daily limit for heavy goods vehicle (HGV) movements to the quarry during the temporary, albeit lengthy, duration of works. Bearing in mind the applicant's proposal, comments from Lancashire County Council Development Control Highways, and in seeking to protect the amenity of local residents and other road users as far as possible, a condition is recommended allowing a maximum of 100 heavy goods vehicles (HGVs) per day to visit the quarry Monday to Friday and 50 heavy goods vehicles (HGVs) per day on Saturdays. To put this in context, this would still provide for the importation of approximately 2000 tonnes of spoil per day Monday to Friday, which should be sufficient if the tunnelling project is strategically well managed.

There would also be non-heavy goods vehicle (HGV) movements to the quarry such as car and light goods vans relating to staff, site visitors, and deliveries/maintenance of plant and machinery but it is likely there would only be 4 members of staff working at the quarry during the restoration phase of the site. Therefore, private car movements associated with staff coming to site would be low and there would be sufficient car parking capacity to accommodate staff and potential visitors to site (which are estimated to be no more than two per day).

United Utilities has confirmed that adequate provision has been made for heavy goods vehicles (HGVs) to be parked at the Newton-in-Bowland, Braddup and Bonstone compound sites overnight.

Ecology

Paragraph 180 of the National Planning Policy Framework (NPPF) advises that when determining planning applications, local planning authorities should apply a number of ecological 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 (SSSI), 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 (SSSI). Thirdly, opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The site is an active quarry with limited ecological value in the areas that are currently being worked. Former mineral working areas have been restored to moorland habitat, largely by natural regeneration and this approach will be applied to the rest of the site in due course. Within the deepest part of the quarry water accumulates in form of a large, perched groundwater and surface water run-off lake and this can provide additional wildlife value. On the upper cliff faces there is potential for bird nesting habitat and bat activity, which would be retained irrespective of the landfilling proposal. The revised restoration scheme would create a more varied topographical profile, particularly in areas of the site covered by bedrock and it is likely that more localised ephemeral ponds would form between higher areas of accumulated waste spoil material. No topsoil is to be imported to the site to ensure that there would be an appropriate substrate for moorland habitat creation. Overall, it is likely that there could be minor biodiversity gain compared to the existing restoration scheme and no adverse impact on the surrounding biological heritage site, which would be acceptable in terms of national planning policy.

The applicant has undertaken bat surveys and while these did not confirm emergence and roosting activity, they could also not rule out the possibility of roosting bats. If present, is it considered likely that the cliff faces could be used by small numbers of crevice roosting bats. The proposed works, which includes covering the some of the lower cliff faces with infill material, may therefore carry a very low risk of impact on bats. However, survey information indicates that the proposals would not detrimentally affect the conservation status of the species, due to the potentially small numbers of bats utilising the quarry. Furthermore, as the works are likely to be phased over a long period of time, the likelihood of the works coinciding with a specific location occupied by a bat is very low. To address this, a condition is recommended for further bat surveys to be undertaken prior to the commencement of tipping activity. Similarly, a condition is recommended for nesting bird surveys prior to any tipping activity during bird nesting season.

Flood risk and water management

The quarry floor is currently partially flooded at approximately 337m above ordnance datum (AOD) with the lowest base of excavation a few metres below. Other parts of the quarry floor are dry as it rises up to 338m above ordnance datum (AOD) and beyond. There is little or no pumping (just occasionally to supplement supplies for the washing plant and office building) and it is assumed that the perched water naturally percolates through the rock but tends to stabilise at 337m above ordnance datum (AOD). During dry spells the water level drops slightly as surface water inputs decline. The applicant has indicated that hydraulic connectivity would be maintained at the quarry floor following tunnel spoil tipping, and it is proposed to tip material to varying depths with the shallowest fill areas at 349m above ordnance datum (AOD).



The application is accompanied by a flood risk assessment and a surface water management report. The site is not within a flood risk zone. However, as it is over 1 hectare there is a requirement to submit a flood risk assessment to demonstrate that the proposed development would not be affected by flooding and would not increase flooding elsewhere. The report concludes that there is low probability of flooding, and the proposed development is unlikely to lead to flooding elsewhere. There is sufficient capacity, containment and infiltration potential on site to ensure there would be no surface water management issues. The Lead Local Flood Authority has raised no objection.

Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of Protocol 1 states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with the law and as is proportionate.

Activity at the landfill site and associated vehicle movements would be unlikely to generate a degree of impact on neighbouring properties, which would breach these rights. However, it is considered that any potential impacts could be minimised through the recommended planning conditions and also through the controls within the Environmental Permit for the site.

Conclusion

This application would allow for the importation and deposit of up to approximately 1.5 million tonnes of excavated tunnel waste at Waddington Fell Quarry. The waste would be derived solely from a proposed replacement Haweswater Aqueduct project that is subject to a separate application to Ribble Valley Brough Council. Should the need for the replacement aqueduct be considered essential and necessary then the availability of Waddington Fell Quarry as a receptor for tunnel waste would be of significant benefit to the area so as to avoid the need to export waste through local villages to disposal sites elsewhere or dispose the waste within the landscape of the Forest of Bowland Area of Outstanding Natural Beauty (AONB).

Waste disposal at Waddington Fell Quarry would have very little impact on the AONB designation given the size of the existing quarry void and it is considered that exceptional circumstances have been demonstrated and that the development would be in the public interest. Notwithstanding the benefits to the wider Haweswater Aqueduct Resilience Programme (HARP) scheme, traffic movements would still have a significant impact on the local highway network and on residents located between the tunnel compounds and Waddington Fell Quarry. However, in view of the overarching aim of the tunnel scheme, highway matters could be made acceptable on balance through tightly controlled conditions. Likewise, impacts on local amenity and the environment could be satisfactorily controlled through recommended conditions and through the requirements of Environmental Permitting. Overall, the proposal is then considered to be acceptable in terms of the policies of the National Planning Policy Framework (NPPF) and the development plan and other material considerations.



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.

2. Written notification of the date of commencement of the development shall be sent to the County Planning Authority within 7 days of such commencement.

Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

3. The landfilling operations authorised by this permission shall cease not later than 31 December 2032. Thereafter the site shall be finally restored by 31 December 2033.

Reason: Imposed pursuant to schedule 5 of the Town and Country Planning Act 1990 and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

Working Programme

4. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following:

- a) Submitted drawings:

Drawing no. 200/19-1, rev 1.2 - Location Plan

Drawing no. 200/19-2, rev 1.0 - Site Plan

Drawing no. MC1237-D2, version 2 - Illustrated Restoration Scheme

Drawing no. MC1237-D3, version 2 - Illustrated Cross Sections

- b) All details 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 comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.



5. Only excavated waste materials from the replacement Haweswater Aqueduct tunnel compounds at Bonstone, Braddup, and Newton and shall be deposited at Waddington Fell Quarry and thereafter shall not leave the site.

Reason: To minimise the impact of development on local amenity and the environment and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

6. The office building, weighbridge and entrance area shall be retained on site through the landfilling operations authorised by this permission and thereafter removed in accordance with the final restoration details set out in condition 22 of this permission.

Reason: To provide for the retention of supporting infrastructure and subsequent restoration of the site and the comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

7. Final restoration levels shall be no higher than the levels shown on Drawing no. MC1237-D2, version 2 - Illustrated Restoration Scheme.

Reason: To ensure satisfactory control over the restoration of the site, protection of the Forest of Bowland AONB and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

8. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there shall be no discharge of contaminated or polluted drainage to ground or surface waters.

Reason: To safeguard local watercourses and drainages and avoid the pollution of any watercourse or groundwater resource or adjacent land and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

9. No topsoil shall be imported to the site.

Reason: To ensure satisfactory restoration and habitat creation and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

10. A topographical survey shall be submitted to the County Planning Authority annually until the completion of restoration. The survey shall have been carried out within the two months preceding the submission of the topographical survey and shall consist of a plan drawn to a scale of not less than 1:1250 which identifies all surface features within the site and a 10 metre grid survey identifying levels relating to ordnance datum over all the land where waste materials have been deposited.



Reason: To enable the County Planning Authority to monitor the site to ensure compliance with the planning permission and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Hours of Working

11. No landfilling operations including the movement of heavy goods vehicles into or out of the site shall take place outside the hours of 0730 to 1830 hours Mondays to Fridays (excluding Public Holidays) and 0800 to 1300 hours on Saturdays.

No landfilling operations including the movement of heavy goods vehicles into or out of the site shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

Highway Matters

12. No development shall take place until details of an improvement scheme for the internal site yard area has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of manoeuvrability within the site and potential to stack vehicles within the site, without resulting in conflict that may lead to vehicles waiting on the public highway.

Thereafter, the approved improvement scheme for the internal site yard area shall be implemented in its entirety prior to the importation of excavated tunnel waste.

Reason: To maintain the operation and safety of the local highway network and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

13. No development shall take place until details of site access improvements have been submitted to and approved in writing by the County Planning Authority. The details shall include:
 - a) Site Access and surface treatment (preliminary design shown in drawing 300461-001 Rev B).
 - b) Visibility provision in accordance with standards or the observed 85th percentile of speeds of vehicles travelling on the road, whichever is the greater to be satisfied.
 - c) A drainage scheme to prevent water and debris from the site coming on to the public highway.
 - d) Details of pedestrian and vehicular segregation.

The above details shall be subject to detailed design satisfying appropriate road safety audits.



Thereafter, the approved access improvements shall be implemented in their entirety prior to the importation of excavated tunnel waste.

Reason: To maintain the operation and safety of the local highway network during site preparation and construction and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

14. No more than 100 heavy goods vehicles (HGVs), as defined in this permission, shall enter, or leave the site in any one day during Mondays to Fridays, inclusive, and no more than 50 heavy goods vehicles (HGVs) shall enter, or leave the site on Saturday. No such vehicles shall enter or leave the site on Sundays or Public Holidays.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

15. A written record shall be maintained at the site of all movements into and out of the site by heavy goods vehicles, as defined in this permission. The written record shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority during the permitted working hours.

Reason: To enable the County Planning Authority to monitor the operations to ensure compliance with the planning permission and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

16. All mobile plant on the site shall be fitted with broadband/non-audible reversing systems, which shall be employed during the operation of the mobile plant.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

17. No development shall commence until details of the location, design and specification of upgraded wheel-cleaning facilities have been submitted to and approved in writing by the County Planning Authority. Thereafter, the approved facilities shall be installed, maintained in working order and be used by all Heavy Goods Vehicles (HGVs) leaving the site throughout the development to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.



18. The internal haul road between wheel cleaning facilities and Slaidburn Road shall be metalled and drained and kept clear of debris along its entire length at all times when waste is being imported to the site.

Reason: In the interests of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Ecology and Restoration

20. No landfilling of tunnel waste shall take place until updated surveys to demonstrate the absence of roosting bats have first been submitted to and approved in writing by the County Planning Authority. Should bat roosts be found in areas for permitted waste deposition then waste deposition shall be suspended until the bat roost is no longer used.

Reason: To protect roosting bats and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

21. No landfilling of tunnel waste shall take place during the period 1 March to 31 July inclusive in any year unless updated surveys to demonstrate the absence of nesting birds have first been submitted to and approved in writing by the County Planning Authority. Should nest sites be found in areas for permitted waste deposition then waste deposition shall be suspended until the nest(s) is no longer used.

Reason: To protect nesting birds and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

22. Within 12 months of the commencement of development and annually thereafter, until the end of the aftercare period referred to in this permission, a report shall be submitted to the County Planning Authority recording in detail the landfilling operations carried out on the land during the previous 12 months and measures taken to implement restoration provisions and setting out the intended operations for the proceeding 12 months.

Reason: To enable the County Planning Authority to monitor the site to ensure compliance with the planning permission and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

23. No development shall take place until details of the final restoration of the site, in general accordance with drawing no. Drawing no. MC1237-D2, version 2 - Illustrated Restoration Scheme have been submitted to and approved in writing by the County Planning Authority. The details shall provide for:

- a) Details of the methods to be used for the placement of tipped tunnel spoil waste including surface finish.



- b) The removal of all plant, machinery, buildings, structures, erections and their foundations including the removal of all internal haul roads, visibility splays, subsidiary site roads and hardstanding areas.
- c) The restoration of the land concerned following the removal or cessation of the use of each item referred to in a) above.
- d) Location and layout of any planting areas, numbers, species, types and sizes of species to be used, planting techniques, protection measures and seed mixes to be used and rates of application.
- e) The methods to be employed to promote normal plant growth.

The land shall be restored in accordance with the approved details.

Reason: To ensure satisfactory restoration and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

24. If by 31 December 2032, the site has not been restored to approved levels in accordance with the details referred to under condition 7, alternative details for the final levels of the site shall be submitted to the County Planning Authority within 1 month of 31 January 2033 for approval in writing. The submitted details shall include a contour plan showing the final levels and landform of the site at not less than one metre intervals.

Thereafter, the site shall be finally restored by 31 December 2033 in accordance with the alternative final levels.

Reason: To ensure satisfactory landscaping and restoration of the site and to comply with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan and Policy DMG1 of the Ribble Valley Core Strategy 2008 – 2028.

25. By 31 December 2031 details for the aftercare of the site shall be submitted to the County Planning Authority for approval in writing. The details shall provide for the aftercare of the site for a period of five years to promote nature conservation after use of the site and shall contain details of the following:

- a) Maintenance and management of the restored site to promote its biodiversity interest.
- b) Scrub/invasive species clearance where necessary.
- c) An annual inspection to be undertaken in conjunction with representatives of the County Planning Authority to assess the aftercare works that are required in the following year.

The approved details shall be employed from 1 January 2034 or following completion of restoration of the site, whichever is the earlier.

Reason: To ensure satisfactory restoration and aftercare of the site in accordance with an approved scheme and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.



Definitions

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

Notes

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

This consent requires the construction, improvement or alteration of an access to the public highway. 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.

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

Paper	Date	Contact/Ext
LCC/2021/0015	Dec 2022	Rob Hope Planning and Environment 01772 534159

Reason for Inclusion in Part II, if appropriate

N/A

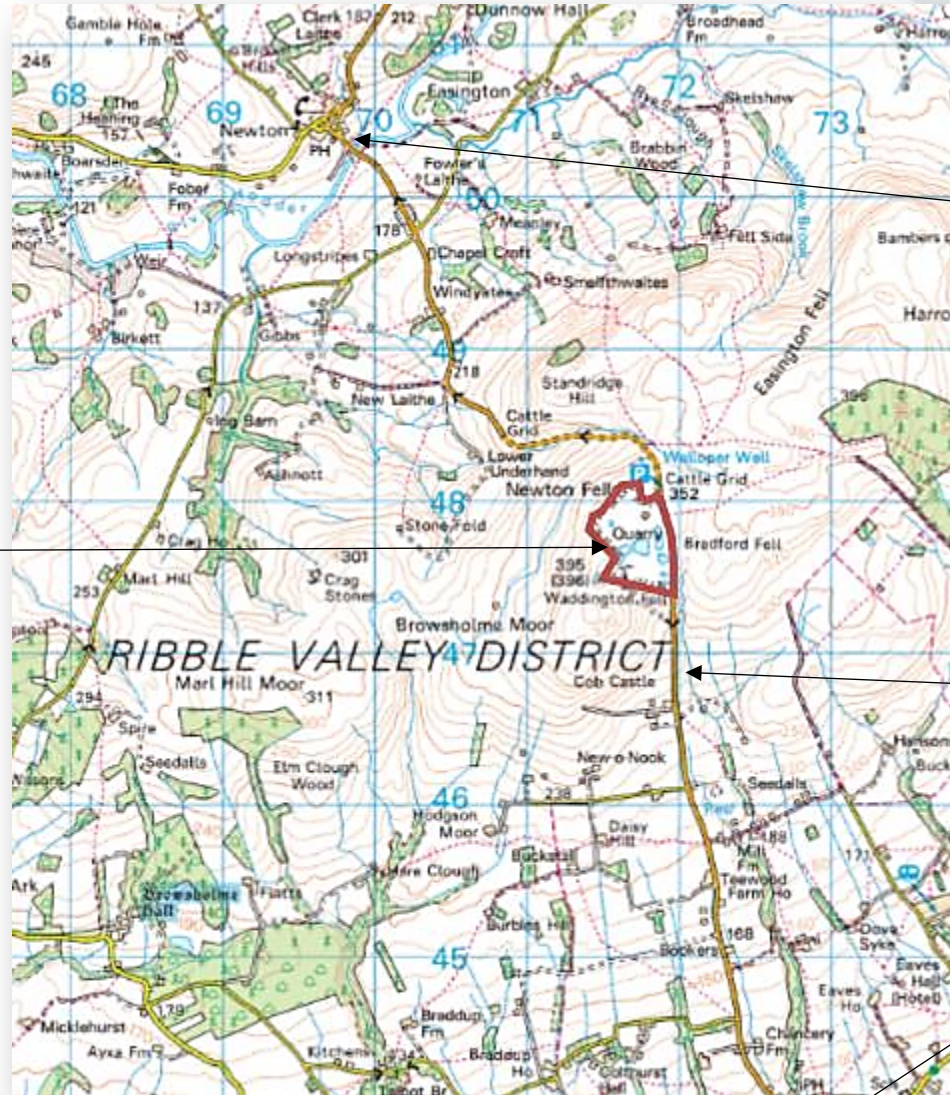




Ribble Valley Borough: application number LCC/2021/0015

Revised quarry restoration scheme incorporating tunnel arisings from the Haweswater Aqueduct resilience programme (HARP) namely the Bowland and Marl Hill tunnel sections at Waddington Fell Quarry, Slaidburn Road, Waddington

LCC/2021/0015 Site Location



Newton

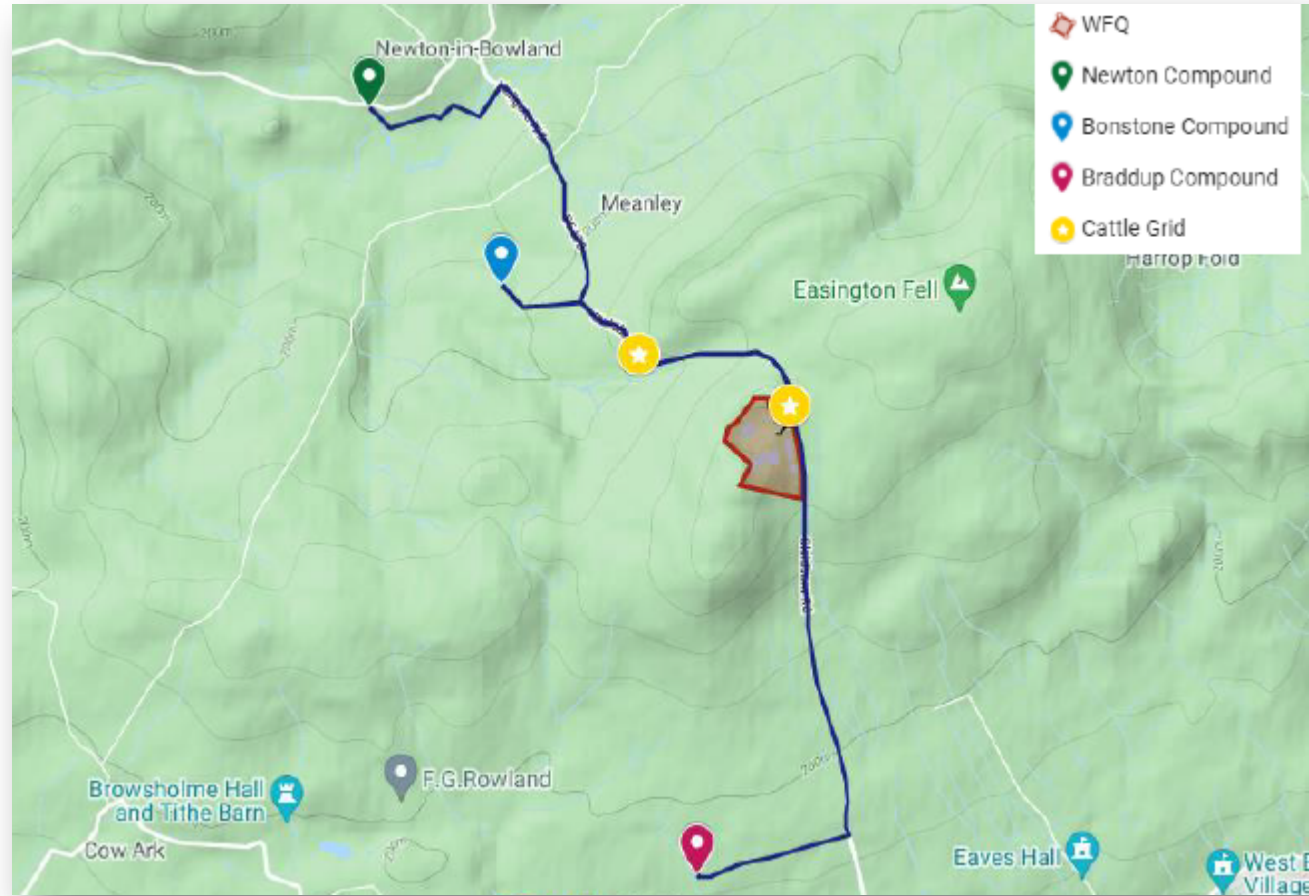
Waddington Fell
Quarry

Slaidburn Road

Waddington

LCC/2021/0015

tunnel compound locations



LCC/2021/0015

Aerial view (2020)

Waddington Fell Quarry



LCC/2021/0015
Aerial view (2020)



