

## Lancashire County Council

### Development Control Committee

Wednesday, 3rd October, 2018 at 1.30 pm in Cabinet Room 'B' - The Diamond Jubilee 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 12 September 2018** (Pages 1 - 6)

The committee are asked to agree that the Minutes of the last meeting held on 12 September 2018 be confirmed and signed by the Chair.
4. **Preston City and Fylde Borough: Application number. LCC/2016/0046** (Pages 7 - 88)

**Development of new highways including Preston Western Distributor Road, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep. Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston.**

5. **Lancaster City: Application Number. LCC/2018/0040** (Pages 89 - 92)  
**Change of use of land to educational use  
comprising of school playing area outdoor amenity  
and play space.  
Recreational land to the east of Barton Road  
Lancaster.**

**Lancaster City: Application Number. LCC/2018/0041  
Erection of 2.6m security mesh fencing and gates  
and provision of two wooden pedestrian footbridges  
for safe crossing over Burrow Beck.  
Recreational land to the east of Barton Road  
Lancaster.**

6. **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.

7. **Date of Next Meeting**

The next meeting of the Development Control Committee will be held on Wednesday 31 October 2018 at 10.30 a.m. in Committee Room B - the Diamond Jubilee Room, County Hall, Preston.

L Sales  
Director of Corporate Services

County Hall  
Preston

# Agenda Item 3

## Lancashire County Council

### Development Control Committee

**Minutes of the Meeting held on Wednesday, 12th September, 2018 at 10.00 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston**

**Present:**

County Councillor Barrie Yates (Chair)

### County Councillors

P Rigby	P Hayhurst
S Clarke	S Holgate
C Crompton	A Kay
B Dawson	M Salter
K Ellard	A Schofield
D Foxcroft	

### Membership of Committee

It was reported that County Councillors J Eaton and A Kay had replaced County Councillors M Barron and J Marsh on the Committee for the remainder of the Municipal Year.

### Temporary changes

County Councillors S Holgate, B Dawson and M Salter replaced County Councillors M Dad, M Pattison and J Eaton on the Committee respectively.

#### 1. Apologies for absence

None received.

#### 2. Disclosure of Pecuniary and Non-Pecuniary Interests

County Councillors Crompton and Hayhurst declared a non pecuniary interest in agenda item 4 as members of Preston City Council and Fylde Borough Council respectively.

County Councillor Holgate declared a non pecuniary interest in agenda item 6 as the electoral division member for the area.

#### 3. Minutes of the last meeting held on 11 July 2018

**Resolved:** That the Minutes of the meeting held on 11 July 2018 be confirmed and signed by the Chair of the Committee.

4. **Preston City and Fylde Borough: Application number. LCC/2016/0046**  
**Development of new highways including Preston Western Distributor Road, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.**  
**Land in Lea, Cottam and Bartle and to the west and north of the existing built up area of Preston**

The Committee was informed that the application had been be deferred.

It was proposed that the application be considered at a special meeting of the Development Control Committee to be held on Wednesday 3 October 2018 at 1.30pm at County Hall, Preston.

**Resolved:** That the application be deferred and considered at a special meeting of the Development Control Committee to be held on 3 October 2018 at 1.30pm.

5. **Ribble Valley Borough: Application Number. LCC/2017/0087**  
**Retrospective application for the importation of soil materials for use in ground stabilisation and landscaping works associated with a consented residential development. Land off Chatburn Old Road, Chatburn.**

A report was presented on a retrospective application for the importation of soil materials for use in ground stabilisation and landscaping works associated with a consented residential development on land off Chatburn Old Road, Chatburn.

The report included the views of Ribble Valley Borough Council, the County Ecology Service and details of two representations received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The Committee was also shown a location plan of the housing development and tipping area, an ecology survey and photographs of the site from various aspects.

The Officer reported orally that a further letter had been received on behalf of the applicant. The applicant stated that the original surveys of the ecology on the site had been revised using more modern software to produce a more accurate figure as to the area of habitat that had been lost and which required compensation. The applicant considered that the area of proposed compensation was equal to the area that they had measured through their survey. An illustration showing the area was circulated at the meeting. The applicant also reiterated his proposals for

recreating calcareous grassland habitat on the compensation area including seeding, lime treatment, seeding and management.

In response, the officer advised that the comments of the applicant were noted. Nevertheless, the county council still considered that the area of habitat lost to the development was considerably greater than the area of proposed compensation. The applicant's proposed works to the surface of the tipped material were noted but it was considered that they would not allow for the development of habitats of the same quality as those lost.

Mr Jackson, the applicant, addressed the committee and spoke in support of the application. He explained that it had been necessary to address ground level differences on the site by using additional soil materials to provide an even gradient. It was during this process that an area of unimproved grassland areas and semi improved calcareous grassland had been lost. He had since agreed to recreate this habitat but disputed the size of the area lost and the proposed area for compensation.

Members of the Committee discussed the application and agreed that the mitigation measures did not provide adequate compensation for the ecological impacts of the development. Members also raised concerns with regard to the retrospective nature of the application.

**Resolved:** That planning permission be **refused** for the following reason:

The development results in a loss of unimproved calcareous grassland which is a Habitat of Principal Importance for conservation in England (Section 41 Natural Environment and Rural Communities (NERC) Act 2006). The application does not provide for the adequate mitigation for the loss of such habitat and is therefore contrary to paragraph 175 of the National Planning Policy Framework, Policy EN4 of the Ribble Valley Local Plan and Policy DM2 of the Lancashire Minerals and Waste Local Plan.

**6. Chorley Borough: Application Number. LCC/2018/0029  
Erection of new classroom block. Astley Park School, Harrington  
Road, Chorley**

A report was presented on an application for the erection of a new classroom block at Astley Park School, Harrington Road, Chorley.

The report included the views of LCC Highways Development Control and details of one letter of representation received.

The Development Management Officer presented a PowerPoint Presentation showing an aerial view of the site and the nearest residential properties. The Committee was also shown an illustration of the new development and photographs of the former building on the site.

The Head Teacher of the school, Mr Welsh, addressed the Committee and spoke in support of the application. He informed the Committee that the proposed classroom block would replace a previous building on the site. He explained that the floor plan of new building was slightly larger than the previous building due to a change to building regulations and government guidance for classroom sizes for children with multiple needs. Mr Welsh confirmed that the new development would not lead to an increase in pupil numbers at the school.