LCC/2021/0015

Photo



LCC/2021/0015

Photo



LCC/2021/0015 Photo



Site entrance

LCC/2021/0015

Photo



Slaidburn Road heading down to
Waddington

LCC/2021/0015 Photo



Slaidburn Road at the top of Waddington
Fell

LCC/2021/0015 Photo



Slaidburn Road heading towards Newton

LCC/2021/0015 Photo



Hallgate Hill rising up from Newton

LCC/2021/0015

Current approved final restoration

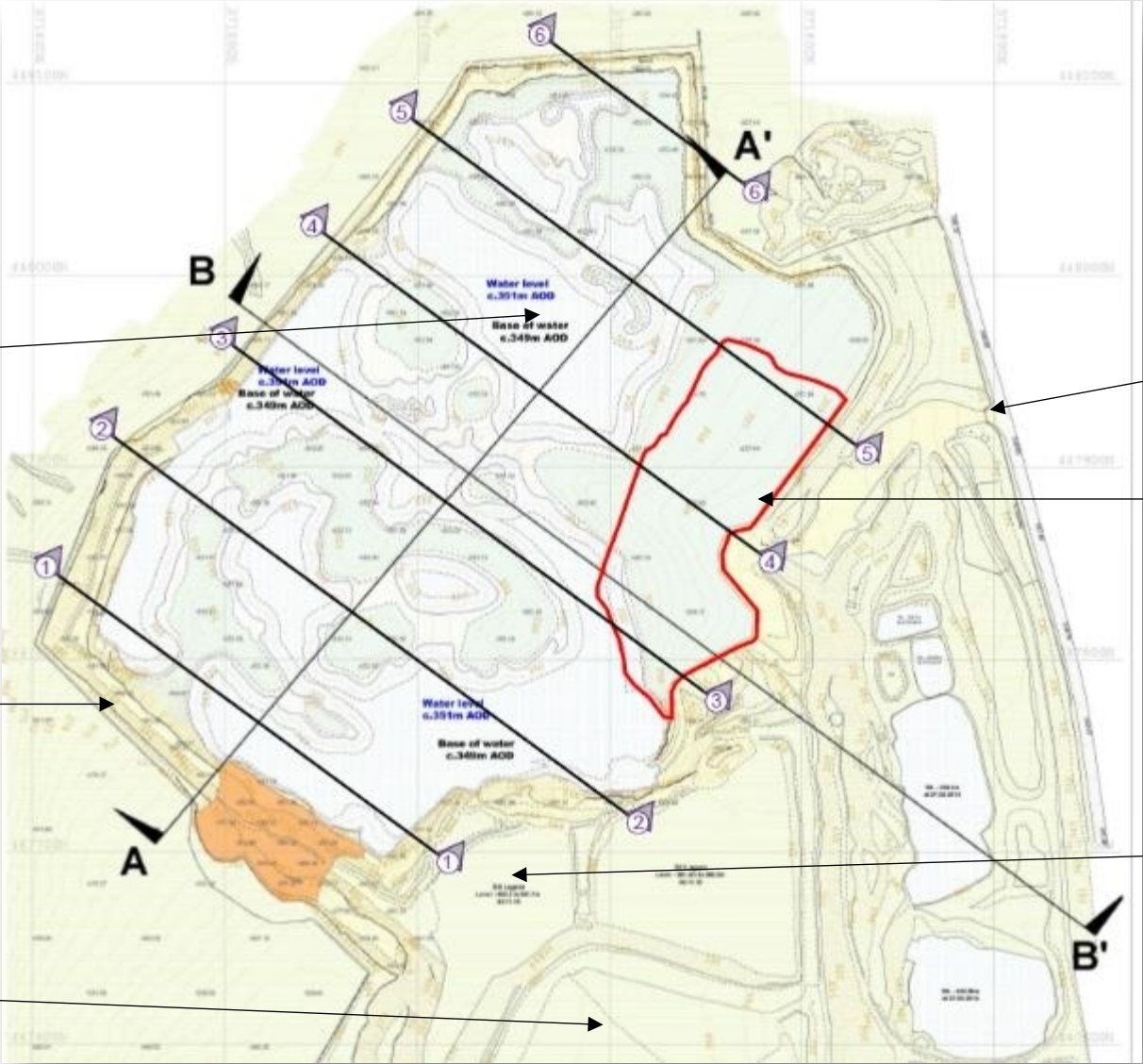


LCC/2021/0015 Proposed site Restoration

Areas of
undulating tunnel
spoil deposition

Quarry faces

Restored part of the
site



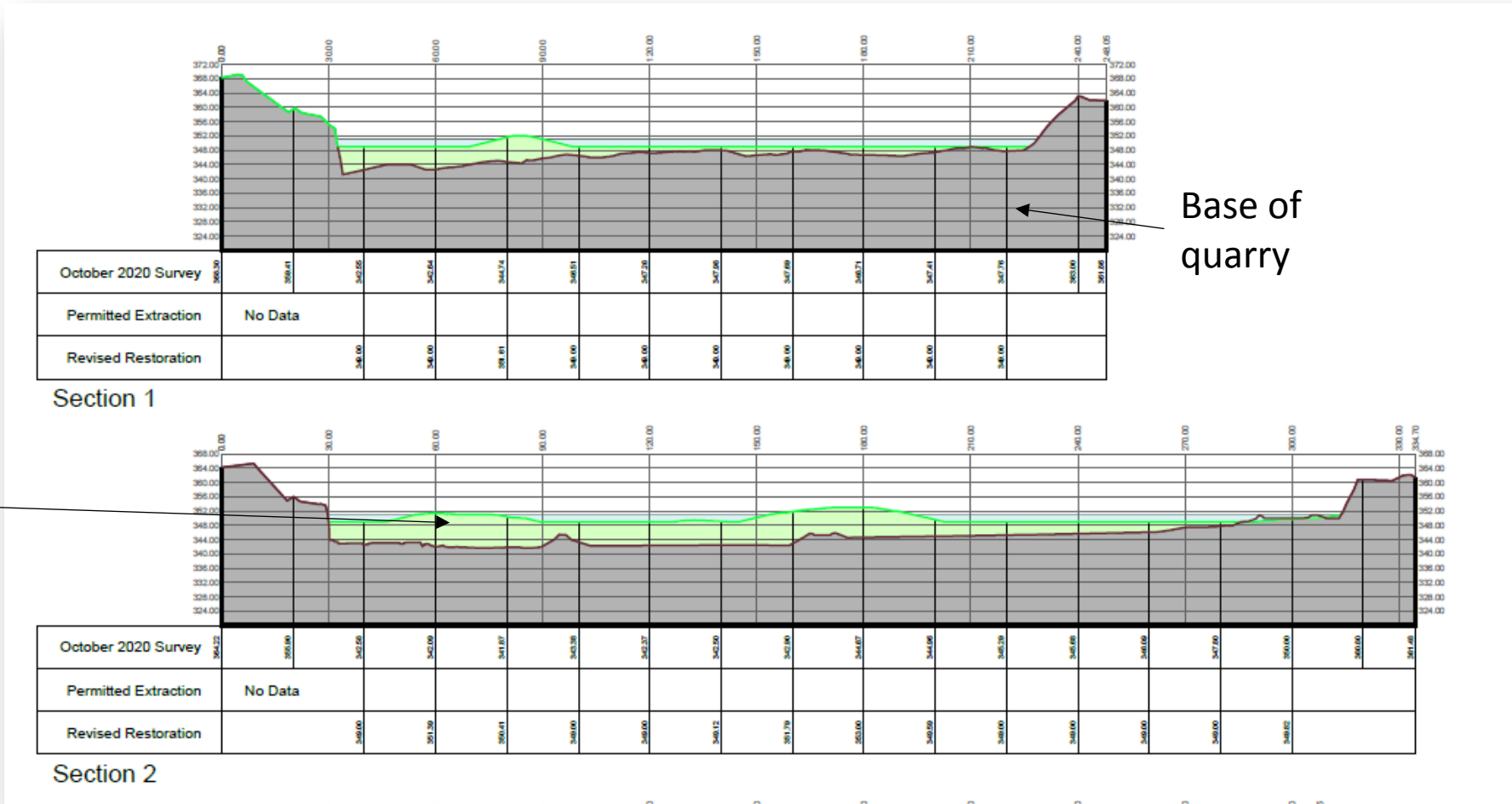
Site entrance

Remaining area
of permitted
stone reserves

Silt
lagoons

LCC/2021/0015

Cross Sections



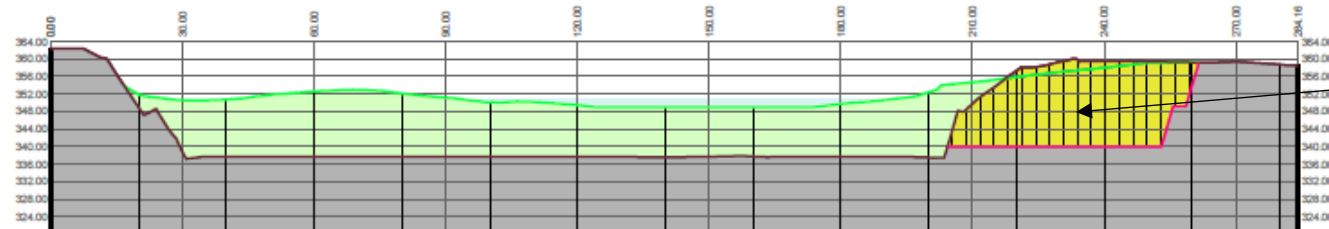
Base of quarry

Infill

LCC/2021/0015

Cross Sections

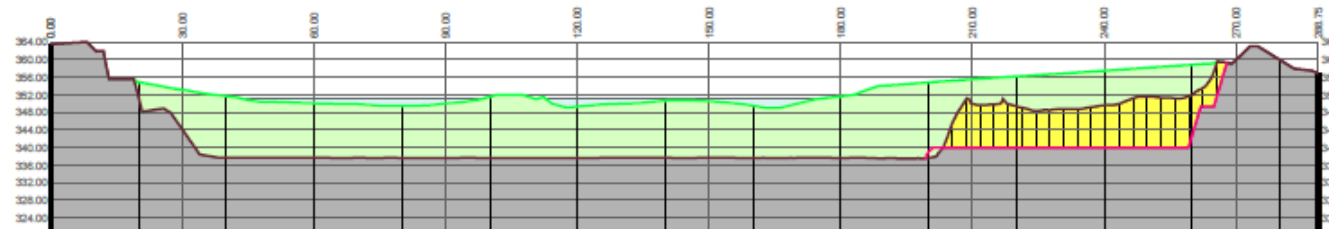
Section 3



October 2020 Survey	362.23	348.04	337.70	337.70	337.70	337.70	337.70	337.64	337.60	337.70	337.65	337.78	359.45	359.16	360.73	359.42
Permitted Extraction													340.00	340.00	340.00	335.94
Revised Restoration	351.84	350.75	352.57	352.08	350.00	349.48	349.00	349.00	348.73	352.37	355.68	357.88	357.88	359.20	359.16	

Remaining stone to be removed

Section 4



October 2020 Survey	363.58	361.85	337.70	337.70	337.64	337.85	337.68	337.72	337.68	337.64	337.65	349.45	349.68	351.87	359.85	359.87
Permitted Extraction																
Revised Restoration	354.81	351.81	350.07	350.41	351.04	350.34	350.01	350.01	351.01	354.04	353.85	345.31	357.41	355.87	355.85	

Development Control Committee

Meeting to be held on 21 December 2022

Electoral Division affected:
Thornton and Hambleton

Wyre Borough: application number LCC/2021/0030

Excavation of a lake and change of use of land to allow a commercial fishing lake associated with Pheasants Wood Fishery. Fisheries at Crane Hall Barn Estate, Rawcliffe Road, St Michaels-on-Wyre

Contact for further information:

Jonathan Haine, 01772 534130, Head of Development Control

DevCon@lancashire.gov.uk

Brief Summary

Application - Excavation of a lake and change of use of land to allow a commercial fishing lake associated with Pheasants Wood Fishery. Fisheries at Crane Hall Barn Estate, Rawcliffe Road, St Michaels-on-Wyre.

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling time limits, working programme, depths and area of excavation, highway matters, hours of operation and landscaping/ecology.

Applicant's Proposal

The application is for the excavation of a course fishing lake. The application site measures approximately 4.7 hectares with the proposed lake having a broadly rectangular shape measuring 210 metres with a maximum width of 80 metres. The maximum depth of the lake would be 4 metres, but most areas of the lake would be shallower between 2 and 1.5 metres in depth.

Construction of the lake would require the excavation of approximately 31600 m³ of soil and clay material. The application originally proposed that all excavated material would be exported from the site, but an amended proposal provides for approximately 17,000 m³ of excavated material to be retained on site in a landscaped mound. The mound would have a maximum height of 5 metres and would be located to the north of the fishing lake.

Export of the remaining material is expected to take approximately 36 weeks to complete based upon 9 heavy goods vehicle (HGV) loads per day.

Description and Location of Site

The existing Pheasants Wood Fishery is a course fishing complex located off Rawcliffe Road approximately 2.3 km north west of Great Ecclestone. The fishery is accessed via a single-track lane with passing places called Crow Lane which provides access to the fishery and also a holiday chalet complex to the east. Crow Lane is also a public right of way.

The application site is located on an area of agricultural pastureland located immediately to the west of the existing fishing lake. The site is crossed by a hedgerow and has an existing pond on its southern edge. The land surrounding the site is comprised of arable agricultural land with an area of woodland to the south.

The nearest residential properties are located off Crow Lane 250 metres to the north east of the proposed fishing lake.

The southern part of the application site is located within Flood Zone 3 (area at highest risk of flooding).

History

There is no relevant planning history

Planning Policy

National Planning Policy Framework (NPPF): The following paragraphs of the National Planning Policy Framework (NPPF) are considered to be particularly relevant: 11 (presumption in favour of sustainable development), 84 (rural development), 111 (highway impacts), 130 (design), 159 – 167 (flooding) and 180 (ecology)

Joint Lancashire Minerals and Waste Local Plan (JLMWLP)

Policy DM2 – Development management

Wyre Local Plan

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 CDMP6 – Accessibility and transport

Consultations

Wyre Borough Council: Object to the application on the following grounds:

- The application site is in the countryside. There is insufficient justification for the provision of the area of car parking and inclusion of wider land within the application site and these elements of the proposal have therefore not been justified as being necessary development in the countryside therefore contrary to policies EP8 and SP4 of the Wyre Local Plan.
- The development is in the countryside and the proposal would represent development in a poorly accessible location detached from the nearest settlement. The site would be accessed by unlit road subject to national speed limits and without footways and users of the site would be reliant on private motor car usage with no opportunity for alternative sustainable travel modes. There is insufficient evidence to demonstrate a business need or benefits from the development to outweigh these impacts. In addition the applicant has not demonstrated a response to climate change and the proposal is therefore not sustainable development contrary to paragraphs 8 and 104 of the National Planning Policy Framework (NPPF) and policies SP2, EP8 and CDMP6 of the Wyre Local Plan.
- The site is in flood zone 3 and no evidence has been submitted to show the availability of sites elsewhere with a lower risk of flooding contrary to section 14 of the National Planning Policy Framework (NPPF) and policies SP2 and CDMP2 of the Wyre Local Plan.
- Inadequate information has been submitted with the application to assess the impacts on trees contrary to the National Planning Policy Framework (NPPF) and policies SP2 and CDMP4 of the Wyre Local Plan.

Out Rawcliffe Parish Council: No objection.

Jacobs UK Ltd (Ecology Comments): The application states that landscaping and management proposals will achieve enhancement of biodiversity in the long term. Based on the proposals, this seems to be a valid statement. However, it should be noted that this is not a commitment to biodiversity net gain and no evidence has been provided such as a biodiversity metric calculation to demonstrate the level of gain provided. It is important that the landscape and management prescriptions are adhered to in full to ensure that the commercial angling activities do not conflict with the wildlife enhancement. Further detail is required for the management of the existing pond and for the seeding of stockpile areas.

Environment Agency (EA): Initially raised objection due to the location of the site in Flood Risk Zone 3 and a lack of a flood risk assessment. Upon receipt of additional information the Environment Agency (EA) withdrew their objection and now consider that the development would be safe without exacerbating flood risk elsewhere. The county council will still need to apply the sequential test in relation to the location of the development and flood risk issues.

Lancashire County Council (LCC) Highways Development Control: No objection – the proposed development will not have a significant impact on highway safety, capacity or amenity in the vicinity of the site. Conditions are required in relation to a



construction traffic management plan and to require a highway condition survey of Rawcliffe Road prior to the construction work commencing to allow an assessment of any damage to the highway arising from undertaking the development.

Representations: The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. One representation has been received stating that permission should not be given for the construction of the lake when there are already plenty of fishing opportunities in rivers and the sea. The resident is concerned about the wildlife impacts of the development and how any impacts will be mitigated. Concern is also raised about the use of guns and cannons on the existing fishing lake site.

Advice

The proposal is for the construction of a new course angling lake. The existing fishing facility at the site has two lakes with 31 fishing platforms in total around both lakes which are operated using a booking system.

The applicant has stated that there is a high demand for fishing at their lakes and the site is regularly booked up. The applicant therefore wishes to develop a larger lake which can be stocked with specimen carp. The applicant states that whilst there are many course angling facilities in the local area, none have lakes of sufficient size to allow carp to develop to specimen size and therefore anglers who are interested in this type of fishing have to travel further afield.

The main issues relate to the planning policy matters raised by the Borough Council, the highway and local amenity impacts relating the export of the material and other general planning and environmental issues.

Planning policy matters

Policy SP4 of the Wyre Local Plan relates to development in countryside areas. It states that development which adversely impacts on the open and rural character of the countryside will not be permitted unless it is demonstrated that the harm to the open and rural character is necessary to achieve substantial public benefits that outweigh the harm. The policy states that within countryside areas planning permission will only be granted for new development that is for agriculture, forestry, mineral extraction or equine related, outdoor sport and leisure activities where a countryside location is needed and justified and for a range of other development that can justify a countryside location.

Policy EP8 relates to the rural economy and states that the council will support proposals to help diversify the rural economy including the expansion of existing businesses with countryside areas where it is demonstrated that the scale and nature of the activity is not detrimental to the rural character of the area and any new building and supporting infrastructure is necessary. The policy states that sustainable development which enhances the diversity of recreational opportunities and visitor attractions in rural areas will be supported.

Policy CDMP6 relates to accessibility and transport considerations and has a number of requirements including that safe and adequate vehicular, cycle and



pedestrian access to and from and circulation within a proposed site would be provided and that measures are included to encourage access by foot, by bicycle and public transport and reduce reliance on cars.

The site is located in a countryside area as designated in the Wyre Local Plan. Under the above policies (particularly policy SP4), development in countryside areas is strictly limited in order to safeguard the intrinsic character of such areas. Wyre Borough Council have objected to the application as they consider that the car parking and other elements of the development have not been justified as necessary development in the countryside.

In terms of the whole development, the site is set back a significant distance from Rawcliffe Road (at least 400 metres) and is screened from that direction by substantial blocks of woodland which would be retained around the site boundaries. The only public views of the site would be from a footpath running close to the northern boundary of the site. The proposed car park would only measure approximately 45 metres by 20 metres and would be screened from many directions by the proposed landscape mounding and other landscaping including a replacement hedgerow. The proposal would not require the loss of any landscape features apart from a length of existing hedgerow approximately 150 metres in length. Although fishing lakes of this size are not generally characteristic of the local area, it is considered that in general the proposal would not detract from the open and rural character of the countryside. It should be noted that the Borough Council do not appear to have any objection to the fishing lake itself.

The applicant wishes to construct a new fishing lake in this area as it is directly adjacent to their existing course angling facility. The applicant has stated that the new lake would provide a fishing facility of a type that is not found on either of their current lakes or on any of the other commercial angling facilities in the local area. It is very unlikely that a lake of the size proposed could be developed on a site within any of the main urban areas and therefore a rural location is considered acceptable for this type of recreational development. Whilst the site is not served by any public transport routes, course angling often requires large amounts of equipment and therefore it is very unlikely that users of the facility would use public transport even if it existed. The development is therefore considered acceptable in relation to Policy SP4 of the borough local plan.

Highways and Local Amenity Issues

The main issue relates to the highway impacts arising from export of the excavated materials and associated impacts on the amenity of residents living alongside Rawcliffe Road.

Paragraph 111 of the National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways ground if there would be unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) states that development for minerals operations will be supported where it can be



demonstrated that all material impacts can be eliminated or controlled to acceptable levels.

The site is accessed from Rawcliffe Road which is C class road linking Hambleton with St Michaels on Wyre where there is a junction with the A586. It is possible to access the A586 at Great Eccleston via a shorter route but this requires crossing the toll bridge across the River Wyre so it is unlikely that this route would be used by heavy goods vehicles (HGVs). Rawcliffe Road to the west of the site is an increasingly rural and tortuous lane which is not readily suitable for heavy goods vehicle (HGV) traffic. The applicant therefore proposes that all traffic would access the site via the A586 at St Michaels, a distance along Rawcliffe Road of around 6km.

For the majority of this distance Rawcliffe Road is of reasonable width and alignment although there are some areas of more restricted width and/or forward visibility. The section west of the junction with Lancaster Road also forms part of the Lancashire Cycle Way. There are approximately 20 properties which front onto Rawcliffe Road within St Michaels village and a similar number of scattered houses located elsewhere along the route.

Given the nature of the road network that would be used, some concerns are raised in terms of the impacts of heavy goods vehicle (HGV) traffic on highway safety and local amenity. The initial proposal involved all the excavated materials being exported but in order to reduce the impacts of heavy goods vehicle (HGV) movements, the applicant was asked to investigate the ability to retain some of the materials on site. The applicant has addressed this requirement by proposing to retain some of the material within a mound on the northern side of the lake which is outside the flood zone. The mounding would accommodate approximately half of the excavation volume and therefore would significantly reduce the highway and amenity impacts of the development. The remaining materials would take approximately nine months to export at a rate of nine loads per day although the excavation would be completed more quickly if the number of daily loads increased. Rawcliffe Road whilst having some points of more restricted width is largely of reasonable standard and Lancashire County Council (LCC) Highways have raised no objection to the use of this road for a temporary project such as this.

The main issue relating to the export of the excavation material relates to the impacts on the amenities on the residents along this route particularly where Rawcliffe Road passes through St Michaels where the houses are closer to the highway. There would be some impacts in this location from traffic noise and to mitigate those impacts it is considered that export of materials should be restricted to Monday to Friday and with more restricted hours for the export of materials than for works on the site itself. It is also considered that the maximum level of export from the site should be restricted to 16 loads per day which would equate to approximately two loads per hour. These restrictions would also help to address any impacts for users of the Lancashire cycle way, part of which follows Rawcliffe Road.

Lancashire County Council (LCC) Highways have requested a condition relating to a construction management plan and also a condition requiring a pre and post development highway condition survey. Their concerns in relation to damage to the highway surface from heavy goods vehicles (HGVs) are acknowledged but it is considered that such a condition would not meet the tests of reasonableness and

enforceability for planning conditions given that the route is already used by other traffic. Such a condition is therefore not recommended.

In conclusion, it is considered that the proposal would not result in unacceptable or severe highway impacts and therefore passes the test in paragraph 111 of the National Planning Policy Framework (NPPF). It is considered that conditions should be also imposed in addition to those described above to require the mound to be constructed prior to any materials being exported from the site, to control the depths of excavation and to address wheel cleaning, sheeting and hours of operation issues. With such conditions the proposal complies with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Ecology/Landscaping

The site is currently comprised of two agricultural fields divided by a hedgerow and with an existing pond on its southern side. The hedgerow would require removal to construct the lake, but the existing pond would be retained. No other trees or other landscape/habitat features would require removal to construct the fishing lake.

In terms of landscape, the site is well screened by other surrounding hedgerows and woodland blocks and the excavation works would not be particularly visible in the landscape apart from the footpath to the north. The proposed mound used to accommodate some of the excavation arisings would not be particularly characteristic of the landscape in this area but on balance it is considered that with appropriate tree and shrub planting, the feature would be acceptable given the highway issues discussed above.

In terms of ecology, the applicant carried out a preliminary ecological assessment which included e-DNA surveys for great crested newts. Jacobs UK have considered the applicant's assessment and agree that there will be no impacts on statutory wildlife sites and that impacts on great crested newts are also unlikely. Jacobs comment that there is no specific commitment to biodiversity net gain such as a net gain metric calculation. There is currently no legal requirement to undertake such an assessment and given the habitat creation and landscaping proposals it is likely that there would be some upfit in the ecological value of the site compared to the existing situation. Conditions are recommended regarding landscaping and ecological mitigation.

Flooding/water issues

Part of the site is located in flood zones 2 and 3 (areas at highest risk of flooding). Paragraphs 161 – 162 of the National Planning Policy Framework (NPPF) require a sequential approach so that development is not located within a flood risk zone if there are other suitable sites available. The location of the facility is restricted by the applicant's land holding and the need to be close to the existing access road and central fishing facilities (club house and retail facility). The application is supported by a flood risk assessment to assess whether the development would be safe and not result in additional flooding impacts elsewhere. The proposal has been designed so that the only feature with the flood zone is the lake which would not increase flood risk elsewhere nor would users of the facility be exposed to undue risk. The proposed mound feature has been located outside of the flood zone so that it would

result in no loss of flood plain capacity. The Environment Agency have reviewed the assessment and consider that it addresses their original objection to the application and the proposal is therefore considered acceptable in terms of paragraphs 161 – 162 of the National Planning Policy Framework (NPPF).

Conclusions

This proposal is for the construction of new course angling facility. It would be a recreational facility and therefore is considered to be an acceptable use of land within a countryside area. There would be some highway and amenity impacts arising from the export of excavated materials, but these impacts would be temporary and subject to planning conditions, it is considered that the impacts can be controlled to acceptable levels. The landscaping proposals would enable the development of new habitats that would offset the ecological impacts and provide new landscape features. The proposal is therefore considered acceptable in terms of the policies of the National Planning Policy Framework (NPPF) and the Development Plan.

In view of the scale, location and nature of the proposal, 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 3years 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 11 May 2021.
 - b) Submitted Plans and documents:
 - Drawing GA3269 LP 01A - Location Plan
 - Drawing GA3269 PSEC - 01D - Proposed site sections
 - Drawing GA3269 PSEC - 01C - Proposed site plan
 - Drawing GA3269 PMSEC - 01 - Proposed mound sections
 - 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 Joint Lancashire Minerals and Waste Local Plan.

3. No excavated materials shall be exported from the site until the mounding shown on drawing ref GA3269-PSPECO-01C has been constructed to the contours shown on that drawing.

Reason: To minimise the volume of materials leaving the site in the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

4. No excavation works to construct the lake shall take place outside of the area shown on drawing GA3269 -PSPECO-O1C.

Reason: In order to control the scale of the excavation operations in the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

5. No development shall take place until a plan drawn to 1 metre intervals showing the proposed basal contours of the fishing lake has been submitted to the County Planning Authority for approval in writing.

No excavation shall take place below the basal levels shown on the approved drawing.

Reason: In order to control the scale of the excavation operations in the interests of highway safety and local amenity and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

6. No excavation works shall take place outside the hours of:

07.30 to 18.00 hours, Mondays to Fridays (except Public Holidays)
08.00 to 13.00 hours on Saturdays

No excavation 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 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.



7. No heavy goods vehicles associated with the export of excavated materials from the site, as defined in this permission, shall leave the site outside the hours of:

08.30 to 17.00 hours, Mondays to Fridays (except Public Holidays)

No heavy goods vehicles shall enter or leave the site on Saturdays, Sundays or Public Holidays.

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.

8. Notification of the date of commencement of the export of excavated materials from the site shall be provided to the County Planning Authority within seven days of such commencement.

Reason: To enable the County Planning Authority to monitor the activities on the site in the interests of local amenity and highway safety and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Highway Matters

9. No more than 16 heavy goods vehicles, as defined in this permission, shall leave the site in any one day during Mondays to Fridays, inclusive associated with the export of excavated materials from the site.

Reason: In the interests of highway safety and 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.

10. A written record shall be maintained at the site office of all movements out of the site by heavy goods vehicles, as defined in this permission; such records shall contain the vehicle's weight, registration number and the time and date of the movement and shall be made available for inspection by the County Planning Authority or his representative at all reasonable times. The records shall be retained at the site for a period of 12 months.

Reason: In the interests of highway safety and 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.

11. The excavation of the lake and export of excavated materials from the site shall be completed within six months of the date notified to the County Planning Authority under the provisions of condition 8 above.

Reason: In the interests of highway safety and 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.

12. Measures shall be taken throughout the period of exportation of excavated materials to ensure that no mud, dust or deleterious materials are deposited on 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 Joint Lancashire Minerals and Waste Local Plan.

13. All vehicles transporting excavated materials from the site shall be securely sheeted.

Reason: In the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

14. The sole access to and egress from the site shall be from Rawcliffe Road and Crow Lane as shown on Drawing GA5269-LP-O1A.

Reason: In the interests of highway safety and 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.

15. No development shall commence until a Traffic Management Plan has been submitted to and approved in writing by the County Planning Authority. The traffic management plan shall contain the following information:

- a) Details for the control of heavy goods vehicle (HGV) routing to ensure that heavy goods vehicles (HGVs) only access the site using Rawcliffe Road to its junction with the A586 at St Michaels on Wyre.
- b) The measures that will be used to ensure that drivers only use the routes that are proposed in a) above.

The traffic management measures contained in the approved scheme shall be undertaken through the period of export of excavated materials.

Reason: In the interests of highway safety and to conform with policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

Landscaping and restoration

16. No hedgerows other than that shown in a dashed red line and that necessary to construct the mounding as shown on Drawing GA5269-PSPECO-O1C shall be removed. All other hedgerows and trees within or on the boundaries of the site shall be retained and protected throughout the duration of construction operations.

Hedgerow removal shall only take place between 30 August to 1 March unless the hedgerows to be removed have been previously checked by a



qualified ecologist and it has been confirmed that the hedgerows are not being used by nesting birds.

Reason: In the interests of ecology and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

17. No development shall commence until a landscaping scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall be based upon the landscape layout shown on drawing and shall contain the following:
- a) Details of hedge planting on the boundaries of the site to include details of location of new hedges to be planted, sizes, types and species to be planted, planting methods and protection measures. The length of new hedgerow planting shall not be less than the length of hedgerow to be removed.
 - b) Details of new tree and shrub planting including on the mound feature. The details shall include details of location of new trees and shrubs to be planted, sizes, types and species to be planted, planting methods and protection measures.
 - c) Details of seeding including on the mound feature.
 - d) Landscaping of the lake margins.
 - e) Details of any otter protection fencing including landscaping measures to mitigate the visual impacts of such fencing.
 - f) Ecological enhancement works to the existing pond including removal of fish and measures to increase habitat value.
 - g) Seeding works including seed mixes to be used.
 - h) Details for the creation of the new car park including surfacing.
 - i) Details of fishing facilities to be provided around the lake edge.

The fishing lake shall be developed and landscaped in accordance with the approved details. All hedge and tree planting shall be carried out in the first planting season following the completion of the excavation works.

Reason: In the interests of the proper landscaping of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan

18. All tree and hedge planting works, and habitat creation measures shall be managed for a period of five years from the date when the County Planning Authority certifies in writing that the restoration of the site is complete. Such management works shall include the maintenance of all tree and hedge planting including replacement of failures, weed control and maintenance of protection measures.



Reason: In the interests of the proper landscaping of the site and to conform with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan.

19. No bird scaring sirens or guns shall be used on the site during the operation of the fishery.

Reason: In the interests of local amenity and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Definitions

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

Completion of Restoration: The date the County Planning Authority certifies in writing that the works of restoration in accordance with condition 18 have been completed satisfactorily.

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

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

Paper	Date	Contact/Directorate/Ext
LCC/2021/0030	December 2022	Jonathan Haine Planning and Environment 01772 534130

Reason for Inclusion in Part II, if appropriate

N/A





Planning Application LCC/2021/0030
Excavation of a lake and change of use of land to allow
a commercial fishing lake associated with Pheasant
Wood Fisheries. Fisheries at Crane Hall Barn Estate,
Rawcliffe Road, St Michaels on Wyre

Planning Application LCC/2021/0030 – Location Plan



Application site

St Michaels on Wyre

A586

Rawcliffe Road



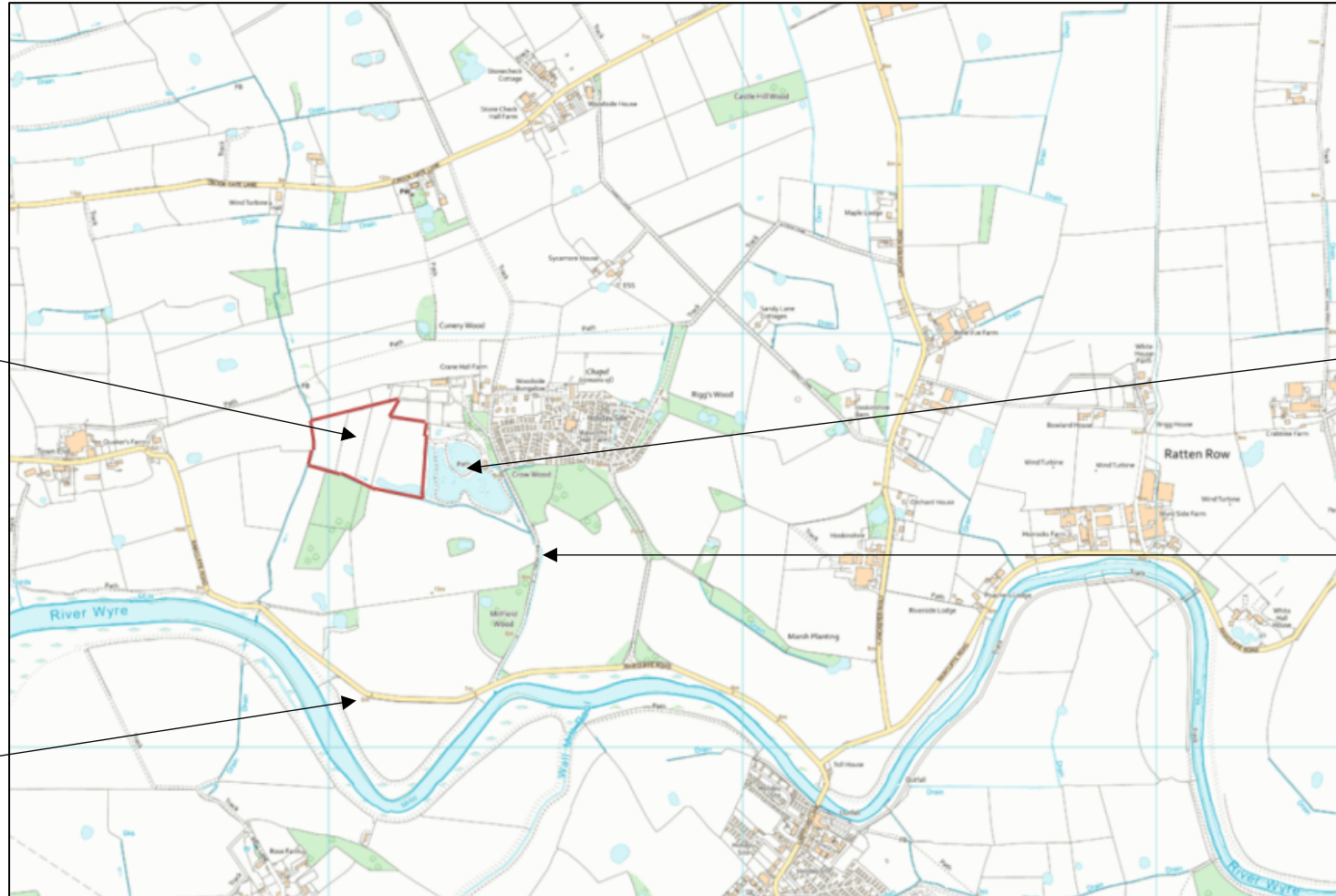
Planning Application LCC/2021/0030 - Location

Application site

Existing fishing lakes

Crow Lane

Rawcliffe Road



Planning application LCC/2021/0030

Application site



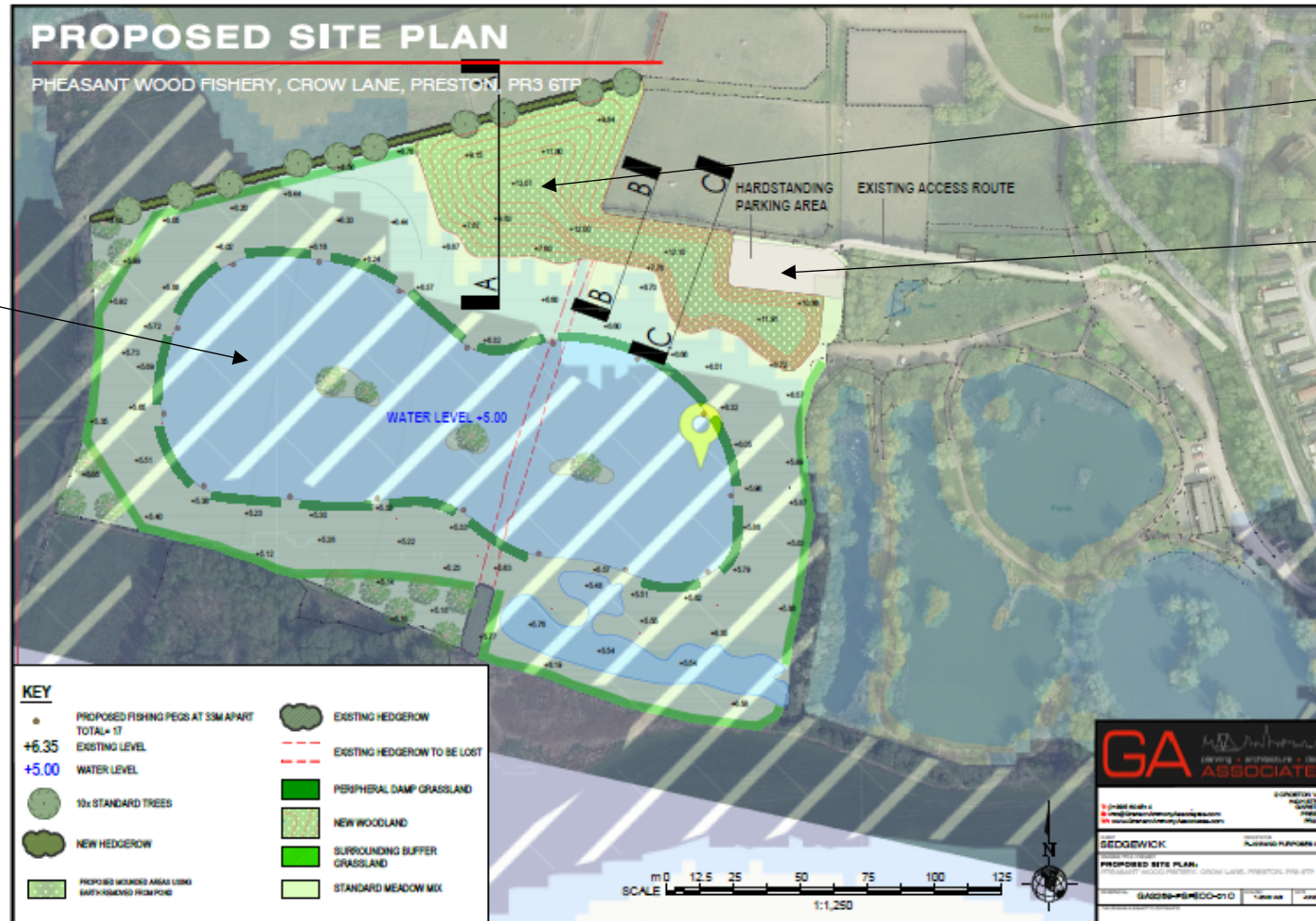
Existing fishing lakes

Crow Lane



Planning application LCC/2021/0030

Proposed Fishing lake



Proposed mounding

Proposed car park

Planning application LCC/2021/0030 – View of junction of Crow Lane and Rawcliffe Road



Planning application LCC/2021/0030 – View of Rawcliffe Road in St Michaels on Wyre (looking east)



Development Control Committee

Meeting to be held on 21 December 2022

Electoral Division affected:
Pendle Central

Pendle Borough: application number LCC/2022/0032

Erection of two storey teaching block including a Special Educational Needs (SEN) unit; internal modifications and refurbishment to several areas of the existing main building; additional staff car parking and vehicular entrance off Cuerden Street. Colne Primet Academy, Dent Street, Colne

Contact for further information:

Helen Ashworth, Tel: 01772 530084, Senior Planning Officer

DevCon@lancashire.gov.uk

Brief Summary

Application - Erection of two storey teaching block including a Special Educational Needs (SEN) unit; internal modifications and refurbishment to several areas of the existing main building; additional staff car parking and vehicular entrance off Cuerden Street. Colne Primet Academy, Dent Street, Colne.

Recommendation – Summary

That subject to the Secretary of State confirming that the application will not be called in for his own determination, that planning permission be **granted** subject to conditions controlling time limits, working programme, materials, surface water drainage, highway matters and landscaping.

Applicant's Proposal

The application comprises the following elements:

- The erection of a new two storey classroom block, which would comprise 12 new classrooms, toilets and office space, together with a self-contained Special Educational Needs (SEN) unit. It would have a footprint of approximately 41.3m by 19.6m with a maximum height of 10.9m high. It would have a monopitched roof and it would be constructed from facing brickwork, insulated metal cladding and have an insulated metal roof. It would be located within the existing school grounds to the southeast of the existing sports hall building which is located in the northeast corner of the site.

- Craft, design and technology workshop approx. 6m by 3.7m by 3.9m high (max). This would have a flat roof and be constructed from matching brickwork.
- The formation of a new staff car park to provide 27 parking spaces and vehicular access from Cuerden Street to the north of the existing school site. The proposed car park would be located within an area of the school that is presently a grassed area with some trees and shrubbery along the northern boundary with residential properties off Cuerden Street and Primet Heights. There is presently no means of access from Cuerden Street to the school.
- The demolition and erection of a new supervisor's site store measuring approx. 3.7m by 7.5m by 3.6m high. This would have a flat roof and be constructed from matching brickwork.
- Erection of a canopy to form a covered walkway between the main building, and one Craft, Design and Technology (CDT) workshop measuring approx. 6.5m by 2.4m by 3.4m high.

A number of areas of the school would also be refurbished and remodelled, and some new windows are proposed on the south facing elevation of the main school building. These works do not require planning permission.

Description and Location of Site

Colne Primet Academy is located off Dent Street approximately 1.5km to the west of Colne centre, to the south of the A56 Burnley Road. The main vehicular and pedestrian access point is presently from Dent Street (off the A56) on the northern boundary of the school grounds, with additional and pedestrian access points from Tatton Street and Gill Street (also to the north). There is a 'bus loop' at the end of Gill Street and Francis Street, which enters the grounds of the school, adjacent to the existing staff car park.

The school is bounded by dense residential development to the west and north. Colne Primet Primary School is also located to the north of the school and accessed via Cuerden Street. Immediately to the east is an all-weather playing pitch which forms part of the school grounds, and beyond this is further residential and commercial development. The southern boundary of the school grounds is marked by the railway and beyond this is less dense development giving way to open countryside.

The proposed two storey classroom block would be located to the south of the existing sports hall on land that is presently in use as a school playing field. The other extensions and alterations proposed are all located within the footprint of the existing school buildings in various locations.

History

The following planning permissions have been granted for educational development at this site: -

LCC/2022/0017 Erection of two twin temporary classroom blocks, access ramp and associated fencing - Approved 17 June 2022.

13/15/0254 Prior Approval (Demolition): Demolition of two storey former humanities building and single storey science annex. Prior Approval not required 1 July 2015 (Pendle Council).

13/02/0702 Provision of pitched roof over existing flat roof on main teaching block - Approved 20 January 2003.

13/01/0166 Partial replacement of existing fencing with 2.4m high palisade security fencing - Approved 6 June 2001.

Planning Policy

National Planning Policy Framework (NPPF):

Paragraphs 11 - 14, 95, 99 – 101 and 126 - 136 are relevant in terms of the presumption in favour of sustainable development, providing choice of school places, protecting open space and the need for high standards of design.