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

**7. Planning Applications determined by the Head of Planning and Environment in accordance with the county council's Scheme of Delegation**

It was reported that since the last meeting of the Committee on 11 July 2018, eleven planning applications had been granted planning permission by the Head of Service Planning and Environment in accordance with the county council's Scheme of Delegation.

**Resolved:** That the report be noted

**8. Urgent Business**

There were no items of Urgent Business.

**9. Date of Next Meeting**

The Chair announced that a special meeting of the Development Control Committee would be held on Wednesday 3 October 2018 at 1.30pm to consider application LCC/2016/0046.

It was also announced that the next ordinary meeting of the Development Control Committee and all future meetings of the Committee, would commence at 10.30am.

**Resolved:** That:

- i) A special meeting of the Development Control Committee be held on Wednesday 3 October 2018 at 1.30pm.
- ii) The next ordinary meeting of the Development Control Committee be held on Wednesday 31 October 2018 at 10.30am.

L Sales  
Director of Corporate Services

County Hall,  
Preston







## Development Control Committee

Meeting to be held on 3<sup>rd</sup> October 2018

Electoral Division affected: Preston West, Preston Rural, Preston South and Fylde East
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### **Preston City and Fylde Borough: Application number. LCC/2016/0046**

**Development of new highways including Preston Western Distributor Road, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.**

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

(Appendix A refers)

Contact for further information:

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### **Executive Summary**

Application – Development of new highways including Preston Western Distributor Road, Cottam Link Road and East West Link Road. The development includes a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.

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

### **Recommendation – Summary**

That after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to a section 106 agreement relating to the provision and retention of off-site bat mitigation measures planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, construction ecological management plan, hours of working, water resources, archaeology, highway matters, noise, dust, soils and overburden, ecology, and landscaping and habitat management and monitoring.

## Background

A planning application for the construction of the Preston Western Distributor Road, Cottam Link Road and East – West Link Road on land to the north and west of the main urban area of Preston was reported to the meeting of the Development Control Committee on 4<sup>th</sup> October 2017. The report to the 4<sup>th</sup> October 2017 Committee is attached at appendix A.

The Committee resolved to approve the application subject to the signing of a section 106 agreement relation to the provision and retention of off-site bat mitigation measures.

The terms of the section 106 agreement have been drafted and are currently being agreed with the land owner for the location of the off site bat mitigation measures.

In the meantime, the applicant has undertaken further design work on the proposed highway and associated mitigation measures and has proposed the following amendments to the previously submitted scheme:-

- Diversion of the Hodder Aqueduct : A United Utilities water main (The Hodder Aqueduct) which transports water from a reservoir to a storage facility near Kirkham crosses the M55 and the proposed route of the Preston Western Distributor close to the proposed new junction 2.

The pipeline is very close to the ground surface and therefore to allow the Preston Western Distributor and widened M55 to be constructed over the route of the pipeline, it needs to be buried at greater depth and protected by a concrete slab in view of the greater loading from the proposed road embankments in this location. A new straight section of aqueduct would join the locations where the pipe is routed under the Preston Western Distributor and M55.

The proposals considered in October 2017 provide for this new section of pipeline to run across the southern edge of the Bartle Wetlands Biological Heritage site, designated for its pond and wetland habitats. An ecological survey of the pipeline diversion route was undertaken and was submitted as supplementary information to the original Environmental Statement.

Whilst, this further information did not identify that the pipeline diversion works would have a major environmental impact as they were to be achieved using directional drilling techniques, the applicant has undertaken further work to establish if the pipeline diversion can be undertaken closer to the M55 and Preston Western Distributor, thereby minimising environmental impacts. The proposal is now to route the diverted pipeline close to the toe of the embankments forming the Preston Western Distributor and M55.

- Details of mitigation measures for bats: The Preston Western Distributor would run close to Crow Lady Farm at the proposed Saddle Inn roundabout. The ecological surveys undertaken as part of the Environmental Impact Assessment found that the farm house was a maternity roost for Brown Long

Eared Bats which are a European protected species. Demolition of the farmhouse would not be required to construct the Preston Western Distributor but it was considered that the proximity of the Preston Western Distributor and East West Link Road would result in the farmhouse no longer being suitable habitat for bats. In order to comply with the Habitats Regulations it was therefore necessary to provide a new bat roosting habitat to replace that existing at Crow Lady Farm.

To provide replacement habitat, an off-site bat barn is proposed to be constructed at Gracemire Farm. The construction of this building was the subject of planning application LCC/2017/0062. The granting of planning permission for the Preston Western Distributor is subject to a section 106 agreement requiring the bat barn to be constructed and then retained for a period of not less than 80 years. One of the conditions of the permission for the bat barn is that constructional details of the building are submitted including dimensions, materials, orientation roosting opportunities and other measures necessary to ensure an appropriate level of mitigation.

Further details of the bat barn have now been submitted. The barn is to have red brick elevations with a slate roof. Various features would be built into the roof structure to provide suitable conditions for brown eared bats and additional roosting opportunities for other bat species.

- Noise mitigation- Condition 17 of the proposed planning permission requires details of proposed noise attenuation measures for existing residential properties.

Since the Committee resolved to grant planning permission for the scheme, the applicant has undertaken further noise modelling work to further assess the noise benefits of noise mitigation measures (fencing or additional bunding) that might be employed at the properties closest to the road and also to assess the visual impacts of such works.

## **Planning Policy**

### National Planning Policy Framework

Paragraphs 8 – 14, 47, 54 -56, 103 – 104, 127, 155 – 165, 170 – 177, 179 – 181 and 184 -198 are relevant in terms of the presumption in favour of sustainable development, determining planning applications, planning conditions and obligations, promoting sustainable transport , requiring good design, flood risk and conserving and enhancing the natural environment, air quality and heritage assets.

### Central Lancashire Core Strategy:

#### Policy 22 Biodiversity and geodiversity

#### Preston Local Plan 2012 – 20126 Site Allocations and Development Management Policies

Policy EN9 Design of New Development  
Policy EN10 Biodiversity and nature conservation  
Policy EN11 Species Protection

## **Consultations**

LCC Specialist Advisor (Ecology): It is considered that the details of the bat barn are sufficient to demonstrate that a suitable replacement roost can be constructed and maintained and that the test within the Habitats Regulations relating to maintenance of favourable conservation status can be satisfied.

In relation to the Hodder water main diversion, the revised proposals show that most of the impacts associated with the diversion of the water main are now contained within the footprint of the road and therefore the impacts of these works have already been assessed and mitigation / compensation for the impacts is already addressed as part of the road scheme. The revised diversion route would minimise impacts on the Bartle Wetlands Biological Heritage Site.