Replacement Pendle Local Plan (2001 to 2016) Saved Policies:

Policy 1: Development in the Open Countryside (settlement boundary)

Policy 33: Existing Open Space

Appendix 2: Parking Standards

The Pendle Core Strategy (adopted December 2015):

Policy ENV1: Protecting and Enhancing Our Natural and Historic Environments

Policy ENV2: Achieving quality in Design and Conservation

Policy SDP1: Presumption in Favour of Sustainable Development

Policy SUP3: Education and Training

Policy SUP4: Designing Better Public Places

Consultations

Pendle Council: Confirm no objection to the proposals.

Colne Town Council: No objection, but request that the movement of traffic in the area is re-assessed and any cladding should be sympathetic to the surrounding environment.

Cadent Gas: Confirm no objection to the proposals and request that an informative is added to the decision notice.



Lead Local Flood Authority: No objection subject to the imposition of a number of conditions related to the management of surface water drainage both during construction and operation of the development.

The Coal Authority: The site is located within the defined development low risk area, therefore there is no requirement for a coal mining risk assessment. An informative note should be added to the decision notice.

Public Rights of Way: No comments received.

Sport England: Sport England object to the two-storey classroom block as it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy, or paragraph 99 of the National Planning Policy Framework (NPPF). They advise that the playing field to be lost needs to be replaced in a suitable location within the local area. Improvements to the existing playing field do not represent a genuine replacement, i.e. this must be the creation of a new pitch. Alternatively, the proposed two storey block could be relocated elsewhere within the school grounds.

Lancashire County Council (LCC) Highways: Following amendments to the proposals their objections are withdrawn and they make the following comments:

- The proposed turning head is sub-standard in size to be considered for adoption; however it is adequate to allow a standard size vehicle to turn and is an improvement to existing manoeuvring provision at the top of Cuerden Street.
- As Cuerden Street is a residential area and also provides access to Primet Primary School a construction method statement should be submitted, to ensure that the proposed development does not have a detrimental impact on the highway network, during the construction and fitting out phases.
- A number of conditions are recommended that require additional details of the proposed site access, a construction method statement details cycle parking and a travel plan to be submitted, along with conditions to control timing of the works to ensure highway safety.

United Utilities (UU): Recommend the imposition of a condition requiring details of a sustainable surface water drainage scheme and foul water drainage scheme to be submitted to and approved in writing prior to the commencement of development.

Representations: The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Seven letters of objection to the proposals from local residents have been received. They make the following comments:

- Details submitted with the application are not correct. Tatton Street is already used for pedestrian access at the start and end of school and vehicles at evenings and weekends. This causes noise nuisance and excessive speeding.
- There has never been an access from Cuerden Street. This was only used by pupils sneaking out through broken railings.
- Vehicles presently park on no stopping markings, in residents parking bays and in the centre of the road preventing access and, in an emergency, services would be unable to reach buildings.

- Parking enforcement is not taking place.
- The extra parking proposed will all be used by staff; extra parking will be required to collect vulnerable pupils, and this has been forgotten.
- The proposal would cause extra noise and harm safety for elderly residents and disabled children living nearby.
- The proposals will make driveways very difficult to use.
- Further points of access are not necessary.
- The nearby streets are also used for parking by people working at and visiting the junior school on Tatton Street.
- Cuerden Street is used by small children playing in the street.
- The proposals will make it more dangerous for disabled residents.

Advice

Background

Planning permission is sought for the erection of a new two storey teaching block that would include a new special educational needs unit; a new vehicular access and staff car park with 27 spaces accessed off Cuerden Street; a single storey extension to form a new supervisors store; another single storey extension to provide a Craft Design and Technology (CDT) workshop and the erection of a covered walkway/canopy. A number of internal refurbishment and alterations to external windows and doors are also proposed that do not require planning permission.

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 is made up of the Replacement Pendle Local Plan (2001 to 2016) Saved Policies and the Pendle Core Strategy (adopted December 2015).

Paragraph 95 of the National Planning Policy Framework (NPPF) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that Local Planning Authorities should give great weight to the need to expand schools.

The site is an existing secondary school within the urban area of Colne. There are currently 800 pupils on roll, and this is due to increase to 1050 over the next four years. Lancashire County Council (LCC) has a statutory duty to ensure that a primary or secondary school place is available for every child of statutory school age living in Lancashire who requests one. There is a rising secondary school population in Pendle due to levels of inward migration and a high primary school population forecast to move through to secondary schools. The County Council's School Place Provision Strategy 2022-2025 identifies Colne Primet Academy as requiring additional places and the capital project for this school was approved by Cabinet in September 2021.



The application site is an existing secondary school within the settlement boundary of Colne (saved policy 1 of the Pendle Replacement Local Plan). There is a presumption in favour of appropriate sustainable development subject to other policies and material considerations. Policy SUP3 of the Pendle Core Strategy states that upgrading of secondary education facilities will be supported, especially where the proposed scheme will bring benefits to the wider community.

The proposal would therefore meet the aim within paragraph 95 of the National Planning Policy Framework (NPPF) in relation to the provision of an adequate level of school places and it is considered that there is a local need for this development.

Highways and Neighbour Amenity

The main concern associated with the proposed expansion of the school is the potential exacerbation of traffic congestion arising from an increase in pupil drop-off/pick-up at the start and end of the school day and increased staff numbers. Several residents have indicated that the neighbouring roads are already blocked with cars driving to and from the school, by parking by the side of the roads, and that an increase in pupil numbers will only make matters worse. The formation of a new vehicular access off Cuerden Street would significantly increase the number of vehicle movements on that street. Colne Primet Primary School is also accessed off Cuerden Street and has no off-street parking. A number of residential properties on Cuerden Street and Primet Heights to the north would directly abut the new proposed car park. The residential properties on Cuerden Street have some off-street parking available, although it appears that cars are often parked on both sides of the road.

The formation of a new turning head at the end of Cuerden Street adjacent to the school will benefit the existing users of Cuerden Street and is considered by Lancashire County Council (LCC) Highways to represent an improvement in highway safety. This will also result in the access gates to the school being set back from the boundary with no. 15 Cuerden Street, thereby addressing concerns that the proposals would hinder access to the driveway of this property which is immediately adjacent to the school boundary.

The proposed car park would provide an additional 27 parking spaces for the school. The parking standards set out in the Pendle Local Plan require one space per classroom (with a reduction in highly accessible areas) for secondary schools. The proposed classroom block would include a total of 14 classrooms (12 general classrooms and two for special education needs provision). The school presently has 72 parking spaces, and one disabled space. The level of parking provision at the school will be significantly in excess of the parking standards, however given the issues on surrounding grounds it is considered that an exception is acceptable in this instance as it will assist to address some of the parking issues raised by the local residents.

The new car park would be constructed on the area used for the construction compound. Lancashire County Council Highways requested that the whole car park be brought into use upon the completion of the new teaching block. However, the applicant has said that this is not possible as they wish to continue to use the

construction compound for other building works on site. However, they are willing to phase the conversion of the compound into a car park so that at least part of the additional parking provision is brought into use upon the new extension being opened. This is considered acceptable given that not all of the additional teaching space would be used to its maximum capacity immediately upon the block being completed. A condition is recommended regarding phasing.

Lancashire County Council (LCC) Highways Development Control has also recommended conditions controlling construction management, layout of the parking spaces, provision of cycle parking and delivery of a travel plan. The applicant has submitted a school travel plan with the application, and it is recommended that a condition is imposed to ensure that this is continued and implemented.

The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. As no objections have been raised by Lancashire County Council Highways it is considered that a refusal on highway safety grounds could not be sustained.

The National Planning Policy Framework (NPPF) states that developments should provide a high standard of amenity for existing and future users. Policies ENV2 and SUP4 of the Pendle Core Strategy also see to ensure that new development is of a high standard of design that makes a positive contribution to the local area.

It is considered that the increased parking provision would help to alleviate some of the existing parking deficiencies at the school and reduce the likelihood of staff needing to park on local roads. In providing an additional vehicular access this will relieve pressure on existing points of access, although it is acknowledged that this will result in some additional impact on those residents of Cuerden Street where the new access is formed. The lawful use of the public highway and parking of vehicles where it is permitted cannot be controlled through the planning process and the short-term disruption experienced in the locality would be similar to that experienced at other schools. This being the case, it is considered that the need for the additional school places outweighs the impact of the projected additional traffic particularly bearing in mind the additional staff parking that would be created.

Loss of playing field

Saved policy 33 of The Pendle Local Plan and policy ENV1 of the Pendle Core Strategy identifies the land to the rear of the school, where the proposed teaching block would be located, as existing open space. This policy states that the Council will seek to protect those areas and that the loss of open space will only be permitted where either the loss involves poor quality amenity open space where there is a surplus in provision, or the proposal provides for the replacement of open space provision and will result in no net loss.

Paragraph 99 of the National Planning Policy Framework (NPPF) states that existing open space, sports and recreational grounds should not be built on unless an assessment has identified that the open space is surplus to requirements, the loss



would be replaced, or the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current or former use.

Sport England have a statutory remit to protect playing fields. Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of or prejudice the use of all/part of a playing field, unless it meets a number of exceptions. Sport England have indicated that they consider that the proposed works to the main school building and the creation of the car park would meet exception 3 (the proposed development affects only land incapable of forming part of a playing pitch) of Sport England's Playing Field Policy.

However, proposal also includes the erection of a two-storey teaching block including a Special Educational Needs (SEN) unit, paths and hard play surface to the rear of the school on land that Sport England considers to be functional playing field. Sport England have indicated that they consider policy exception 4 to be the most pertinent to this proposal:

'E4 - The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field'.

Sport England have further noted that the proposal involves the loss of playing field land and Sport England's role is to protect the whole of the playing field, not just those areas which are marked out.

The proposed teaching block would have a footprint of approximately 784 sq m (excluding the proposed access ramp). The grass playing field on which the proposed teaching block is to be located measures approximately 15,721 sq m. The proposed extension would therefore represent a very small percentage loss of this playing field.

The applicant has provided plans demonstrating how the remaining playing field could be laid out to continue to accommodate a half-sized pitch and full-sized pitch (including 3m run off areas around the perimeter) once the development has been completed. Furthermore, directly to the east of the school the school have an 'all weather pitch' which would be unaffected by the proposals.

Sport England have confirmed that they have consulted the Football Foundation. Bodies such as the Football Foundation act as Sport England's technical advisors in respect of their sport and sport facilities. The Football Foundation have advised that:

- The additional information makes it possible to adjudge that a youth 11v11 U13/14 pitch and a mini 7v7 U9/10 pitch can be retained to the Football Association's (FA) recommended dimensions with the required 3m safety run-off areas.
- The site operator must undertake a risk assessment to ensure the run-off area is safe and does not pose a risk of harm to a player or spectator. This would also be the case for any built structure that is located outside of the 3m safety runoff area that could cause harm to any player.

Although the proposals would result in the loss of a small area of grass playing field, contrary to the National Planning Policy Framework (NPPF) and Policy 33 of the Pendle Replacement Local Plan it has been demonstrated by the applicant that the proposals would not result in any loss of ability to provide the existing level of sports provision on the remaining playing field. The proposals would represent a very small loss of the playing field, and the school has a further all-weather playing pitch available to the east which would be unaffected by the proposals. The chosen location for the classroom block would have a minimal impact upon the amenities of neighbouring residents, compared with other possible locations within the school grounds. It would not be desirable to site the new block on the existing parking areas due to the existing parking problems in the immediate area.

The loss of playing field must also be balanced against the need for increased provision of school places in the area as evidenced in the County Council's School Place Provision Strategy 2022-2025. Taking into account all of these factors it is considered that on balance, there are sufficient material planning considerations to outweigh the objections of Sport England and the loss of the playing field.

As Sport England have maintained their objection to the proposals, the application must be referred to the Secretary of State should the Committee resolve to approve the application.

Design and appearance

Policy ENV 2 of the Pendle Core Strategy seeks to ensure that all new development delivers the highest possible standards of design, using materials appropriate to the setting.

The proposed teaching block would be constructed of facing brickwork and grey metal cladding, the specific details of which have not been provided. The existing school buildings are constructed from a variety of materials and styles as the school has expanded over time. The other extensions and alterations are relatively small within the context of the existing school buildings and would be constructed from materials to match the existing school.

Views of the proposed teaching block would be afforded from Wackersall Road to the east, a pedestrian route (FP128a) which cross the railway line to the south of the school and more distant views would be afforded from Briercliffe Avenue to the west. The main new building would be seen in the context of the existing two storey school buildings and would not appear unduly incongruous or obtrusive. The other extensions would be relatively small, and unobtrusive.

Additional evergreen soft landscaping is proposed along the northern boundary of the application site and the proposed car park, which would help to minimise the visual impact of the car parking area.

Subject to conditions requiring the details of the proposed materials to be submitted and approved it is considered that the proposed extensions, alterations and car park would be of a size, scale, design and appearance that is in keeping with the existing school and wider area.

Surface water drainage

The application site is not within an area at risk from flooding. However, a small area of the grounds of the school is identified as being at risk from surface water flooding. The applicant has provided a flood risk assessment with the application. The Lead Local Flood Authority and United Utilities have not raised any objections to the proposals and have recommended a number of conditions regarding submission of details and implementation of a sustainable surface water drainage system.

Conclusion

The proposal would provide additional school spaces and would therefore satisfy the policy in paragraph 96 of the National Planning Policy Framework (NPPF).

Subject to the imposition of appropriate conditions the proposal would not give rise to any undue loss of amenity for neighbouring residents or harm to highway safety.

The proposal would result in the loss of a small area of the school playing field. However the applicant has demonstrated that the playing field that remains could adequately accommodate the activities that presently take place on the field. The school also has an additional all-weather playing pitch available to the east.

The proposal is accordingly recommended for approval. However, as Sport England have maintained their objections to the proposals the application must be referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2021 so that the Secretary of State may consider using the power to call in the application under section 77 of the Town and Country Planning Act 1990, prior to the issuing of any decision.

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

Recommendation

That subject to the Secretary of State confirming that the application will not be called in for his own determination, 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 8 June 2022.
- b) Submitted Plans and documents:
- 12153-LCC-A-70-30-0001-S2.P01 – Existing elevations, sheet 1 of 2
 - 12153-LCC-A-70-30-0002-S2.P01 – Existing elevations, sheet 2 of 2
 - 12153-LCC-A-70-30-0003-S2.P01 – Proposed Elevations, sheet 1 of 2
 - 12153-LCC-A-70-30-0004-S2.P01 – Proposed Elevations, sheet 2 of 2
 - 12153-LCC-A-70-30-0005-S2.P01 – Proposed Elevations (New block)
 - 12153-LCC-A-70-60-0001-S2.P02 – Existing Ground Floor General Arrangement Plan
 - 12153-LCC-A-70-60-0002-S2.P02 – Existing First Floor General Arrangement Plan
 - 12153-LCC-A-70-60-0003-S2.P02 – Existing Second & Third Floor General Arrangement Plans
 - 12153-LCC-A-70-60-0010-S2-P02 – Proposed Ground Floor General Arrangement Plan
 - 12153-LCC-A-70-60-0011-S2-P07 – Proposed First Floor General Arrangement Plan
 - 12153-LCC-A-70-60-0012-S2-P02 – Proposed Second & Third Floor General Arrangement Plans
 - 12153-LCC-A-70-60-0013-S2-P02 – Proposed General Arrangement Floor plans (New Block)
 - 12153-LCC-A-70-60-0200-S2-P01 – Existing Site Plan
 - 12153-LCC-A-70-60-0201-S2-P06 – Proposed Site Plan
 - 12153-LCC-A-70-60-0205-S2-P02 – Site Plan - sports layout
 - 12153-LCC-A-90-64-0002-S2.P02 - Location Plan
- c) All schemes and programmes approved in accordance with this permission.

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies ENV1 and of the Pendle Local Plan.

Safeguarding of Watercourses and Drainage

3. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment March 2022 / 148414/01 / Fairhurst.

The measures shall be fully implemented prior to the use of the development commencing and in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.



4. No development shall commence until a detailed surface water sustainable drainage strategy and a foul water drainage scheme for the site has been submitted to and approved in writing by the County Planning Authority.

The detailed surface water sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative surface water sustainable drainage strategy submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The details of the drainage strategy to be submitted for approval shall include, as a minimum:

- a) Sustainable drainage calculations for peak flow control and volume control for the:
 - i) 100% (1 in 1-year) annual exceedance probability event.
 - ii) 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance.
 - iii) 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance. Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.
- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
 - i) Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary.
 - ii) Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall.
 - iii) Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate.
 - iv) Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems.
 - v) Finished Floor Levels (FFL) in above ordnance datum (AOD) with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for Finished Floor Levels (FFL).
 - vi) Details of proposals to collect and mitigate surface water runoff from the development boundary.
 - vii) Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components.



- c) Evidence of an assessment of the existing on-site surface water drainage systems/sewer to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.
- d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.
- e) Mitigation measures to manage the risk of sewer surcharge where applicable.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Non-statutory Defra Technical Standards for Sustainable Drainage Systems (March 2015).

- 5. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the County Planning Authority.

The details of the plan to be submitted for approval shall include:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site into any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

- 6. The development shall be brought into use until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.



The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation.
- b) Details of Sustainable Drainage Systems (SuDS) components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component.
- c) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. This shall include a pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues.
- d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity.
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life.
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

7. The development shall not be brought into use until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the County Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings.

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the



requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

Building Materials

8. No development shall take place until details of the building materials to be used for the external elevations and the roof of the two-storey teaching block 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 conform with policy ENV2 of the Pendle Core Strategy.

Highway Matters

9. No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to, and approved in writing by, the County Planning Authority. The access shall thereafter be constructed and retained in accordance with the approved details.

Reason: In order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to conform with Policy ENV2 of the Pendle Core Strategy

10. No part of the development hereby approved shall be commenced until all the highway works have been constructed and completed in accordance with the scheme approved under Condition 9.

Reason: To enable all construction traffic to enter and leave the site in a safe manner without causing a hazard to other road users and to conform with Policy ENV2 of the Pendle Core Strategy.

11. No development shall take place, including any works of clearance, until a construction method statement has been submitted to and approved in writing by the County Planning Authority. It shall provide for:

- i) The parking of vehicles of site operatives and visitors.
- ii) The loading and unloading of plant and materials.
- iii) The storage of plant and materials used in constructing the development.
- iv) Wheel washing facilities and mechanical road sweeping.
- v) Measures to control the emission of dust and dirt during construction.
- vi) A scheme for recycling/disposing of waste resulting from clearance and construction works.
- vii) Details of working hours.
- viii) Timing of deliveries.
- ix) Measures to ensure that construction and delivery vehicles do not impede access to neighbouring properties.



The approved statement shall be adhered to throughout the construction period.

Reason: In the interest of highway safety and in accordance with policy ENV2 of the Pendle Local Plan.

12. The two-storey teaching block hereby permitted shall not be brought into use until a scheme and programme for phasing the introduction of the use of the additional on-site car parking has been submitted to and approved in writing by the County Planning Authority.

The scheme shall include details of

- i) Location of the site compound and details of vehicle circulation within the site.
- ii) Details for the level of parking provision that will be made available prior to the use of the two-storey teaching block being opened.
- iii) A timescale for the remainder of the parking spaces to be made available.
- iv) Details for the phasing of the surfacing of the car park.

The approved scheme shall be implemented within the approved timescales.

Reason: In order to ensure satisfactory levels of off-street parking are achieved within the site to prevent parking on the highway to the detriment of highway safety and to conform with Policy ENV2 of the Pendle Core Strategy.

13. Prior to the development being brought into use, cycle parking shall be provided in accordance with details to be first submitted to and approved by the County Planning Authority. The cycle parking area shall thereafter be kept free of obstruction and available for the parking of cycles only at all times.

Reason: To ensure the provision and availability of adequate cycle parking and to ensure that the development provides the infrastructure for sustainable forms of transport and to confirm with Policy SDP1 of the Pendle Core Strategy.

14. Within one year of the bringing into use of the new classroom block, a School Travel Plan shall be submitted to the County Planning Authority for approval in writing.

The School Travel Plan shall include immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use and details of the measures to be implemented to reduce the highway impacts of the school and to encourage sustainable modes of travel.

The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.



Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling and to conform with Policy SDP1 of the Pendle Core Strategy.

Hours of Working

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

0730 to 1800 hours Monday to Friday (except Public Holidays),
0800 to 1800 hours on Saturday.

No construction development shall take place at any time on Sundays or Public Holidays.

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy ENV2 of the Pendle Core Strategy.

16. The movement of heavy goods vehicles (HGVs) associated with the construction of the development shall only take place between the hours of 09:00 and 14:30 hrs Monday to Fridays. These hours shall not apply where construction activities take place outside of school term times when heavy goods vehicle (HGV) movements shall be limited to between 08.00 and 18.00 hrs.

Reason: In order to protect neighbour amenity and prevent undue harm to highways safety and to conform with Policy ENV2 of the Pendle Core Strategy.

Landscaping

17. No development shall take place until a scheme and programme for the landscaping of the site has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall include details of:

- a) Details for the planting of tree and shrub screening including numbers, types and sizes of species to be planted, location and layout of planting areas, protection measures and methods of planting.
- b) Details for the seeding of any landscaping areas including mixes to be used and rates of application.
- c) Details for the management of any landscaping areas including maintenance of tree and shrub planting and grazing or mowing of grassland areas.

The approved landscaping 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 dead and dying trees and maintenance of protection measures.



Reason: In the interests of visual and local amenity and the local environment and to conform with Policy ENV2 of the Pendle Core Strategy.

Notes

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as the Highway Authority prior to the start of any development. For the avoidance of doubt works shall include, but not be exclusive to:

- The construction of the access to an appropriate standard.
- Pursual of Traffic Regulation Orders (TRO) on Cuerden Street to keep turning head clear and potentially Residents Only Parking.
- Turning head constructed to adoptable standards.

The applicant should be advised to contact the county council for further information by telephoning the Development Control Section (Area East) on 0300 123 6780 or by email developeras@lancashire.gov.uk in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the relevant planning application reference number.

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

Paper	Date	Contact/Directorate/Ext
LCC/2022/0032	December 2022	Helen Ashworth Planning and Environment 01772 530084

Reason for Inclusion in Part II, if appropriate

N/A





Planning Application LCC/2022/0032

Erection of 2 storey teaching block including a Special Educational Needs unit; internal modifications & refurbishment to several areas of the existing main building; additional staff car parking and vehicular entrance off Cuerden Street

Colne Primet Academy, Dent Street, Colne

Planning application LCC/2022/0032

Site Location Plan

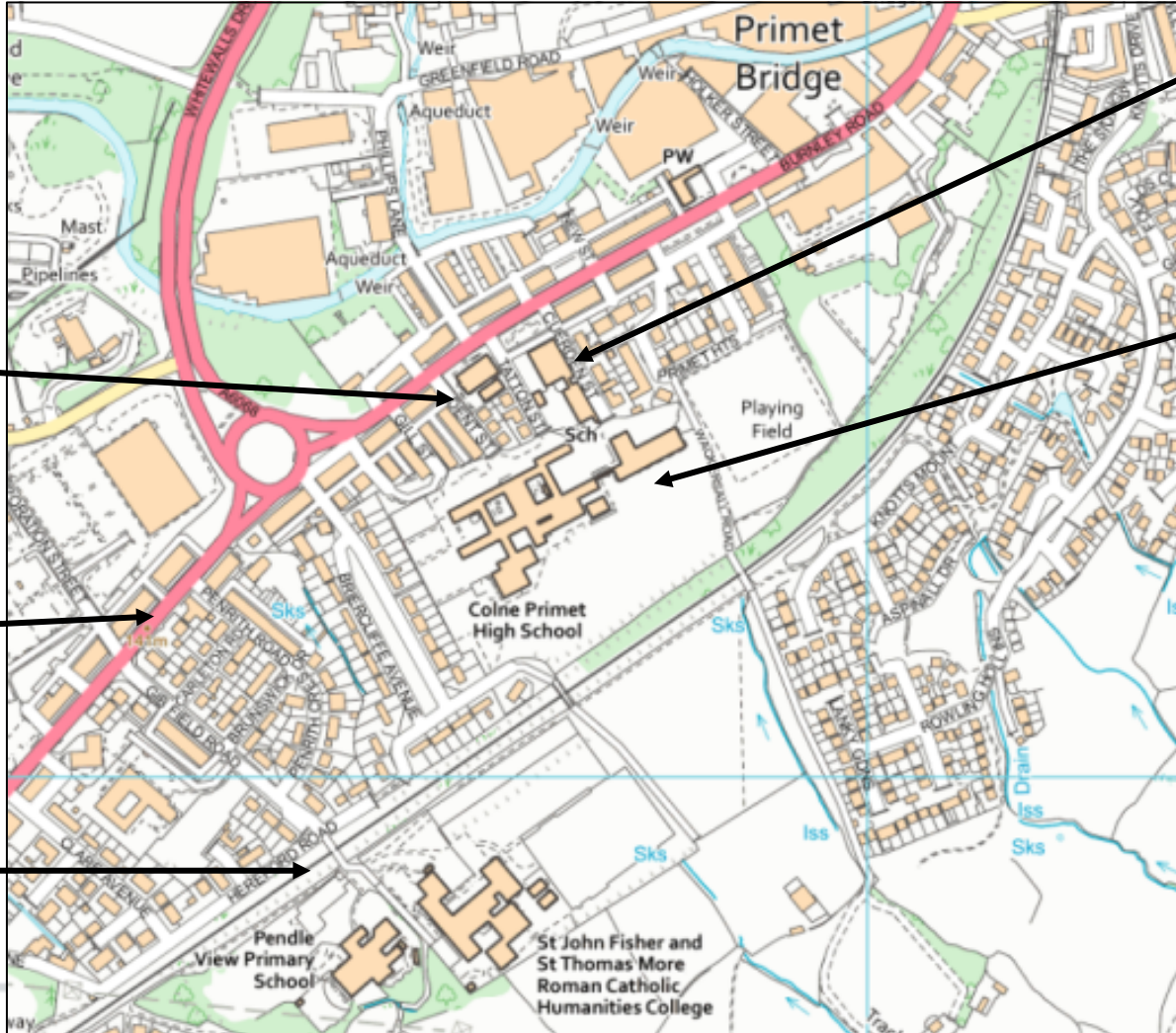
Cuerden Street
(proposed new
access)

Colne Primet Academy

Dent Street
(existing
access)

A56 (Burnley Road)

Railway line



Planning application LCC/2022/0032

Aerial View

Proposed new car park and entrance

Dent Street

Briercliffe Avenue



Primet Heights

All weather playing pitch

Location of proposed new teaching block

Railway line



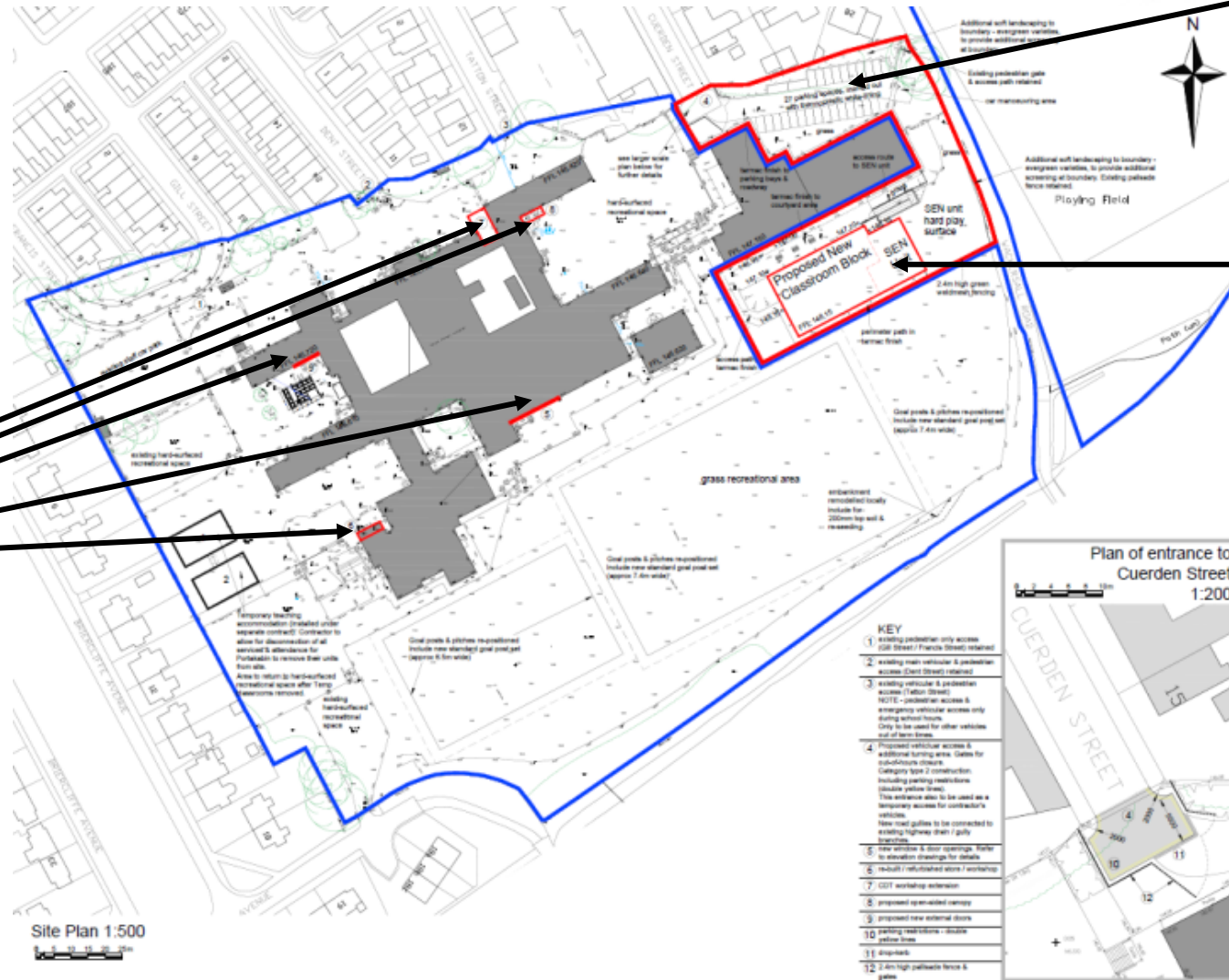
Planning application LCC/2022/0032

Site Layout

New entrance & car park

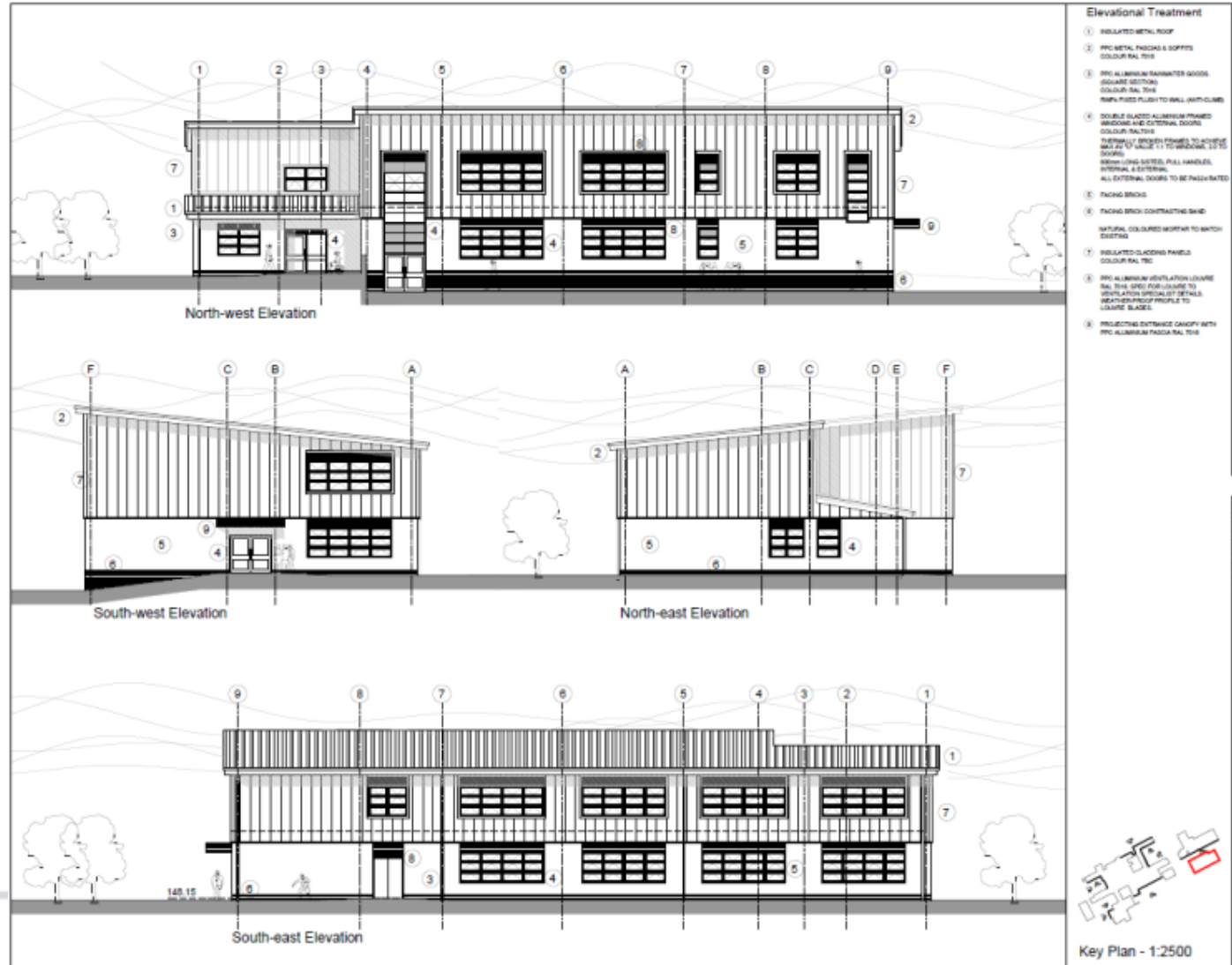
Proposed teaching block

Other proposed alterations



Planning application LCC/2022/0032

Proposed elevations of teaching block



Planning application LCC/2022/0032

Views of proposed site entrance from Cuerden Street



Planning application LCC/2022/0032

Location of proposed new 2 storey teaching block



Page 83



Planning application LCC/2022/0032 Location of proposed car park



View of boundary with Primet Heights
(north boundary)

View of Cuerden Street from site of
new car park

Planning application LCC/2022/0032



Location of proposed CDT workshop



Location of replacement store

Planning application LCC/2022/0032

Page 86



Location of proposed covered walkway



Development Control Committee

Meeting to be held on 21 December 2022

Electoral Division affected:
Moss Side and Farington

South Ribble Borough: application number FP/2022/0001

Town and Country Planning Act 1990, Section 257

To divert public rights of way 9-12-FP12 and 9-12-FP8 to allow the development of the proposed Cuerden strategic employment site (planning application ref: LCC/2022/0044). Land east of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall
(Appendices 'A' and 'B' refers)

Contact for further information:

Robert Hope, Tel: 01772 534159, Principal Planning Officer

DevCon@lancashire.gov.uk

Executive Summary

Application – To divert public rights of way 9-12-FP12 and 9-12-FP8 to allow the development of the proposed mixed use Cuerden mixed use strategic employment site (planning application ref: LCC/2022/0044). Land east of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall.

Recommendation – Summary

Subject to the Committee being satisfied that it is necessary to divert public rights of way 9-12-FP12 and 9-12-FP8 to enable the development to be carried out in accordance with planning application LCC/2022/0044, Orders be made under Section 257 of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013 to divert public rights of way 9-12-FP12 and 9-12-FP8. Provided no objections are received following advertisement of the Orders, the Orders be confirmed should planning permission be granted for the proposed development.

Applicant's Proposal

Lancashire County Council has submitted a full planning application under Regulation 3 of the Town and Country Planning General Regulations 1992 for the following:

Outline planning permission (with all matters reserved save for access from the public highway and strategic green infrastructure/landscaping) for a mixed-use development including the provision of employment use (use classes b2/b8/e(g)); retail (use class e(a)); food, drink and drive through restaurant use (use class e(b)/sui generis drive-through); hotel use (use class c1); health, fitness and leisure use (use classes e(d)/f(e)/f2(b)); creche/nursery (class e(f)); car showrooms (use class sui generis car showroom); residential use (c3) the provision of associated car parking, access, public open space, landscaping and drainage at Cuerden Strategic Site, east of Stanifield Lane, north of Clayton Farm, west of Wigan Road, Lostock Hall (ref. LCC/2022/0044).

Should permission be granted, there would be a need to divert public right of way numbers 9-12-FP12 and 9-12-FP8 that cross the site to allow the development to be laid out in accordance with the illustrative framework plan or similar building and infrastructure layout. The following diversions are proposed:

Public Right of Way 9-12-FP12

Description of site of existing path or way

The entire length of that part of Footpath 9-12-FP12 running from the western boundary of the adopted highway of South Ribble Way (A6) in Farington at point A (SD 5555 2504), generally west for 310 metres to an unmarked point in the field, 30 metres east of Old School Lane at point B (SD 5526 2499) as indicated on the attached map (see Plan Ref: 211-745v5, Appendix 'A').

Description of site of alternative public right of way

A bridleway running from the southern boundary of the adopted highway of Lostock Lane (A582) in Lostock Hall at point C (SD 5527 2513), generally south for 150 metres to an unmarked point in the field, 30 metres east of Old School Lane at point B (SD 5526 2499), then continuing generally south for 465 metres to join Stoney Lane (U10735) at point D (SD 5521 2466) as indicated on the attached map (see Plan Ref: 211-745v5, Appendix 'A'). The bridleway would have a metalled surface and a width of 3 metres.

Public Right of Way 9-12-FP8

Description of site of existing path or way

The entire length of that part of Footpath 9-12-FP8 from a point 10 metres south of the boundary of the M65 Motorway in Farington at point E (SD 5566 2471) running south south-west for 155 metres to the junction with bridleway 9-12-BW11 at point F (SD 5560 2457) as indicated on the attached map (see Plan Ref: 211-746v5, Appendix 'B').

Description of site of alternative public right of way

A bridleway running from the western boundary of the adopted highway of Wigan Road (A49) in Farington at point G (SD 5605 2458), generally west north-west for 435 metres to a point near the boundary of the M65 Motorway in Farington 10



metres west of point E (SD 5566 2471) then generally south south-west for 180 metres to a junction with bridleway 9-12-BW11 at point H (SD 5560 2457) as indicated on the attached map (see Plan Ref: 211-746v5, Appendix 'B'). The bridleway would have a metalled surface and a width of 3 metres.

Background

Section 257 of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013 allows a diversion/stopping up Order necessary to enable a development to take place, to be made before planning permission has been granted, provided that a planning application has been submitted. An Order cannot be confirmed however until such time as planning permission for the proposed development has been granted and provided that the Order is unopposed.

When an Order is made by a local planning authority under Section 257 it is necessary for the local authority to give notice of the order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be made by the Secretary of State.

Advice

A planning application has been submitted for outline planning permission for a mixed-use strategic employment site (ref CC/2022/0044). Should permission be granted, there would be need to divert public right of way numbers 9-12-FP12 and 9-12-FP8 that cross the site to allow the development to be laid out in accordance with the illustrative framework plan or similar building and infrastructure layout. The planning application will be determined by the County Council's Development Control Committee.

The diversion of public right of way no. 9-12-FP12 would allow for the construction of a new spine road into the site from the M65 motorway and adjoining proposed development plots. The diverted route would align roughly north-south towards the west of the site through an area of proposed green infrastructure allowing safe access into different areas beyond. The diversion of public right of way no. 9-12-FP8 would involve re-alignment and extension of the route to avoid proposed development plots and create better connectivity for members of the public to the east of the site and access to Wigan Land and Cuerden Valley Park.

Both diversions of existing public rights of way are considered necessary in order for the development included within the outline planning application to proceed at the site. The diversions have been designed to avoid cul-de-sacs in the site and create enhanced accessibility and connectivity to the wider public rights of way network.



Recommendation

Subject to the Committee being satisfied that it is necessary to divert public rights of way 9-12-FP12 and 9-12-FP8 to enable the development to be carried out in accordance with planning application LCC/2022/0044, Orders be made under Section 257 of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013 to divert public rights of way 9-12-FP12 and 9-12-FP8 as follows:

Public Right of Way 9-12-FP12

Description of site of existing path or way

The entire length of that part of Footpath 9-12-FP12 running from the western boundary of the adopted highway of South Ribble Way (A6) in Farington at point A (SD 5555 2504), generally west for 310 metres to an unmarked point in the field, 30 metres east of Old School Lane at point B (SD 5526 2499) as indicated on the attached map (see Plan Ref: 211-745v5, Appendix 'A').

Description of site of alternative public right of way

A bridleway running from the southern boundary of the adopted highway of Lostock Lane (A582) in Lostock Hall at point C (SD 5527 2513), generally south for 150 metres to an unmarked point in the field, 30 metres east of Old School Lane at point B (SD 5526 2499), then continuing generally south for 465 metres to join Stoney Lane (U10735) at point D (SD 5521 2466) as indicated on the attached map (see Plan Ref: 211-745v5, Appendix 'A'). The bridleway would have a metalled surface and a width of 3 metres.

Public Right of Way 9-12-FP8

Description of site of existing path or way

The entire length of that part of Footpath 9-12-FP8 from a point 10 metres south of the boundary of the M65 Motorway in Farington at point E (SD 5566 2471) running south south-west for 155 metres to the junction with bridleway 9-12-BW11 at point F (SD 5560 2457) as indicated on the attached map (see Plan Ref: 211-746v5, Appendix 'B').

Description of site of alternative public right of way

A bridleway running from the western boundary of the adopted highway of Wigan Road (A49) in Farington at point G (SD 5605 2458), generally west north-west for 435 metres to a point near the boundary of the M65 Motorway in Farington 10 metres west of point E (SD 5566 2471) then generally south south-west for 180 metres to a junction with bridleway 9-12-BW11 at point H (SD 5560 2457) as indicated on the attached map (see Plan Ref: 211-746v5, Appendix 'B'). The bridleway would have a metalled surface and a width of 3 metres.



Provided no objections are received following advertisement of the Orders, the Orders be confirmed should planning permission be granted for the proposed development.