It will be important to ensure that the Construction Environmental Management Plan and Landscape Environmental Management Plan includes measures to address the impacts of the water main diversion.

Natural England: The amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal and Natural England did not have any concerns before.

Preston City Council: No observations received.

## **Advice**

The County Council's Development Control Committee resolved to approve the planning application for the Preston Western Distributor road in October 2017 subject to the signing of a section 106 agreement relating to off site mitigation measures for bats.

The section 106 agreement is being negotiated with the landowners but in the meantime, the applicant has continued to develop the design of the new road to reduce costs, enhance ease of construction and reduce environmental impacts. This has resulted in the submission of amended proposals and additional information in relation to the three areas discussed above. The planning issues raised by each of these areas is discussed below:

**Diversion of the Hodder Aqueduct:** The previous diversion route, whilst considered to be acceptable taking into account the overall benefits of the road, would have increased the footprint of the road construction works. The revised diversion route would bring the works necessary to divert the pipeline partially within land that is already required as part of the highway construction operations and therefore minimises the amount of additional land take that is necessary to divert the pipeline. The additional land required to divert the pipeline was subject to ecological survey as part of the original Environmental Statement and therefore the environmental

impacts arising from the diverted route can be quantified and are acceptable. The revised route therefore offers environmental benefits over that which was previously considered particularly in relation to impacts on the Bartle Wetlands BHS and adjacent habitats.

**Bat Mitigation:** The report to Committee in October 2017 concluded that the impacts on bats including those at Crow Lady Farm could be mitigated through the provision of new bat roosting facilities including the new bat barn at Gracemire Farm. Although no details of the new bat barn were available at that stage, it was concluded that in principle, the new bat barn would be capable of providing the correct level and type of mitigation required and therefore the three tests within the Habitats Regulations were satisfied. The additional information now submitted further demonstrates that the proposed mitigation is suitable in terms of demonstrating that the new bat barn would provide the correct environmental conditions demanded by the species of bat that would be impacted by the road construction works at Crow Lady Farm. There is therefore a higher level of confidence that the bat populations in this area can be maintained at a favourable conservation status.

**Noise mitigation:** In view of the requirements of condition 17, the applicant has undertaken a further assessment of noise impacts at residential properties and has modelled the noise reduction and visual impacts arising from the installation of differing heights of noise attenuation fencing. The conclusion of the assessment is that some further mitigation can be provided at some locations including at Lea Town and at a property called Many Views. In the other locations, it is concluded that additional fencing would not give rise to a significant noise reduction and the fencing itself would have a significant impact which may be unacceptable in terms of visual and residential amenity. It is therefore considered that condition 17 should be retained but that it be reworded so that it focuses on the two locations where further mitigation is considered to be possible and desirable.

Some minor rewording of some of the other proposed planning conditions will be necessary as a result of the additional information that has now been submitted.

**Other matters:**

Since the application was considered in October 2017, a number of letters have been received from a landowner on the northern part of the route relating to the decision to grant planning permission. The same landowner has also objected to the compulsory purchase order made by the county council in order to acquire the land that would be necessary to construct the scheme.

More recently solicitors for the same landowner have served a pre action protocol letter on the county council giving details of their intention to apply to the High Court for a judicial review of the Preston Western Distributor scheme. The pre action protocol letter provides details of two issues which would form the basis of their proposed legal challenge:-

- That the county council is not empowered to grant planning permission for the scheme and that it should instead be promoted through a Development Consent Order under the Planning Act 2008. This is due to the objectors

conclusion that the works to the motorway junction exceed 15ha in area which is the threshold contained in the Planning Act 2008 for highway developments which must be the subject of a Development Consent Order rather than a planning application.

- That the county council should undertake a revised screening assessment of the project in the light of recent case law regarding the impacts of developments on European wildlife sites.

On the first issue, the county council considers that the area of the works which affect the M55 junction are less than 15ha and therefore the project does not fall within the thresholds in the Planning Act 2008 for highway schemes. This has been confirmed by the County Council's own legal advice from Counsel and therefore the landowners view is not supported.

The second ground for objection refers to a recent case (*People over Wind*) decided by the European Court of Justice in April 2018 relating to the impacts of development on European designated wildlife sites (European sites) and the requirements of the European Habitats Directive. The Court considered whether or not mitigation measures should be taken into account when screening a project to determine whether there would be a likely significant effect on a European site. The judgement in the *People over Wind* case, which runs contrary to previous case law on this matter, concluded that mitigation measures designed solely for the purpose of reducing impacts on European sites should not be taken into account when screening a project for likely significant effects. The significance of this is that where it is determined at the initial screening stage that a project would have a likely significant effect on a European site, then a full Appropriate Assessment is required.

The original Environmental Assessment for this road scheme included a Habitats Regulations Assessment Screening report, to establish if the Preston Western Distributor scheme would have a likely significant effect on the Ribble and Alt Estuary Special Protection Area (European site). The screening report concluded that there would be no likely significant effect due to the alignment of the proposed road and the mitigation measures incorporated into the design (for such matters as drainage, noise and vibration) which would ensure that there would be no impact on the European site.

The objection raised by the land owner is that this conclusion takes into account mitigation measures at the screening stage and that it would therefore now be legally incorrect to proceed on this basis given the judgement in the *People over Wind* case.

To address the point raised by the objector, the applicant has revisited the Habitats Regulations screening assessment that was originally undertaken. The revised assessment reaches the same conclusion as that accompanying the original Environmental Statement that there would be no likely significant effect on the SPA. The revised screening assessment states that in order to address the issue raised in *People over Wind*, it does not include consideration of measures intended to avoid or reduce the harmful effects including integral or embedded mitigation measures.

The surveys that were undertaken as part of the Environmental Impact Assessment for this development did not identify that any of the land crossed by, or close to the alignment of the scheme was used as supporting habitat by any of the bird species that are associated with any of the nearest European protected wildlife sites. It is therefore reasonable to discount impacts such as lighting, noise and vibration from an assessment of the impact of the scheme on European protected wildlife sites. However, in terms of drainage, the proposed highway would have outfalls into existing watercourses that either flow towards the Ribble Estuary or the River Wyre. As any drainage mitigation measures have to be discounted during any screening assessment, it is not possible to conclude that there would be no likely significant effect on a European wildlife site and therefore the county council, as planning authority, considers that an Appropriate Assessment of the project should be carried out prior to decision as required by the Habitats Regulations and to comply with the judgement in *People over Wind*.