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

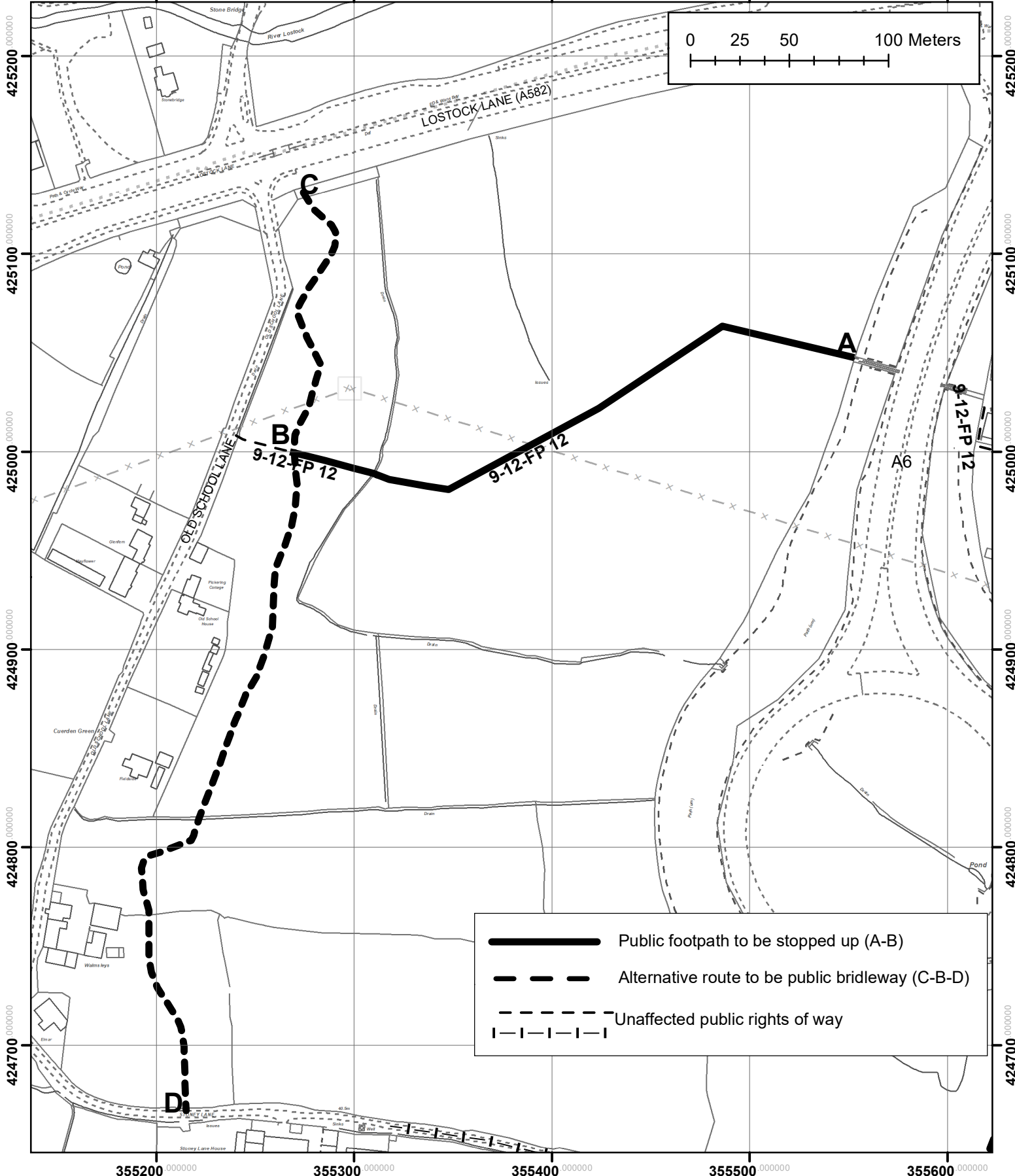
Paper	Date	Contact/Directorate/Ext
LCC/2022/0044	December 2022	Rob Hope Planning and Environment (01772) 534159

Reason for Inclusion in Part II, if appropriate

N/A



355200 000000 355300 000000 355400 000000 355500 000000 355600 000000



	Public footpath to be stopped up (A-B)
	Alternative route to be public bridleway (C-B-D)
	Unaffected public rights of way

355200 000000 355300 000000 355400 000000 355500 000000 355600 000000

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 PROW@lancashire.gov.uk
 01772 530317

PROPOSED DIVERSION OF PART OF 9-12-FP12
 AT LANCASHIRE CENTRAL, CUERDEN.
 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
 PUBLIC FOOTPATH DIVERSION ORDER

Plan Ref: 211-745v5

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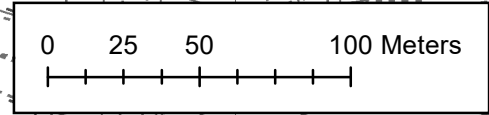
424600 000000




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-  Public footpath to be stopped up (E-F)
-  Alternative route to be public bridleway (G-E-H)
-  Unaffected public rights of way

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 01772 530317

PROPOSED DIVERSION OF PART OF 9-12-FP8
 AT LANCASHIRE CENTRAL, CUERDEN.
 TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
 PUBLIC FOOTPATH DIVERSION ORDER

Plan Ref: 211-746v5



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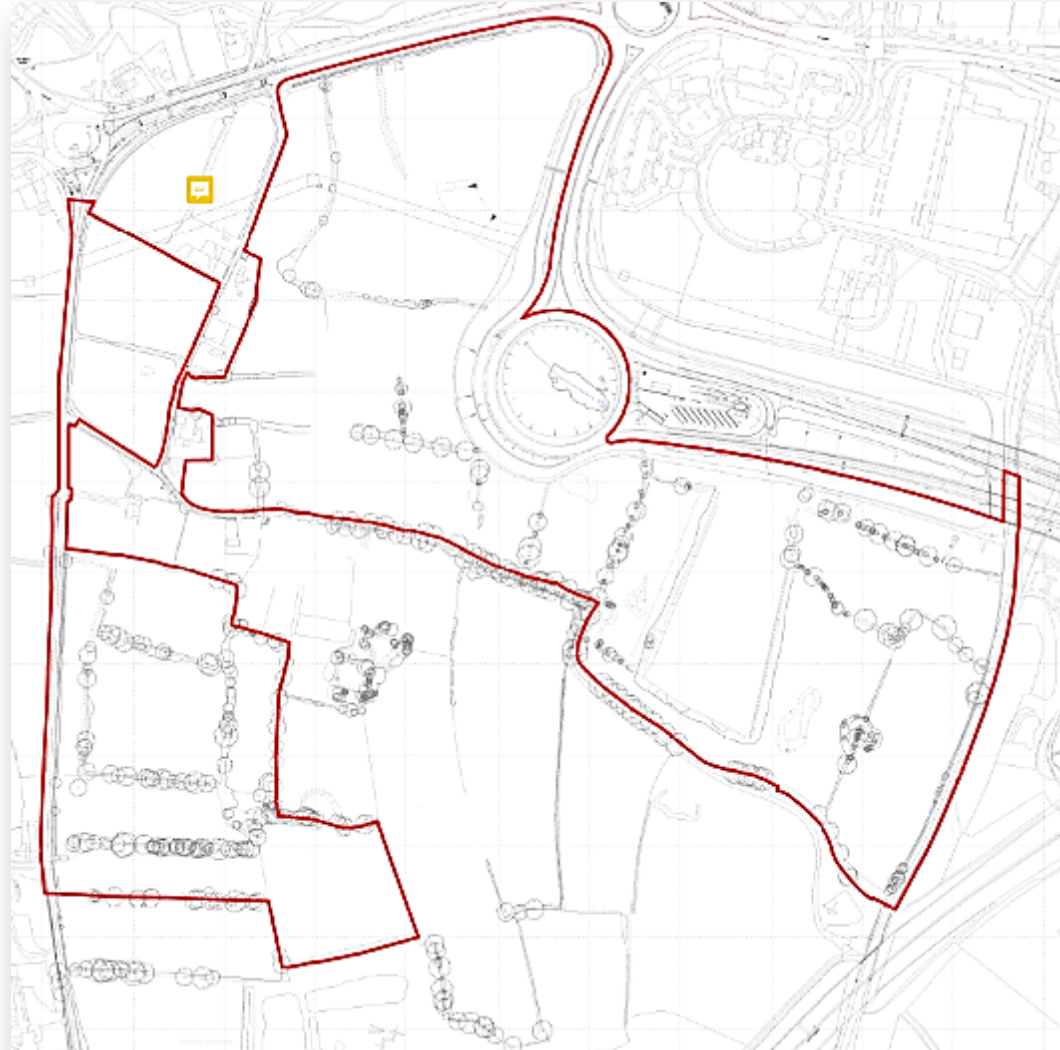


South Ribble Borough: application number FP/2022/0001

To divert public rights of way 9-12-FP12 and 9-12-FP8 to allow the development of the proposed Cuerden strategic employment site (planning application ref: LCC/2022/0044). Land east of Stanifield Lane, North of Clayton Farm, West of Wigan Road, Lostock Hall

FP/2022/0001

Application boundary for planning application LCC/2022/0044



FP/2022/0001 Site Location

A6 South Ribble Way

A6 / A582 Lostock Lane

Old School Lane

M65 Motorway

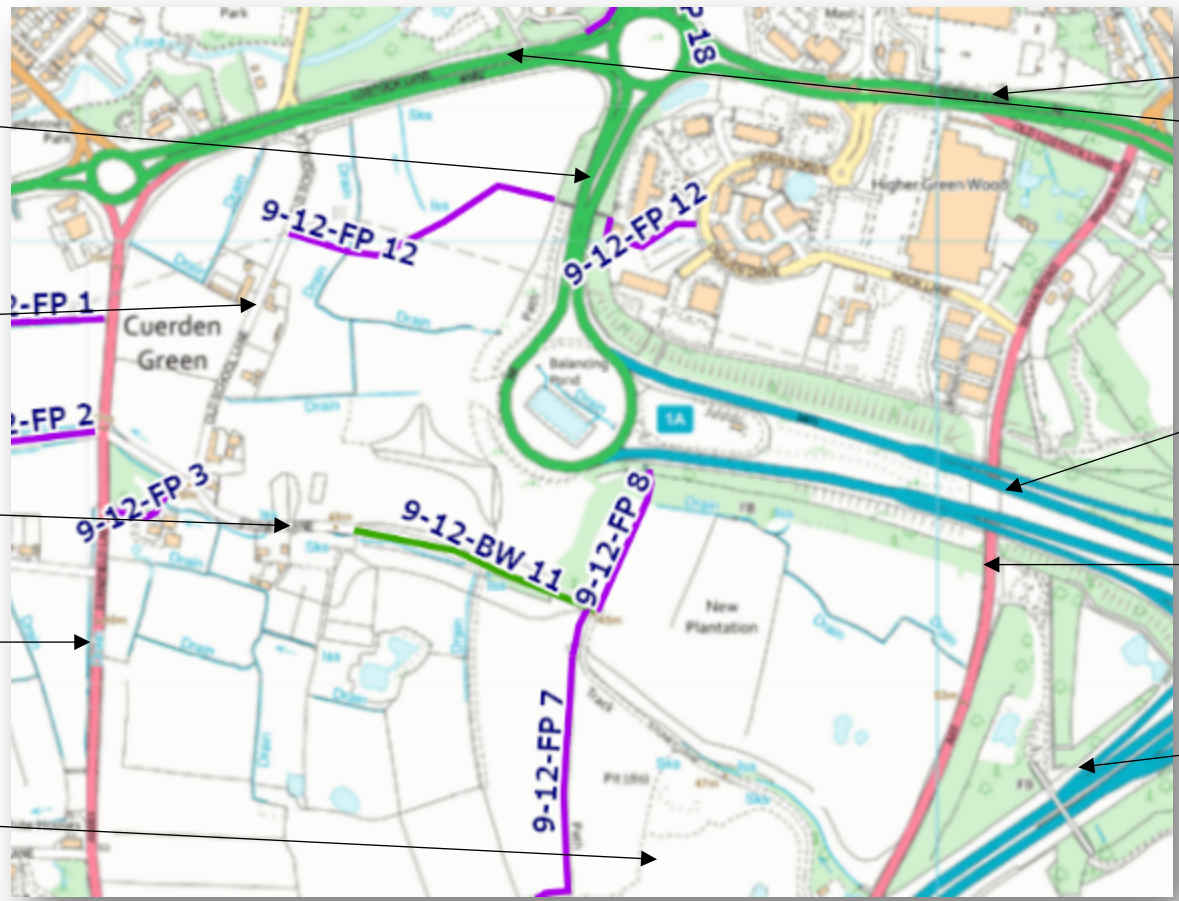
Stoney Lane

A49 Wigan Lane

Stanifield Lane

M6 Motorway

Lydiate Lane
Sand Quarry



FP/2022/0001 Aerial view (2020)

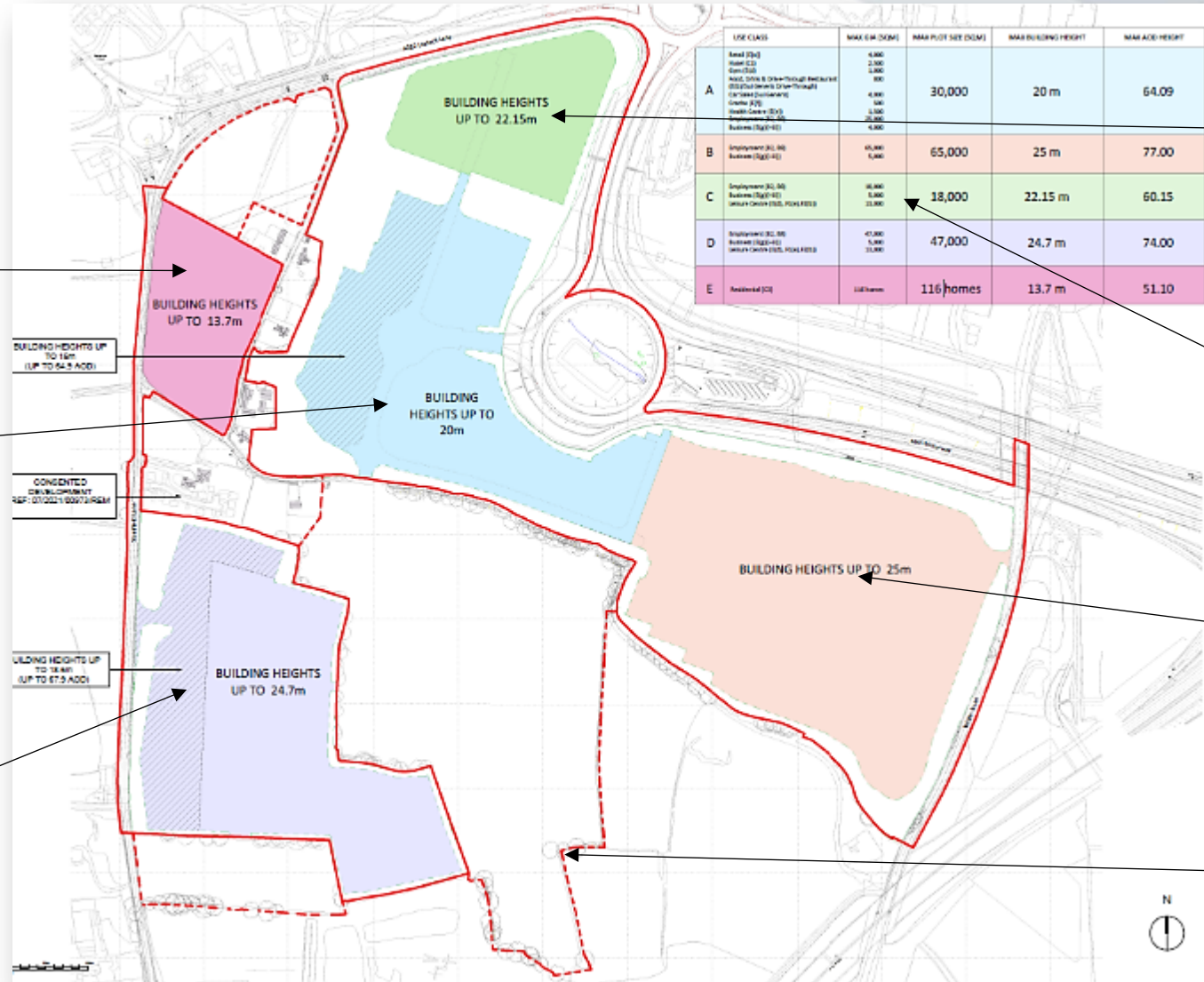


Proposed site parameters for LCC/2022/0044

Zone E -
Build height up to 13.7m

Zone A -
Build height up to 20m with western restriction at 15m

Zone D -
Build height up to 24.7m with western and northern restriction at 18.6m



Zone C -
build height up to 22.15m

Maximum plot sizes for different use classes

Zone B - build height up to 25m

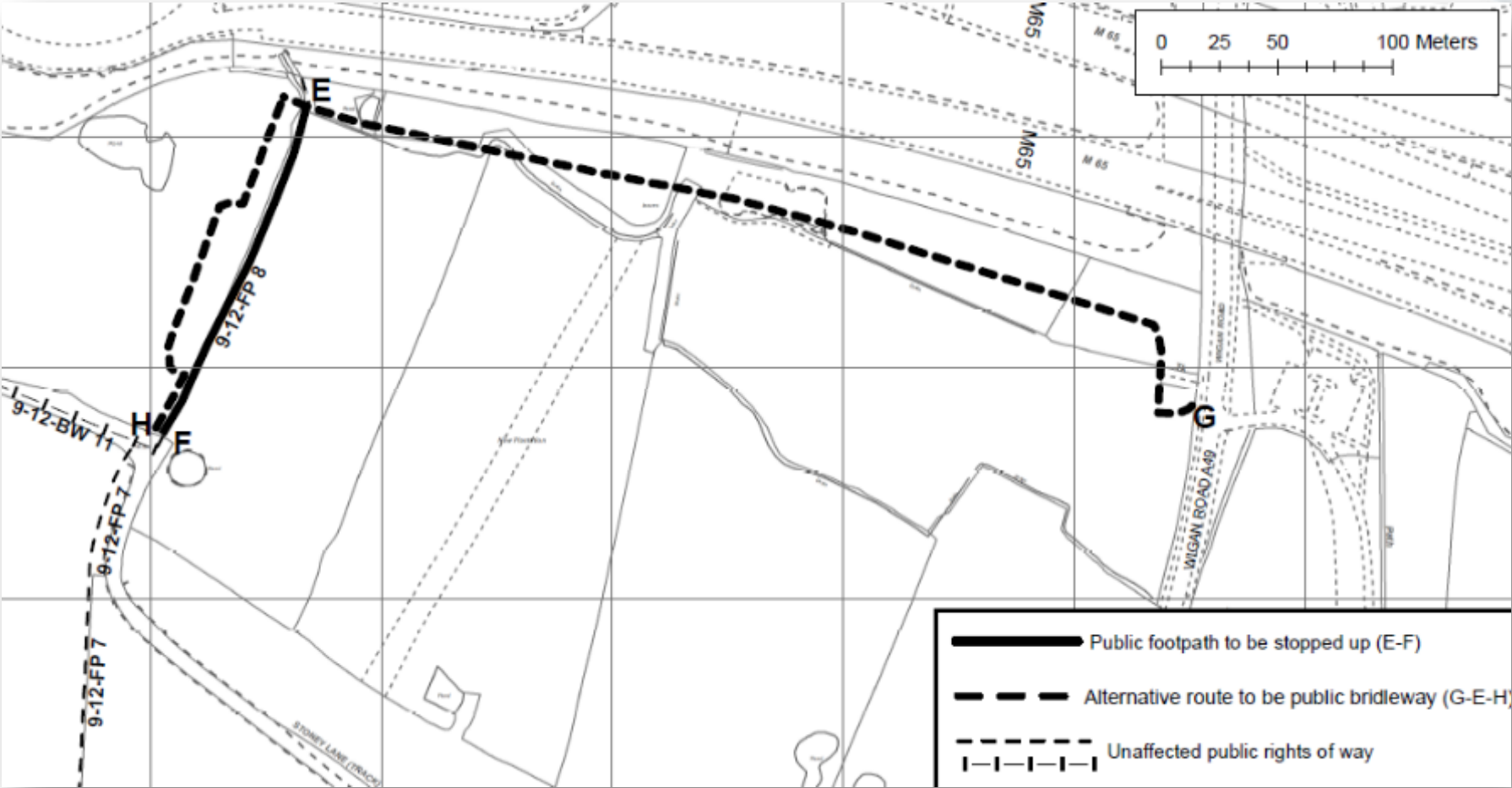
Dotted red line denotes wider area of allocated strategic site

Proposed Strategic landscaping for LCC/2022/0044

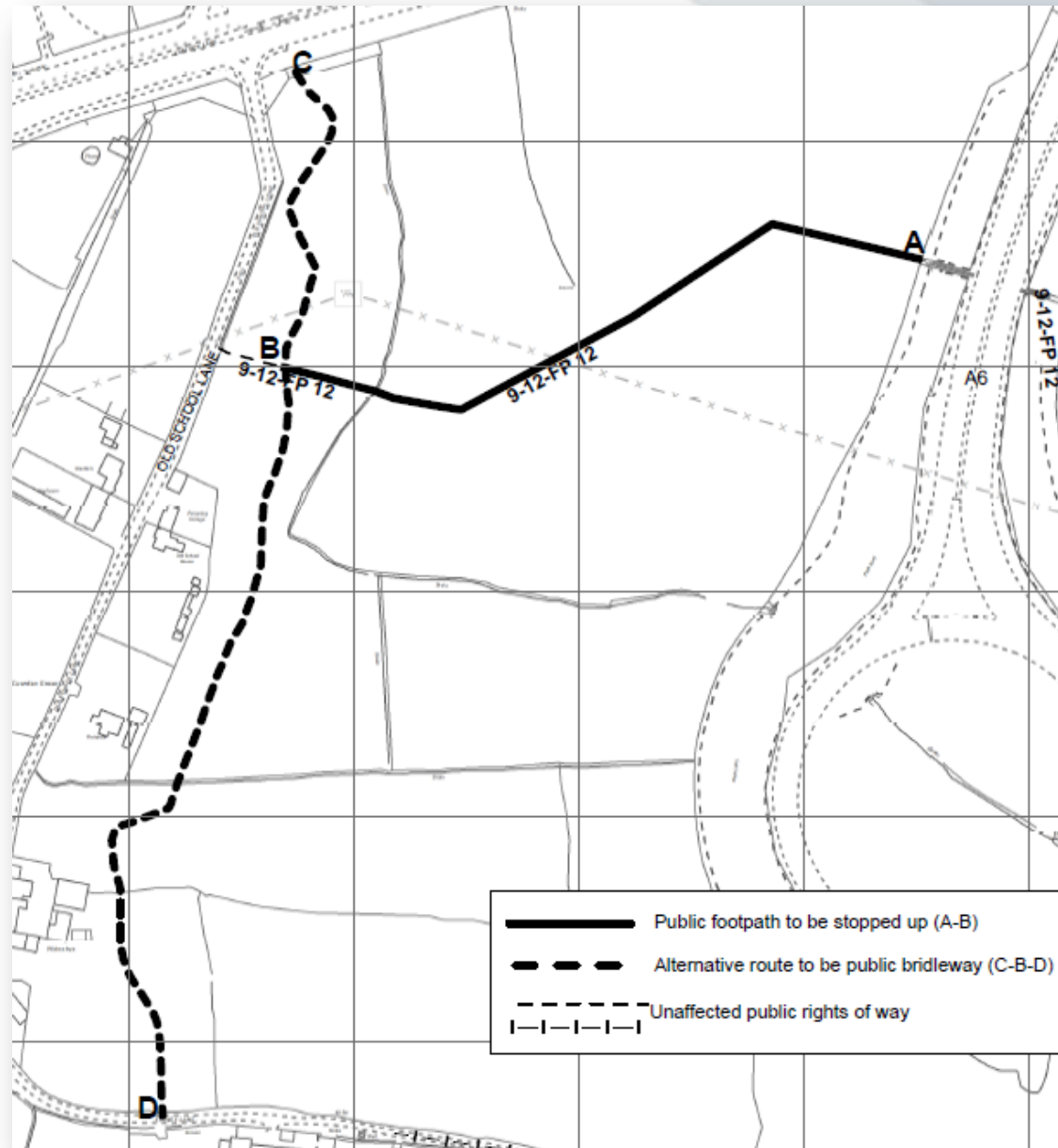


FP/2022/0001

Proposed diversion of footpath 9-12-FP8



FP/2022/0001 Proposed diversion of footpath 9-12-FP12



Development Control Committee
Meeting to be held on 21 December 2022

Electoral Division affected:
Moss Side and Farington

South Ribble Borough: application number FP/2022/0002

Town and Country Planning Act 1990, Section 257

To divert footpaths nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1 to allow the development of new cricket facility as proposed in Planning Application LCC/2022/0048 on land at Woodcock Estate, Stanifield Lane, Farington
(Appendix 'A' refers)

Contact for further information:

Jonathan Haine, 01772 534130, Head of Development Control

DevCon@lancashire.gov.uk

Executive Summary

Application – To divert footpaths nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1 to allow the development of new cricket facility as proposed in Planning Application LCC/2022/0048 on land at Land at Woodcock Estate, Stanifield Lane, Farington.