An Appropriate Assessment is a detailed evaluation of the risks of the project to the special interest features of any European wildlife site potentially affected by the proposed development. In this case, it has been concluded that the only risks relate to drainage / hydrology issues and therefore the Appropriate Assessment can focus on this single topic. At the Appropriate Assessment stage, account can be taken of any mitigation measures which are required to offset the environmental impacts of the development.

In terms of drainage, the scheme has possible hydrological connections to two European wildlife sites:

- The Ribble and Alt Estuaries Special Protection Area and Ramsar site via the Savick Brook which drains into the Ribble Estuary. The length of watercourse between the southernmost road outfall and the boundary of the SPA is approximately 3.8 km.
- Morecambe and Duddon Estuary Special Protection Area / Morecambe Bay Ramsar via the Blundel Brook and Woodplumpton Brook which flows north and drains into the Wyre Estuary. The length of watercourse between the northernmost outfall and the Wyre Estuary is approximately 17km.

Whilst there would be a direct hydrological connection between the proposed highway and the two above designated sites, the Appropriate Assessment carried out by the County Planning Authority concludes that there would be no likely significant effects on the qualifying features of the above designated sites. This is due to a combination of factors including the substantial dilution of any pollutants that might run off from the road scheme when considered against the volumes of water in the Ribble and Wyre estuaries, the distances from the outfalls to the SPA boundaries and the mitigation measures that are embedded within the road design. These include kerbs and gullies, catchpits, wet balancing ponds and swales. If there were to be an accident on the highway resulting in a spillage of polluting liquid, these measures would allow the pollution to be contained and treated preventing its discharge to watercourses. Similarly with impacts during construction, mitigation exists through good working practices implemented through the proposed Construction Environmental Management Plan.

The conclusion of the Appropriate Assessment is that with mitigation measures there would be no likely significant effect on the special interest features of either of the above European wildlife sites. However, some amendments to the condition relating to the requirement to submit a construction environmental management plan are recommended to address issues raised by the Appropriate Assessment process in relation to impacts during the construction of the road.

Paragraph 177 of the National Planning Policy Framework requires that the normal presumption in favour of sustainable development (set out in paragraphs 7 – 11) does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined. This is because the presumption in favour of development would then conflict with the presumption in favour of conservation that applies through the Habitats Regulations. However, in this case the Appropriate Assessment has determined that the project would not have a likely significant effect on any European site and therefore the decision whether to authorise the project must be a balanced one taking into account the impacts and benefits of the development. In this case, whilst there would be impacts of the development that would not be fully mitigated, it is considered that any remaining impacts are outweighed by the benefits of the scheme.

Since the report was previously reported to Committee, a further objection has also been received from a resident on Harbour Lane, Salwick, approximately 400 metres from the alignment of the proposed Preston Wester Distributor Road. The resident considers that the new road would have a negative health impact as a result of fumes and noise pollution that would be generated at a much closer position to the property. Whilst the new road would create some changes in noise and pollutant levels in the local area, the resident's property is at some distance from the new highway. There are also other properties which are located at a closer distance to the new road where it has already been determined that the noise and air quality impacts are acceptable. It is therefore considered that the impacts would not be unacceptable at the resident's property.

The Human Rights issues raised by this proposal were addressed in the report to the 4<sup>th</sup> October 2017 Committee. The additional information subject to this report does not raise any further human rights issues.

### **Recommendation**

That after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to a section 106 agreement relating to the provision and retention of off-site bat mitigation measures planning permission be **granted** subject to the following conditions:-

### **Time Limits**

1. The development shall commence not later than 5 years from the date of this permission.



*Reason: Imposed pursuant to Section 91 (1)(b) of the Town and Country Planning Act 1990.*

2. Notice in writing of commencement of the authorised development of the Preston Western Distributor Road shall be given to the County Planning Authority not later than 7 days after the date on which the authorised development is commenced.

*Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to conform with Policy of the Preston Local Plan.*

### **Working Programme**

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

a) The Planning Application received by the County Planning Authority on 17th June 2016 as amended by the revised application details entitled 'February 2017 Revised Version' and the details and Ecological Assessment for the Hodder Water Main diversion dated 9th May 2018.

b) Submitted Plans:

Drawing CLM01-DEV-040-007 Rev A - Site Plan  
Drawing CLM01-DEV-040-008 Rev B - Location of typical cross section  
Drawing CLM01-DEV-040-009 1 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 2 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 3 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 4 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 5 of 8 Rev B - Typical Cross Sections  
Drawing CLM01- DEV-040-009 6 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 7 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 8 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-010 1 of 1 Rev A - Location of Long sections  
Drawing CLM01-DEV-040-011 1 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 2 of 9 Rev A - Long Sections of route  
Drawing CLM01-DEV-040 -011 3 of 9 Rev A - Long Sections of route  
Drawing CLM01-DEV-040 -011 4 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 5 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 6 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 7 of 9 Rev A - Long sections of route  
Drawing CLM01 - DEV-040-011 8 of 9 Rev A - Long sections of route  
Drawing CLM01 - DEV040-011 9 of 9 Rev A - Long sections of route  
Drawing CLM04 -DEV010 018 Revision J - Outline Drainage Strategy  
Drawing CLM01 DEV 010 033 Revision L - Outline Drainage Strategy  
Drawing CLM01 DEV 040 021 Revision B - Site compounds, Treatment and Storage Areas.  
Drawing CLM01 DEV 040 66114B1/01 Revision 3 - Beconsall Bridge General Arrangement

Drawing CLM01 DEV 040 6617U1/01D - Bartle Underpass General Arrangement  
Drawing CLM01 DEV 040 33821R1/01A - Bartle Hall Retaining Wall General Arrangement  
Drawing CLM01 DEV 040 66113B1/01H - Bartle Lane Bridge General Arrangement  
Drawing CLM01 DEV 040 6611B1/01 Revision 2 - Lea Viaduct General Arrangement  
Drawing CLM01 DEV 040 6612B1/01F - Earles Farm Cattle Creep General Arrangement  
Drawing CLM01 DEV 040 6610B1/01D - Darkinson Lane Underpass General Arrangement  
Drawing CLM01 DEV 040 6609B1/01 - Revision 3 - Savick Brook Viaduct General Arrangement  
Drawings CLM01-dev-040-014B 1B of 19 to 19A of 19 - Drawings showing new road lighting and illuminated traffic sign cabling works  
Drawings CLM01-DEV-040-020 1 of 14 to 14 of 14 - Landscape Enhancement and Mitigation Scheme  
Unreferenced United Utilities Drawing dated April 2018 titled ' Hodder LDTM Diversion Proposed Route'

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

*Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 16, 17, 21,22, 29, 30 and 31 of the Central Lancashire Core Strategy.*

4. No development of the Preston Western Distributor Road shall commence until details for the design and building materials to be used for the external elevations of all structures including viaducts, bridges and underpasses have been submitted to the County Planning Authority for approval in writing.

Thereafter all structures shall be constructed and use materials contained in the approved details.

*Reason: In the interests of visual amenity and to conform with Policy 17 of the Central Lancashire Core Strategy.*

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

a) the location, design and landscaping of the surface water balancing ponds including capacity and designed outflow rates to prevent flooding on the receiving watercourse.

b) the location and design of any watercourse diversions

c) the measures including design to be incorporated into each discharge point from the highway into a surface water course to protect water quality in the receiving water course.

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

*Reason: In order to prevent flooding and pollution and to conform with Policy 29 of the Central Lancashire Core Strategy.*

6. No development of the Preston Western Distributor Road shall commence until a scheme and programme of measures to address the flood risks arising from the construction of the Savick Brook Viaduct have been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain details of the following:

- a) the measures to be used for scour protection of the viaduct piers.
- b) the heights of the bridge soffit level which must be at least 600mm above the 1 in 100 year storm level plus 70% climate change allowance.
- c) details of the ground recontouring to be undertaken to provide replacement flood storage capacity for that lost by the construction of the viaduct.

The measures contained in the approved scheme shall be implemented in the construction of the viaduct.

*Reason: In the interests of flood prevention and to conform with Policy 29 of the Central Lancashire Core Strategy.*

7. No development of the Preston Western Distributor road shall take place until a scheme and programme of investigation and management of contaminated land has been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain provision for the following:

- a) further ground investigation over the area of land to be disturbed for the proposed Saddle Inn roundabout and land between the A583 and the Savick Brook viaduct to establish the nature, location and extent of any contaminated land in those areas.
- b) proposals for how any contaminated land identified under a) above will be managed during the highway construction.

The proposals in the approved scheme and programme shall be complied with at all times during the construction of the road.

*Reason: In the interest of preventing pollution and harm to human health and to conform with Policy 17 of the Central Lancashire Core Strategy.*

8. No clearance or soil stripping works shall take place until details of a written scheme of archaeological investigation including survey, recording, and analysis, have been submitted to and approved in writing by the County Planning Authority. Thereafter, the approved scheme of archaeological investigation shall be implemented during the soil stripping works required for the construction of the scheme.

*Reason: To ensure and safeguard the recording and inspection of matters of archaeological importance associated with the site and to confirm with Policy 16 of the Central Lancashire Core Strategy.*

### **Construction Activities**

9. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall contain details of the following:-

a) details for the construction of the temporary site compounds shown on drawing CLM01 DEV 040 021 Revision B. The details shall include information on the location and design of access from the public highway, the stripping and storage of soils to create the access and site compounds, the laying of surfacing materials and details of measures to protect existing trees and hedgerows within each compound site.

b) details for the storage of any fuels, chemicals or other substances hazardous to the water environment.

c) details for soil storage within the areas shown on drawing CLM01 DEV 040 021 Revision B including details of heights of storage and measures to be taken to protect existing trees and hedgerows on the boundaries of and within each storage area.

d) details of the measures to be taken during construction operations to control run off to existing watercourses

e) details for the management of works within existing watercourses to reduce sediment pollution including timing of works.

f) details for the restoration of site compound and soil storage areas including removal of all plant and equipment, surfacing materials and restoration works including spreading of stripped soils, drainage works, landscaping and removal of temporary access roads from the public highway.

g) details for the routing and management of construction traffic, signage to identify approved and prohibited routes and measures to be taken to inform hauliers of the approved and prohibited routes to the construction site.

h) details of any highway improvements that are necessary to the approved routes identified in g) above.

All construction operations shall be carried out in accordance with the details approved under the requirements of this condition. The construction compounds and soil storage areas shall be restored in accordance with the details approved under this condition by not later than one year from the Preston Western Distributor Road being opened to traffic.

*Reason: In the interests of the amenities of the area and highway safety and to conform with Policy 17 of the Central Lancashire Core Strategy.*

10. All mobile plant/vehicles retained on site to be used in connection with the construction phase of the development 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 conform with Policy of the Preston City Local Plan.*

11. Any vehicles transporting excavated materials, soils and/or subsoils from the site shall have securely sheeted or enclosed loads.

*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 G17 of the South Ribble Local Plan.*

12. Wheel cleaning facilities shall be made available at all access points from the construction site to the public highway to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

*Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy G17 of the Preston Local Plan.*

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

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy of the Preston Local Plan.*

14. Measures shall be taken to prevent dust or wind blown material being carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather conditions, at all times during construction development.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy 30 of the Central Lancashire Core Strategy.*

15. All available topsoil and subsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy vehicles, plant or machinery. All stripped topsoil and subsoil shall be stored in separate mounds for use in the final landscaping of the site.

*Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to comply with Policy 31 of the Central Lancashire Core Strategy.*

16. No construction working, importation of materials or removal of materials off-site shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)  
0800 to 1300 hours on Saturdays

No construction development, importation of materials or removal of materials off 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 conform with Policy 17 of the Central Lancashire Core Strategy.*

17. No development shall commence until a scheme and programme of noise attenuation measures for existing residential properties at Lea Town and at 'Many Views' has been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain details for the implementation of noise mitigation measures within the road design to reduce the impacts of highway noise on existing residential properties at the locations listed above. The measures shall include noise attenuation fencing including location and design of measures to be implemented and their landscaping.

The noise mitigation measures contained in the approved scheme and programme shall be installed prior to the highway being brought into use and shall be retained and maintained thereafter.

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy.*

18. No development of the Preston Western Distributor Road shall commence until details for the replacement of the existing United Utilities observational borehole identified in the letter from United Utilities dated 12th July 2017 has been submitted to and approved in writing by the County Planning Authority.

The submitted details shall contain information on the location of the replacement borehole, details of construction including depth and means of access.

The replacement borehole shall be installed in accordance with the approved details prior to any development taking place of the Preston Western Distributor Road.