Recommendation - Summary

Subject to the Committee being satisfied that it is necessary to divert public rights of way nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1 to enable the development to be carried out in accordance with planning application LCC/2022/0048, Orders be made under Section 257 of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013 to divert public rights of way nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1. Provided no objections are received following advertisement of the Orders, the Orders be confirmed if planning permission is granted for the proposed development.

Applicant's Proposal

Lancashire County Council has submitted a full planning application under Regulation 3 of the Town and Country Planning General Regulations 1992 for:

Proposed cricket facility comprising 2 no. cricket ovals and associated pavilion building and spectator seating, covered cricket nets, access, parking, landscaping and associated works (including temporary event overlay facilities on ticketed match days).

In order to develop the proposal, it will be necessary to re-align three existing Public Rights of Way nos. 9-12-FP1, 9-12-FP2 and 7-4-FP5 that cross the site. The following diversions are proposed:

Public Right of Way 9-12-FP1

The entire length of that part of Footpath 9-12-FP1 running from the western boundary of Stanifield Lane (A5083) in Farington at point A (SD 5502 2490), west for 185 metres to an unmarked point in the field point B (SD 5483 2489) as indicated on the map attached to this report at Appendix 'A'.

Description of site of alternative public right of way

A footpath running from the western boundary of Stanifield Lane (A5083) in Farington at point C (SD 5503 2497), generally west south west for 210 metres to an unmarked point in the field point B (SD 5483 2489) as indicated on the map attached to this report at Appendix 'A'.

Public Rights of Way 9-12-FP-2 and 7-4-FP5

The entire length of Footpath 9-12-FP2 and of part of Footpath 7-4-FP5 running from the western boundary of Stanifield Lane (A5083) in Farington at point D (SD 5501 2477), generally west for 210 metres to just west of Sherdley Cottage (point E, SD 5481 2472) and then generally south west for 465 metres to an unmarked point in the field at point F (SD 5459 2451) as indicated on the map attached to this report at Appendix 'A'.

Description of alternative public right of way

A footpath running from the western boundary of Stanifield Lane (A5083) in Farington at point K (SD 5501 2478), generally west then south for 250 metres to an unmarked point in the field at point E (SD 5481 2472) and then generally south then west for 380 metres to the field boundary at point G (SD 5470 2448) and then west north west for 115 metres to point F (SD 5459 2451) as indicated on the map attached to this report at Appendix 'A'.

Background

Section 257 of the Town and Country Planning Act 1990 (as amended by the Growth and Infrastructure Act 2013) allows a diversion/stopping up Order necessary to enable a development to take place, to be made before planning permission has been granted, provided that a planning application has been submitted. An Order cannot be confirmed however until such time as planning permission for the proposed development has been granted and provided that the Order is unopposed.

When an Order is made by a local planning authority under Section 257 it is necessary for the local authority to give notice of the Order by publishing a notice in a local newspaper, displaying a notice on site and notifying specified persons and bodies. In the event that objections are made and not withdrawn, the Order will need to be made by the Secretary of State.



Advice

A planning application was submitted in July 2022 for a proposed cricket facility comprising 2no. cricket ovals and associated pavilion building and spectator seating, covered cricket nets, access, parking, landscaping and associated works (including temporary event overlay facilities on ticketed match days) and realignment of public rights of way nos. 9-12-FP1, 9-12-FP2, 7-4-FP5 at land at Woodcock Estate, Stanifield Lane, Farington (LCC/2022/0048). The planning application will be determined by the County Council's Development Control Committee.

To implement the proposed development, three public rights of way will require diversion:

With regard to Public Right of Way 9-12-FP1, in order to develop the proposed access road into the proposed development it is necessary to realign part of this existing Public Right of Way to access Stanifield Lane approximately 60m metres further to the north. The realigned section would then join the route of the existing footpath which continues in a westerly direction before joining existing footpath 7-4-FP6 allowing members of the public to come out onto Farington Road.

With regards to Public Right of Way 9-12-FP2 it is necessary to divert this route and part of Public Right of Way 7-4-FP5 near the eastern boundary of the proposed development site in order to provide a safer pedestrian access route to and past the site as detailed in the proposal. Public Right of Way 7-4-FP5 also requires re-alignment in order to construct the cricket ovals and the tiered spectator bunding around them. The perimeter of this bunding would form a physical barrier to the existing public right of way preventing access to and from it.

The proposed diverted route of 9-12-FP2 would access Stanifield Lane approximately 10m north of the existing route and it would be routed further north by approximately 30m. Public right of way 7-4-FP5 would also be diverted where it meets 9-12-FP2 then in a south west direction around the perimeter of the application site before re-joining the existing route of public right of way 7-4-FP5 where it meets Fowler Avenue.

All these diversions would start and finish at similarly convenient access points from the same highway and would maintain safe and pleasant routes through the site which would not be less commodious than the existing routes.

It is proposed that the diverted route 9-12-FP1 would be surfaced with self-binding gravel as it would become the main pedestrian entrance into the cricket facility. Proposed diverted routes 9-12-FP2 and 7-4-FP5 are not proposed to be surfaced with the exception of a short length of 9-12-FP2 at the access point onto Stanifield Lane. This is due to the proposal's location within the Green Belt and to retain the existing rural character of the paths. The character of the site was highlighted as being important to local residents and stakeholders in pre-application consultation. A fundamental design driver has therefore been to keep built form to the minimum, and to maintain green character as far as possible. For this reason, the proposals are to maintain the majority of the diverted Public Right of Way as a green ways. This approach has taken into account ground conditions and drainage considerations.



Recommendation

That, subject to the Committee being satisfied that it is necessary to divert public rights of way 7-4-FP5, 9,12-FP2 and 9-12-FP1 to enable the development to be carried out in accordance with planning application LCC/2022/0048, Orders be made under Section 257 of the Town and Country Planning Act 1990 as amended by the Growth and Infrastructure Act 2013 to divert public rights of way 7-4-FP5, 9-12-FP2 and 9-12-FP1 as follows:

Public Right of Way 9-12-FP1

The entire length of that part of Footpath 9-12-FP1 running from the western boundary of Stanifield Lane (A5083) in Farington at point A (SD 5502 2490), west for 185 metres to an unmarked point in the field at point B (SD 5483 2489) as indicated on the map at Appendix 'A'.

Description of site of alternative public right of way

A footpath running from the western boundary of Stanifield Lane (A5083) in Farington at point C (SD 5503 2497), generally west south west for 210 metres to an unmarked point in the field at point B (SD 5483 2489) as indicated on the map at Appendix 'A'.

Public Rights of Way 9-12-FP-2 and 7-4-FP5

The entire length of Footpath 9-12-FP2 and of part of Footpath 7-4-FP5 running from the western boundary of Stanifield Lane (A5083) in Farington at point D (SD 5501 2477), generally west for 210 metres to just west of Sherdley Cottage (point E, SD 5481 2472) and then generally south west for 465 metres to an unmarked point in the field at point F (SD 5459 2451) as indicated on the map at Appendix 'A'.

Description of alternative public right of way

A footpath running from the western boundary of Stanifield Lane (A5083) in Farington at point K (SD 5501 2478), generally west then south for 250 metres to an unmarked point in the field at point E (SD 5481 2472) and then generally south then west for 380 metres to the field boundary at point G (SD 5470 2448) and then west north west for 115 metres to point F (SD 5459 2451) as indicated on the map at Appendix 'A'.

Local Government (Access to Information) Act 1985

List of Background Papers

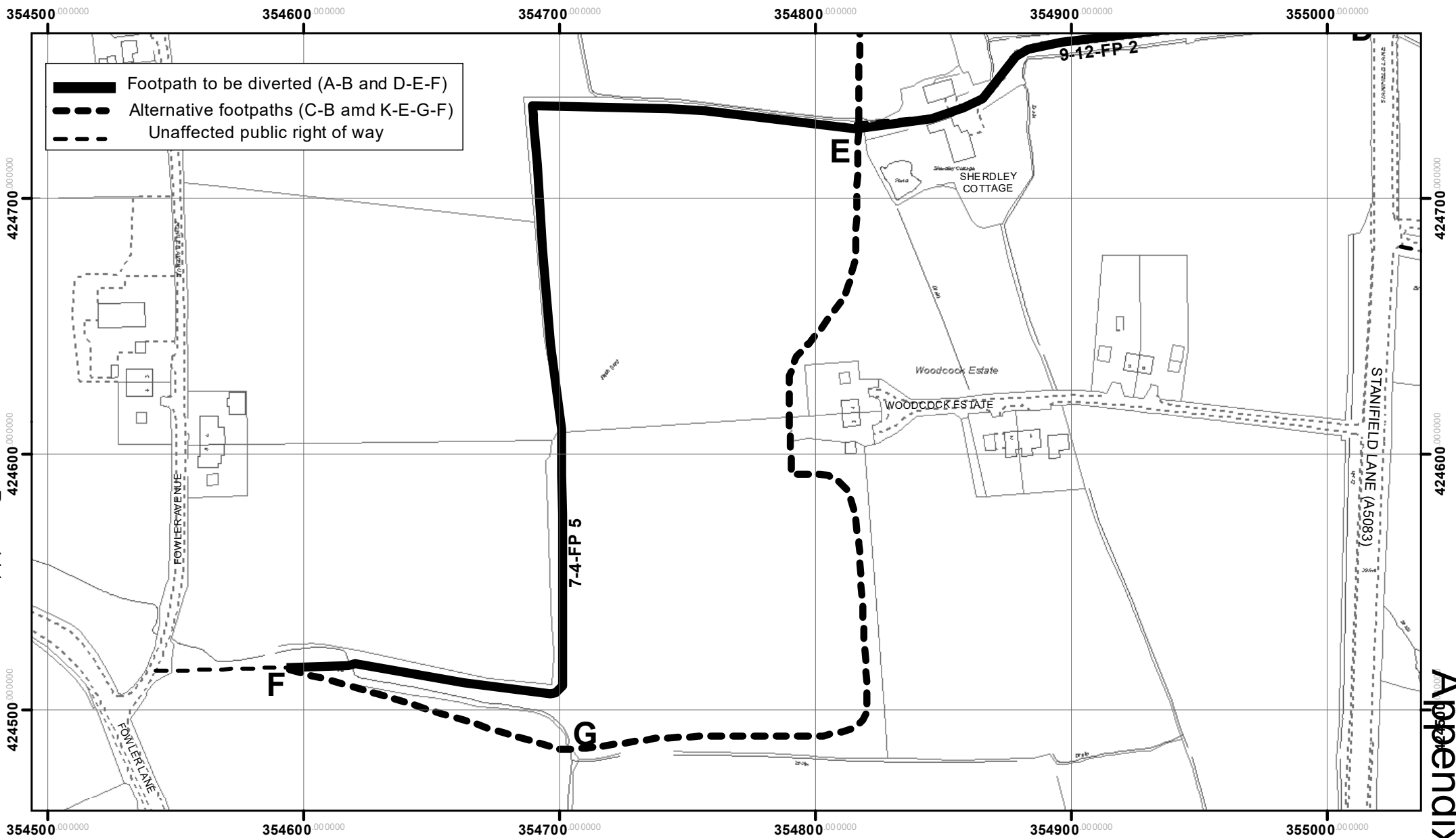
Paper	Date	Contact/Directorate/Ext
LCC/2022/0048	December 2022	Jonathan Haine Planning and Environment 01772 534130



Reason for Inclusion in Part II, if appropriate

N/A





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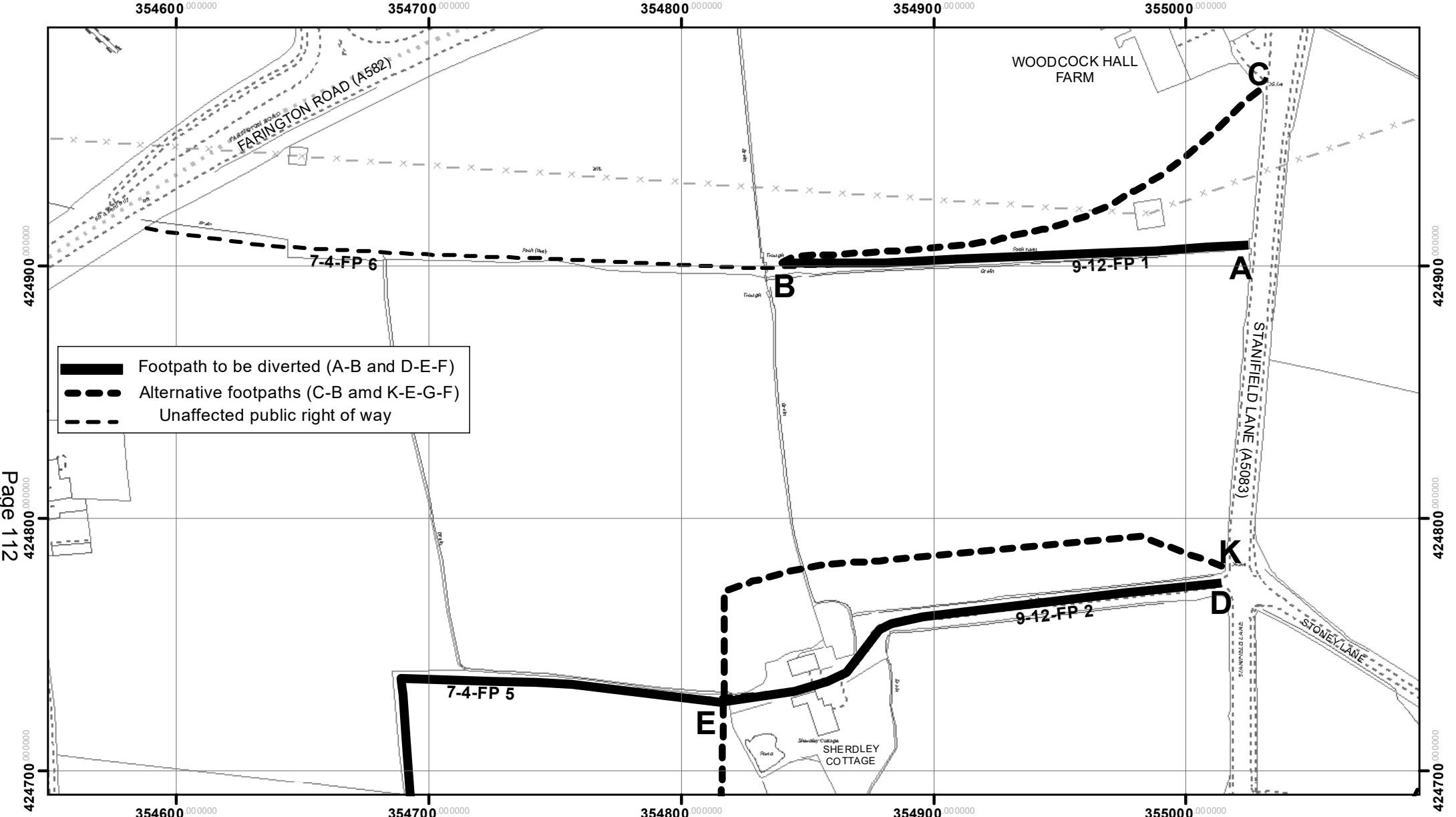
Public Rights of Way
PROW@lancashire.gov.uk
01772 530317

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
LANCASHIRE COUNTY COUNCIL
DIVERSION OF 9-12-FP2 AND PARTS OF 9-12-FP1, 7-4-FP5
AT FARINGTON SMALL HOLDINGS ESTATE, STANIFIELD LANE, LOSTOCK HALL
PUBLIC FOOTPATH DIVERSION ORDER 2022



Plan Ref: 211-740v1(2of2)

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County Council



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01772 530317

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
LANCASHIRE COUNTY COUNCIL
DIVERSION OF 9-12-FP2 AND PARTS OF 9-12-FP1, 7-4-FP5
AT FARINGTON SMALL HOLDINGS ESTATE, STANFIELD LANE, LOSTOCK HALL
PUBLIC FOOTPATH DIVERSION ORDER 2022



Plan Ref: 211-740v1(1of2)

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South Ribble Borough: application number FP/2022/0002

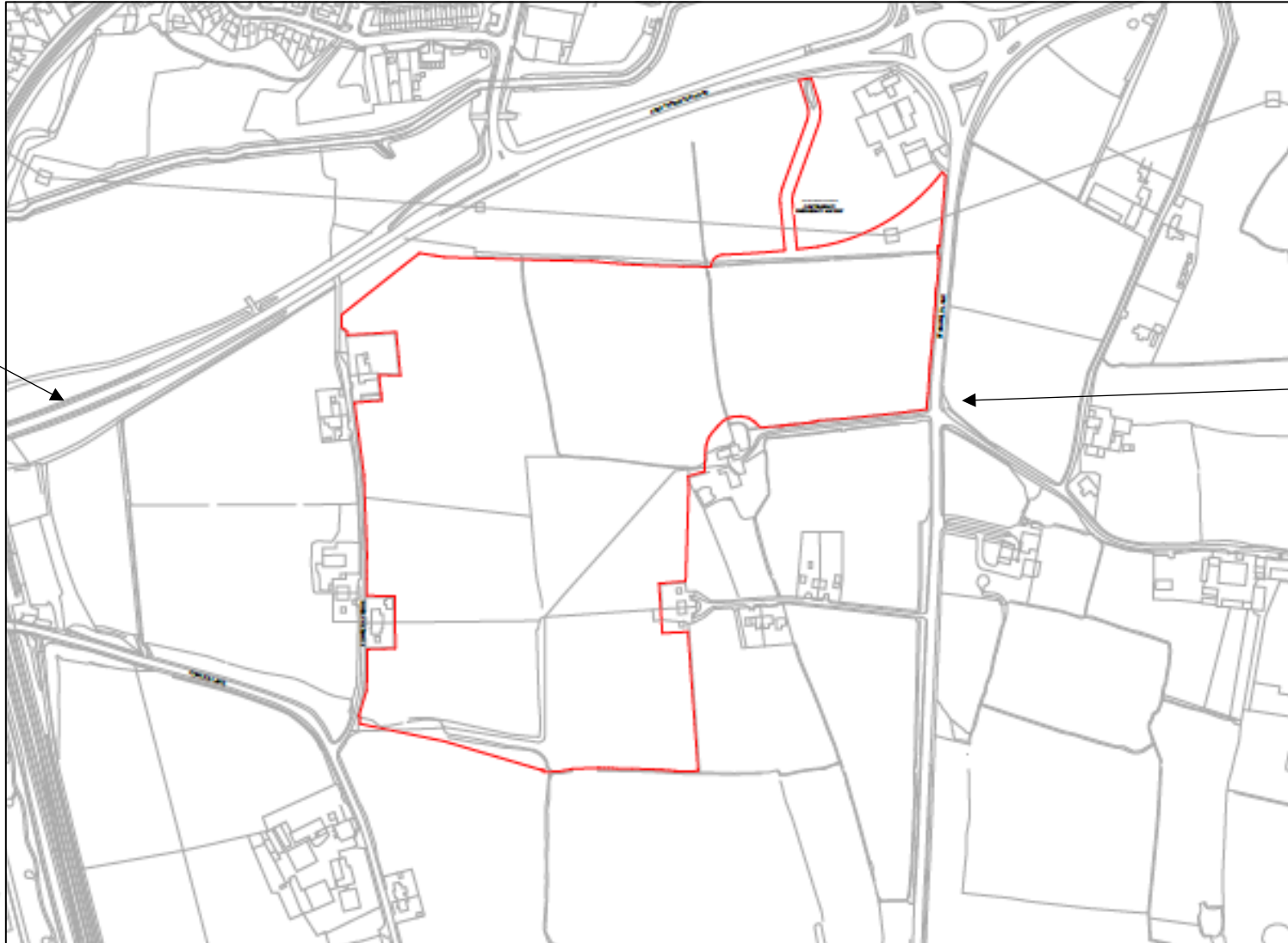
To divert footpaths nos. 7-4-FP5, 9-12-FP2 and 9-12-FP1 to allow the development of new cricket facility as proposed in Planning Application LCC/2022/0048 on land at Woodcock Estate, Stanifield Lane, Farington.