*Reason: In order to provide for adequate replacement of an existing water monitoring borehole and to conform with Policy 17 of the Central Lancashire Core Strategy.*

19. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) or method statements to avoid or reduce impacts on biodiversity during construction.
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

*Reason: In the interests of biodiversity and to comply with Policy 22 of the Central Lancashire Core Strategy.*

### **Traffic Management**

20. Prior to the Preston Western Distributor road being opened to traffic, details of a highway monitoring and management strategy shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include details for a programme of surveys, observations and defined targets, and a mechanism where targets are not achieved, to deliver further highway change. The approved highway monitoring and management strategy shall be employed for a period of three years commencing on the 1st anniversary of the scheme opening.

*Reason: In the interest of highway safety, the satisfactory operation of the highway network, to safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with Policy 3 of the Central Lancashire Core Strategy.*

21. Within two years of the Preston Western Distributor Road being opened to traffic, a report shall be submitted to the County Planning Authority detailing sustainable transport improvements to be implemented along the B5411 Tag Lane / Woodplumpton Road and the A583 Riversway corridors. The report shall contain details of a package of public transport and sustainable transport

improvements to be implemented to include improvements to bus services, cycling and pedestrian improvements including a timescale for the implementation of the proposed improvements.

*Reason: In the interests of promoting sustainable transport and to conform with Policy 3 of the Central Lancashire Core Strategy and Policy IN1 of the Preston Local Plan.*

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

a) details of a gateway feature to be constructed at the junction of the East West Link Road and Tabley Lane including details of carriageway treatments and other highway infrastructure.

b) proposals for the implementation of a weight restriction along Tabley Lane south of the East West Link Road in order to control the use of the road by HGV.

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

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy and the North West Preston Masterplan SPD.*

23. Within two years of the junction of the East West Link Road and Tabley Lane being opened for traffic, a report relating to monitoring and mitigation of traffic levels on Tabley Lane shall be submitted to the County Planning Authority for approval in writing.

The report shall contain details of the following:-

a) monitoring information to assess traffic levels on Tabley Lane in terms of peak hour flows, annual average daily traffic flows and levels of congestion.

b) the setting of traffic trigger levels to be used to indicate the requirement to undertake traffic calming or other works to control the level of traffic using Tabley Lane.

c) details of traffic calming measures, traffic regulation orders or other traffic control proposals to reduce impacts on Tabley Lane having regard to the monitoring information collected in a) above compared to the trigger levels in b)

d) a timescale for the implementation of any works or promotion of Orders identified in c) above.

Thereafter, subsequent reports addressing the requirements of a) - d) above shall be submitted at two yearly intervals commencing on the second anniversary of the submission of the initial report until 2030 or until the



completion of the development of the North West Preston Masterplan area whichever is the later.

*Reason: In the interests of local amenity and to control the use of the public highway and to conform with Policy 3 of the Central Lancashire Core Strategy*

## **Landscaping and Ecology**

24. No site clearance works or soil stripping works shall take place where there may be an impact on nesting birds during the bird-breeding season between 1st March and 31st July inclusive. If areas cannot be cleared outside this time, they should be checked for breeding birds in accordance with Natural England's Guidance, and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

*Reason: To protect nesting birds and to conform with Policy 22 of the Central Lancashire Core Strategy.*

25. No development shall take place until a scheme of landscaping of the proposed highway has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon the landscaping proposals shown on drawings CLM01-DEV-040-020 1 of 14 to 14 of 14 (Landscape Enhancement and Mitigation Scheme) and shall include details of the following:-

- a) details of gradients and contours of embankments and cutting slopes
- b) details for the soiling or all embankment and cutting slopes, highway verges and other landscaping areas including depth of soils to be placed and cultivation measures.
- c) details for the seeding of all landscaping areas including seed mixes to be used and rates of application.
- d) details for the planting of trees and shrubs including definition of areas to be planted, layout of planting, numbers and sizes of species to be planted, planting techniques and protection measures.
- e) details for the creation of the new ponds to replace those lost including details of location and design and landscaping.

The landscaping proposals for the East West Link Road shall take into account the landscape guidance contained in the North West Preston Masterplan Supplementary Planning Document together with any approved landscape schemes for development located adjacent to the East West Link Road.

The landscaping measures contained in the approved scheme and programme shall be carried out not later than the first planting season following the proposed highway being brought into use.

*Reason : In the interests of the visual amenities of the area and to ensure the proper landscaping of the road and to conform with Policies 17 and 21 of the Central Lancashire Core Strategy.*

26. No development shall commence until a tree and hedgerow protection scheme has been submitted to and approved in writing by the County Planning Authority.

The scheme shall contain details of the following

- a) identification of the trees and hedgerows that are required to be removed to construct the road.
- b) details of the protection measures that will be employed to ensure that no trees or hedgerows other than those identified in the approved scheme are removed or damaged by construction works.

The measures approved under b) above shall be installed prior to any construction operations commencing and retained throughout the duration of highway construction operations.

*Reason: In the interests of visual amenity and ecology and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy.*

27. The works to divert the Hodder Aqueduct shall be undertaken in accordance with the report from Jacobs Ltd titled 'Hodder Water Main Diversion' dated 9th May 2018 including the drawing dated April 2018 titled ' Preston Western Distributor Road Hodder LDTM Diversion proposed route'.

*Reason: In the interests of visual amenity and ecology and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy.*

28. No development shall commence until a scheme and programme of ecological mitigation, compensation and enhancement measures has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon the details shown on drawings CLM01 -DEV-040-020 1 of 14 to 14 of 14 (Landscape Enhancement and Mitigation Scheme) and shall contain details of the following:-

- a) the measures to be implemented to mitigate the impacts on the Bartle Wetlands BHS and other areas of wetland between the highway and the BHS boundary including measures to avoid and minimise physical disturbance and details for the creation and landscaping of new ponds and wetland features to be constructed and details of enhancement works to marginal areas.
- b) the measures to be taken to address ecological impacts on the Savick Brook and Lancaster Canal including pollution prevention, avoidance of light pollution and compensation for shading effects.
- c) identification of lengths of hedgerow to be translocated including techniques to be used and identification of receptor locations.
- d) details including location, design and landscaping of new ponds to mitigate for the loss of existing ponds to the new highway.