FP/2022/0002

Application boundary for planning application LCC/2022/0048

Farington Road
(A582)

Stanifield Lane



Site Location and current footpath alignments

Farington Road

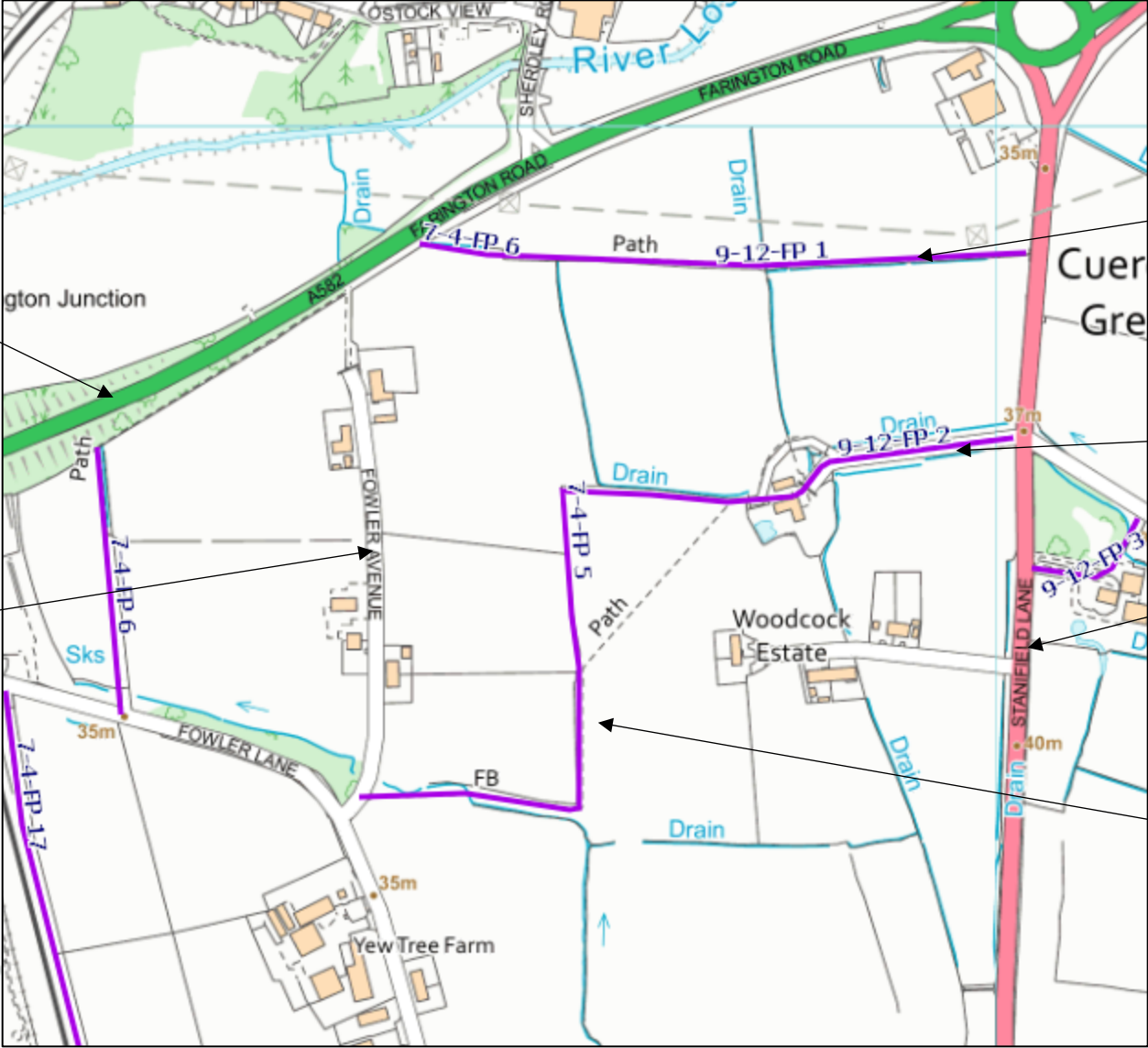
Fowler Avenue

Footpath 9-12-FP 1

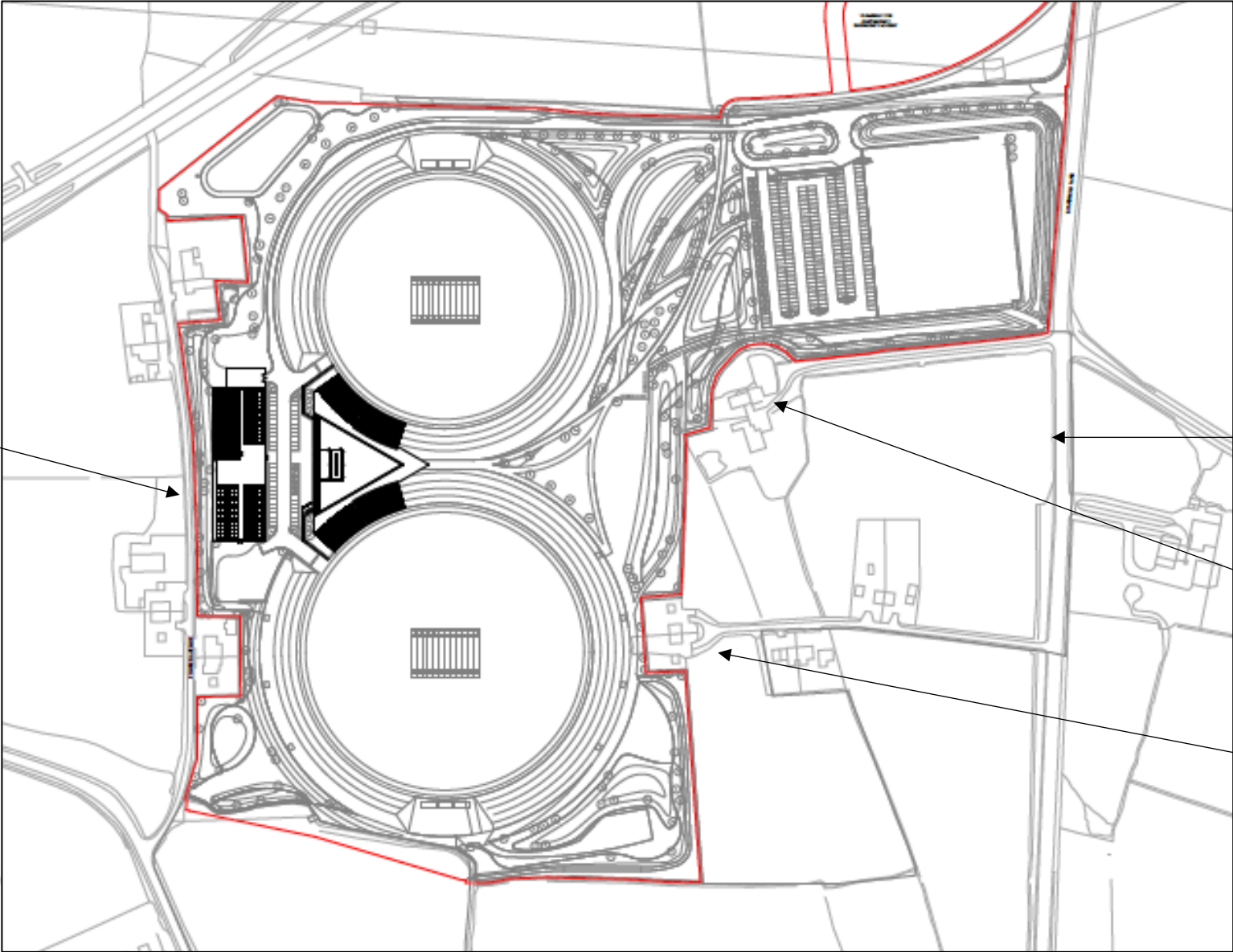
Footpath 9-12-FP2

Stanifield Lane

Footpath 7-4-FP5



FP/2022/0002 – Proposed development



Fowler Avenue

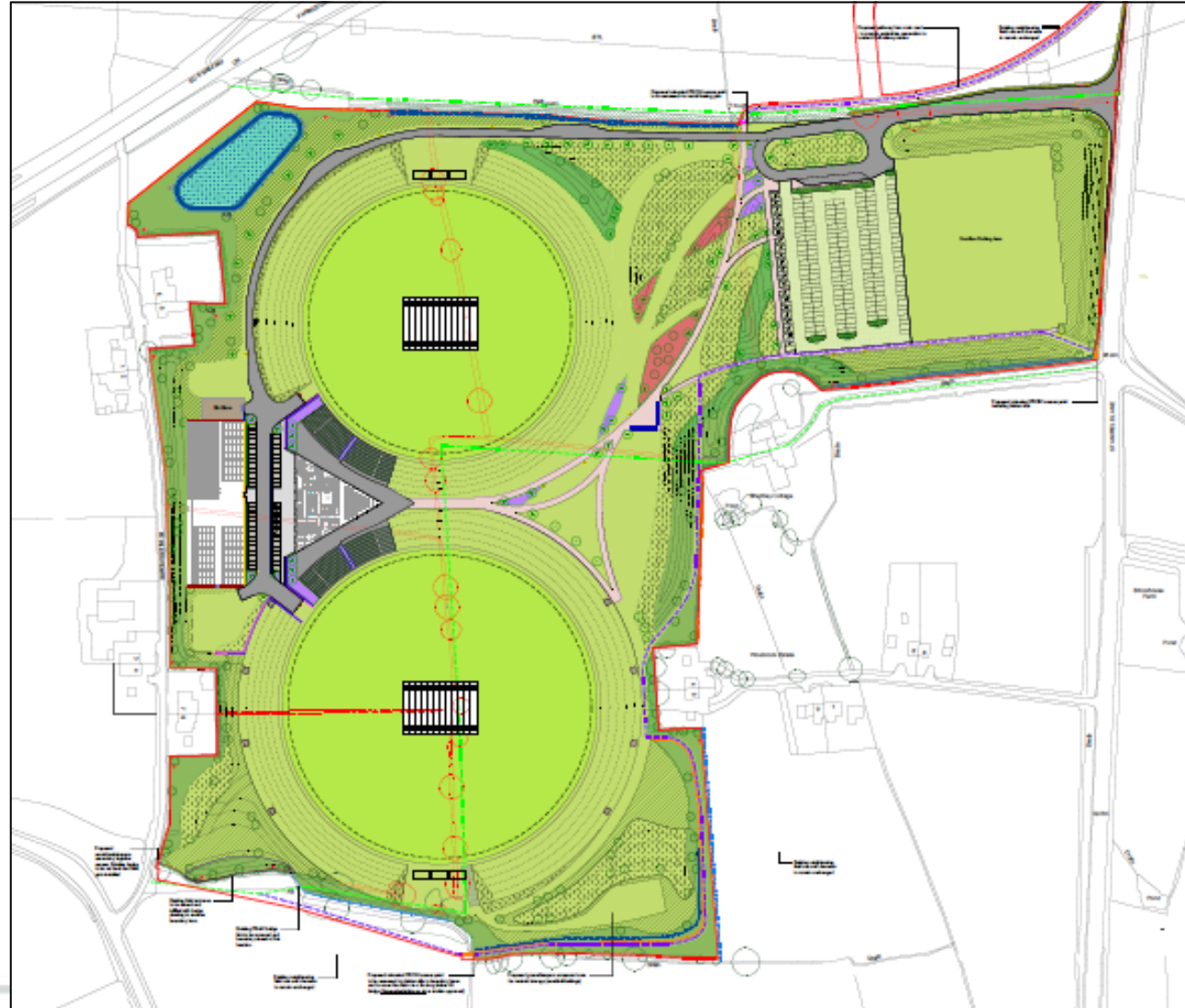
Stanifield Lane

Sherdley Cottage

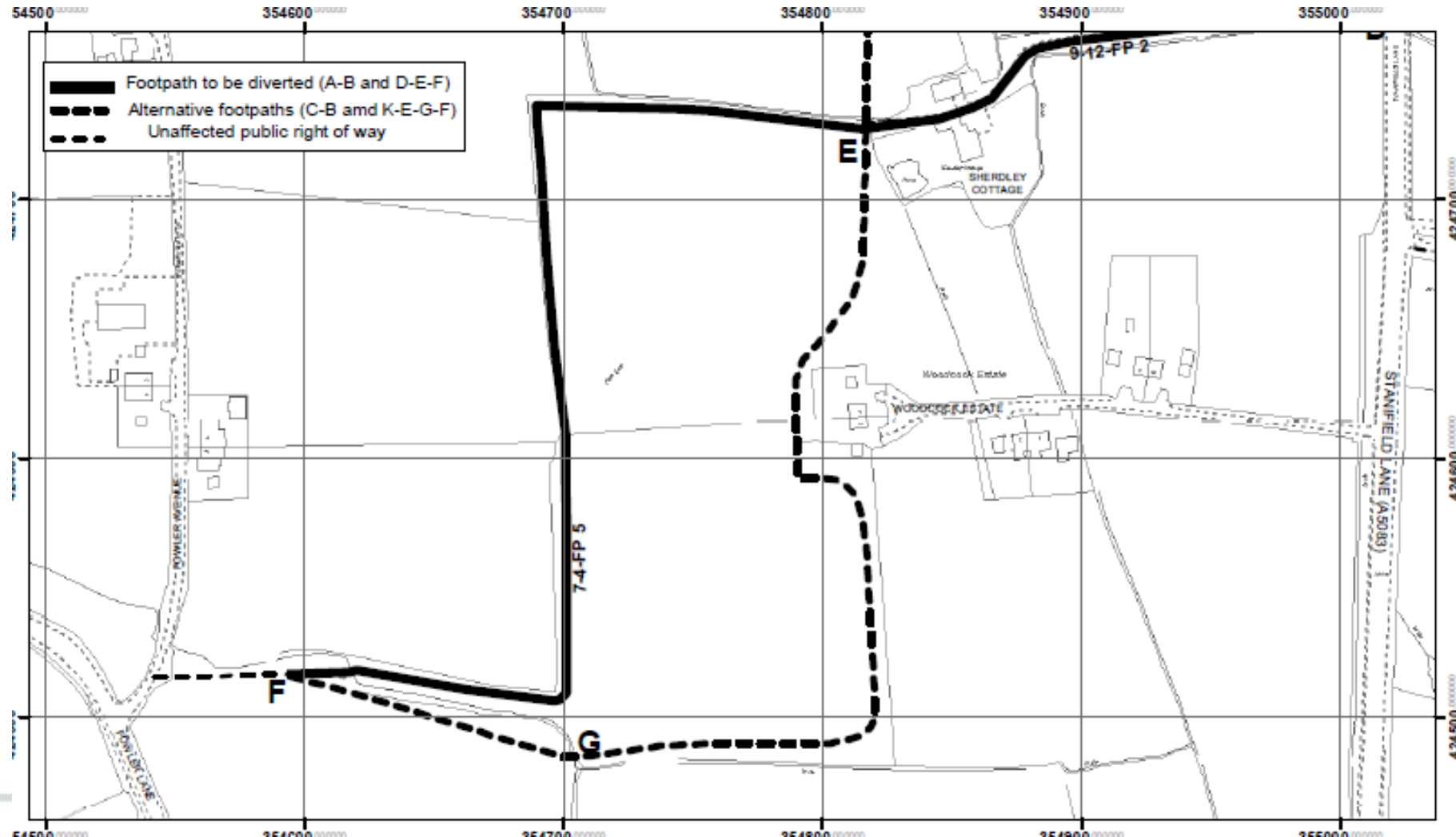
Woodcock Estate



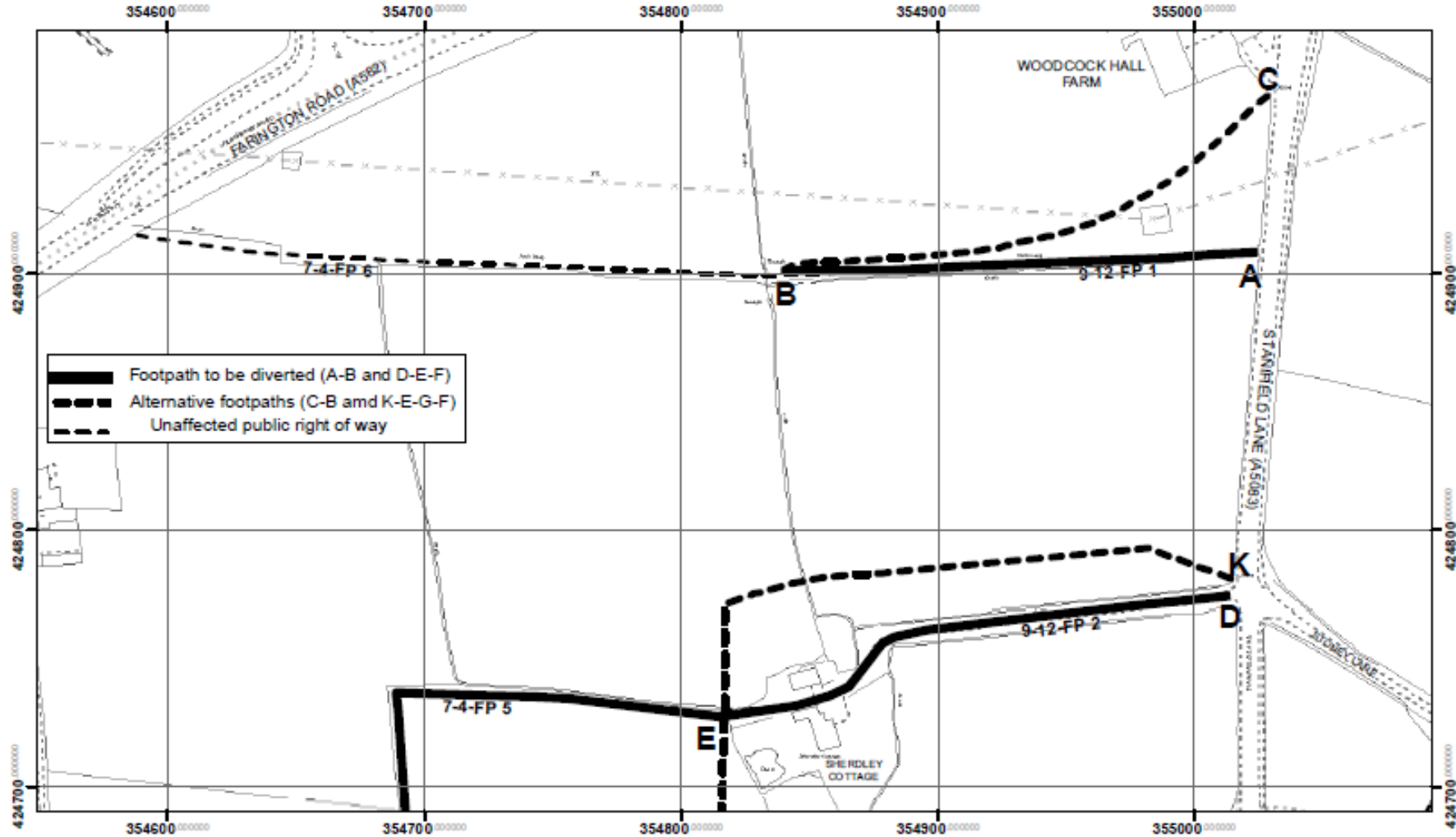
FP/2022/0002 Proposed site landscape design



FP/2022/0002 Proposed footpath diversions



FP/2022/0002 Proposed footpath diversions



Development Control Committee
Meeting to be held on 21 December 2022

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
devman@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 19 October 2022, 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:

Ribble Valley

Application: No. LCC/2022/0040

Clitheroe Waste Water Treatment Works, Henthorn Road, Clitheroe

Variation of condition 3 (time extension) and condition 4 (layout plan) of permission LCC/2017/0077 in relation to solar photovoltaic panels and associated works including inverter station, switch gear housing, security fencing and integral connection to the waste water treatment works substation.

Application: No. SCR/2022/0010

Waddington Fell Quarry, Slaidburn Road, Waddington

Environmental Impact Assessment (EIA) Screening Opinion for revised quarry restoration scheme incorporating tunnel arisings from the Haweswater aqueduct resilience programme (harp) namely the Bowland and Marl Hill tunnel sections.

Preston

Application: No. LCC/2021/0002/1

Broadgate, Riverside and Riverside Road, Preston

Compliance with conditions 3, 4, 5, 7 and 9 of planning permission LCC/2021/0002 regarding building materials, surfacing details, sport pitch mitigation strategy, United Utilities asset protection measures and ribble sidings revised landscaping.

Application: No. LCC/2021/0002/2

Broadgate, Riverside and Riverside Road, Preston

Compliance with conditions 6, 8,10, 12 and 13 of planning permission LCC/2021/0002 regarding surface water drainage, impact of raised river levels on existing outfalls, construction environmental management plan, landscape and habitat establishment plan and landscape and habitat establishment plan for land at Fishwick Bottoms.

West Lancashire

Application: No. CRT/2021/0002

Pimbo Bushes Quarry, Pimbo Lane, Upholland

Lawful development certificate for the carrying out of further minerals development under planning permission reference 9/10/957 and the restoration of the site to agriculture or forestry by way in infill; both subject to the prior determination of an application under paragraph 9 of the environment act 1995 (review of old mining permissions).

Chorley

Application: No. SCR/2022/0005

Park Hall Road, Heskin, Chorley

Environmental Impact Assessment (EIA) Screening opinion request for the construction of three vertically aerated reed beds including new vehicular access off park hall road, fencing, control kiosk, gates, and an outfall headwall on the bank of watercourse to rear of High Barn, Wood Lane, Heskin.

Hyndburn

Application: No. LCC/2022/0045

Hyndburn Wastewater Treatment Works, Mill Lane, Great Harwood, Blackburn

Construction of a kiosk to house motor control equipment associated with storm return pumps.

Burnley

Application: No. CRT/2021/0001

Equestrian Surfaces Limited Phoenix Works, Phoenix Way, Smallshaw Industrial Estate, Burnley

Lawful development certificate for use of land for waste recycling and the manufacture of equestrian surfaces.



Recommendation

That the report be noted.

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

None