- e) details of mitigation measures for European protected species (bats and great crested newts) including updating of the outlining mitigation strategies for bats and GCN's contained in the environmental statement and details for the implementation of the proposed mitigation measures.
- f) mitigation measures and details of habitat creation for other protected and priority species (as listed in section 41 of the NERC Act 2006)
- g) a methodology for the management of veteran and mature trees that require to be felled during road construction operations.
- h) the design of the underpass shown on drawing CLM01 - DEV-040-020 1 of 14 including dimensions, surfacing of the right of way and materials for external elevations.
- i) the location and design of all dry tunnels and culverts running under the proposed highway.
- j) the landscaping measures to be implemented on the Bartle Lane bridge to mitigate for impacts on bats.
- k) the measures required to mitigate for the impacts of diverting the Hodder water main.

The scheme and programme shall contain a timescale for the implementation of each of the mitigation measures.

Thereafter the mitigation measures contained in the approved scheme and programme shall be implemented in the construction and landscaping of the new highway and thereafter managed in accordance with the requirements of condition 29.

*Reason: In order to ensure that the ecological impacts of the development are adequately mitigated and to conform with Policy 22 of the Central Lancashire Core Strategy.*

29. Within one year of the proposed highway opening to traffic, an Environmental Management Plan for all landscaping and ecological mitigation works shall be submitted to the County Planning Authority for approval in writing. The Environmental Management Plan shall set out the management works that shall be undertaken to all landscaping and ecological mitigation works for a period of 20 years following the implementation of the landscaping and ecological mitigation works approved under the requirements of conditions 25 and 28 above and shall contain details of the following:-

- a) the management works to all grassland areas including mowing or grazing regimes to be followed. The mowing or grazing regimes proposed for all wildflower or species rich grassland areas shall be designed to enhance the ecological value of such areas.
- b) measures to control invasive weeds
- c) management of all planting works including replacement of failed planting, weed control, maintenance of protection measures and cutting / hedgerow laying measures to be implemented.
- d) the maintenance and management of all wetland features including replacement field ponds, realigned water courses and attenuation ponds.

e) management and maintenance works to ecological mitigation measures including bat boxes, barn owl nest / roost boxes, underpasses, dry tunnels and amphibian hibernaculum.

f) provision for monitoring to evaluate the effectiveness of the ecological mitigation measures. The monitoring proposals shall contain details for the reporting of monitoring results to the County Planning Authority and proposals for the modification of mitigation measures if demonstrated to be necessary as a result of the monitoring including a timescale for the implementation of any works. The monitoring scheme shall provide for the monitoring of impacts on bats, barn owls, amphibians and breeding and wintering birds.

*Reason: In order to ensure the success of the landscape and ecological mitigation measures and to conform with Policies 21 and 22 of the Central Lancashire Core Strategy.*

## **Definitions**

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

## **Notes**

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

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

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

None

Reason for Inclusion in Part II, if appropriate

N/A

## Appendix A

### Development Control Committee

Meeting to be held on 4<sup>th</sup> October 2017

Electoral Divisions affected: Preston West, Preston Rural, Preston South and Fylde East
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**Preston City and Fylde Borough: Application number. LCC/2016/0046**  
**Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link Road including a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.**

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

Contact for further information:  
Jonathan Haine, 01772 534130  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

#### **Executive Summary**

Development of new highways including Preston Western Distributor, Cottam Link Road and East West Link Road including a new motorway junction to the M55 together with temporary soil storage and contractor areas, cycle track alongside all highways, water attenuation ponds, diversion/stopping up of public rights of way, landscaping and ecology mitigation areas, construction of two bridges, two viaducts, two underpasses and a cattle creep.

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

The application is accompanied by an Environmental Statement and Non-Technical Summary prepared under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

#### **Recommendation – Summary**

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, and subject to a section 106 agreement relating to the provision and retention of off site bat mitigation measures, planning permission be **granted** subject to conditions controlling time limits, working programme, site operations, construction ecological management plan, hours of working, water resources, archaeology, highway matters, noise, dust, soils and overburden, ecology, and landscaping and

habitat management and monitoring.

## **Applicant's Proposal**

The application is for the construction of a number of new highways known as the Preston Western Distributor Road, East West Link Road and Cottam Link Road.

The Preston Western Distributor (PWD) would be a 4.3 km long dual carriageway approximately 30 metres in width. It would have two lanes in either direction separated by a central reservation with a combined footway / cycletrack on its eastern side with the exception of the section from the Saddle Inn roundabout to the M55 junction.

The PWD would commence at the northern end via a new junction with the M55 in the Bartle area approximately 4 km west of the existing M55 junction 1 (Broughton interchange). The new junction would have east and west bound sliproads to the M55 on both carriageways with a bridge over the existing M55. The PWD would then run generally southwards firstly on an embankment around 3 metres high and then progressively into cutting around 4 metres deep to the east of Bartle Hall. Bartle Lane would cross the PWD via a new bridge which would require a diversion of the existing alignment of Bartle Lane particularly at its junction with Lea Lane which would be moved to the south of its existing position. This section of the PWD would terminate at a new roundabout to the north of the junction of Lea Lane and Sidgreaves Lane close to the Saddle Inn public house. Lea Lane would be diverted at two points to the north and west of the new roundabout to allow appropriate tie-ins with the new road network.

The PWD would then continue southwards approximately at existing ground level to a roundabout junction with the proposed Cottam Link Road. The PWD would then continue southwards crossing the Preston to Blackpool railway line and then the Lancaster Canal via a single viaduct with 5 spans with an overall length of 233 metres and a maximum height to the soffit of 5.8 metres. At either end of the viaduct would be significant embankments to 8 metres high. Continuing southwards the road would cross Darkinson Lane, which would run below the PWD via an underpass, before crossing the Savick Brook valley on a further viaduct. This would be 275 metres long with 7 spans with a maximum height to the parapet of 11 metres. The viaduct would have weathering steel beams which would sit on reinforced concrete piers. After crossing the Savick Brook the road would continue south to a new roundabout junction with the A583 close to the existing junction of the A583 Riversway and A5085 Blackpool Road.

The PWD would have the national speed limit of 70mph.

The East West link road would be approximately 3.4 km long and would be a two way single carriageway road approximately 15 metres in width. It would start at its eastern end at a new roundabout junction with Lightfoot Lane close to Preston Grasshoppers Rugby Club and would then run first northwards and then westwards crossing Sandyforth Lane, Tabley Lane and Sandy Lane before meeting the PWD at

the new roundabout proposed close to the Saddle Inn. There would be no structures on the road which would be constructed at ground level or on slight embankment. The EWLR would have a variable speed limit of 40 mph between the Saddle roundabout and Sandy Lane junction and 30 mph between Sandy Lane and the Lightfoot Lane junction.

The Cottam Lane Link Road – This would be a single carriageway road approximately 0.8 long and 15 metres in width. It would commence at its western end at an intermediate roundabout on the PWD and then run eastwards to a further roundabout located on land to the west of Darkinson Lane. One arm would then provide a link through to a new roundabout on Cottam Way with the other arm running northwards into the existing alignment of Sidgreaves Lane close to Lea Primary School. There would be no structures on this section of road which would be constructed at grade or in slight cutting. The western half of the Cottam Lane Link Road would have a 40 mph limit with 30 mph on the eastern section.

Lighting: The scheme would use LED lighting to give a good level of lighting output whilst reducing energy useage. The Preston Western Distributor Road and Cottam Link Road would employ 12 metre high columns with 10 metre high columns on the East West Link Road. The Cottam Link Road and East West link Road would be illuminated for their full lengths with the PWD only having lighting on the junctions and approaches.

The application area also includes substantial areas of land required for temporary soil storage, landscaping / ecological mitigation, water attenuation ponds and construction compounds.

Eleven public rights of way cross the road alignment, some of which would be retained on their existing alignment with others being diverted.

The application is accompanied by an Environmental Statement which examines the impacts of the proposed road development in terms of landscape, ecology, water environment, noise, noise, air quality, highway capacity and congestion and archaeology,

### **Description and Location of Site**

The proposed highways are located on land to the north and west of the existing urban edge of Preston within the parishes of Woodplumpton and Lea.

The majority of the route is located on agricultural farm land with small sections of the EWLR having a more urban fringe character.

#### The PWD:-

At the northern end at the junction with the M55, the land affected is in agricultural use to the north of the motorway with an area of rough elevated pasture to the south which may have been tipped during the construction of the motorway. To the east of the road alignment at this point is an area of ponds and wetland which is designated as a Biological Heritage Site (Bartle Wetlands). The road scheme would not directly

affect the BHS but would cross an area of wetland immediately adjacent which is not designated but is of equivalent ecological value. Running southwards, the PWD then crosses a series of agricultural fields with hedgerows and isolated mature trees to cross Bartle Lane. Bartle Hall Hotel is located to the west of the road at this point approximately 80 metres from the centreline of the road. Continuing southwards, the PWD crosses further fields behind the Sitting Goose Inn (100 metres from the centreline) to cross Lea Lane close to Crow Lady Farm. There are a number of other residential properties in this area off Lea Lane. The proposed Saddle Inn roundabout would be located in the centre of an agricultural field north of the junction of Lea Lane with Sidgreaves Lane approximately 100 metres north west of the Saddle Inn. There are two properties located on the northern side of Lea Lane. Lea Lane would be diverted behind these houses to link with the new roundabout. There is also a farm complex and two further properties on the south side of Lea Lane at this point. The Saddle Inn roundabout and the Lea Lane diversion are located in Fylde Borough.

From the Saddle Inn roundabout, the PWD would continue southwards across agricultural fields separated by hedgerows. For the majority of this section of the route until the intersection with the A583, the PWD would follow two existing overhead powerlines which are major features in the landscape. The PWD would pass equidistant between two farm complexes at Earle's Farm and Bryar's Farm (which includes a caravan park) before crossing the Lancaster Canal which is designated as a Biological Heritage Site. The route then continues southwards across further agricultural fields to cross the Preston to Blackpool railway line and Darkinson Lane which is located in a shallow valley. The route continues southwards across further fields passing behind several properties on Back Lane (approximately 120 metres from the centreline of the road) to cross the Savick Brook and Guild Wheel cycle route to join the A5085 /A583 at its southern end. There are two properties which would be close to the new junction together with Old Hall Farm to the south of Blackpool Road which includes a number of listed buildings including a Grade I building.

#### The EWLR:-

The EWLR would commence at its eastern end via a new roundabout junction on Tom Benson Way / Lightfoot Lane and would proceed generally westwards across agricultural fields. However large areas on either side of the EWLR route have planning permission for housing development some of which are currently being constructed.

From Tom Benson Way, the EWLR would run first north and then curve westwards crossing Lightfoot Lane and then Sandyforth Lane (which forms part of the Guildwheel cycle route). Land on either side of this part of the route is currently in agricultural use but the initial part of the route benefits from a planning permission for the construction of 194 houses granted in February 2017. There are a number of existing properties located close to the junction with Tom Benson Way and also a number of further properties located off Sandyforth Lane, the nearest of which are around 70 metres from the road centreline. The EWLR then crosses an unadopted access to a number of other properties located to the north before reaching a junction with Tabley Lane, a B class road linking Woodplumpton with the northern



edge of Preston. There are a number of properties located off Tabley Lane at this point the closest of which would be around 70 metres from the centre line of the EWLR. To the west of Tabley Lane at this point is a small industrial estate (Melbourne Estate) and the Landorn kennels / cattery complex. The EWLR would cross land currently occupied by the kennels complex before crossing a minor road /track known as Maxey Lane. Land to the south of the EWLR at this point is currently being developed for housing by Taylor Wimpey and Bloor Homes (The Hayfield Park development of 450 houses). Crossing Sandy Lane just to the north of Maxey House, the EWLR then continues westwards across further fields divided by hedgerows passing to the south of Crow Lady Farm before linking with the PWD at the Saddle Inn roundabout. There are a number of properties located around 60 metres north of the EWLR on this section of the route and which are accessed from Bartle Lane.

The Cottam Link Road is located entirely on agricultural land. Commencing at the roundabout on the PWD it would run eastwards below overhead powerlines to the south of Earl's Farm to a roundabout located between Sidgreaves Lane and Earl's Farm. The road would then split into two spurs. One would curve to the north to join Sidgreaves Lane close to Lea Endowed Primary School which the other spur would continue eastwards crossing Sidgreaves Lane to join Lea Road. This spur would pass close to a small number of properties including at Clock House Farm part of which is listed (grade II).

No part of the route is subject to any national or European level landscape or ecological designations.

Members of the Committee visited the site on 6<sup>th</sup> September 2017.

## **Background**

There is no previous planning history to the proposed roads but a large number of planning permissions have been granted by the City Council for large scale residential developments on sites adjacent to the EWLR. Some of these planning permissions already provide for the construction of parts of the East West Link Road as part of their housing layout.

## **Planning Policy**

### National Planning Policy Framework

Paragraphs 11 – 14, 17, 18 – 22, 29 – 32, 47 – 49, 56, 57, 61, 69, 75, 93, 99 – 103, 109 – 125, 126 – 139 are relevant in terms of the presumption in favour of sustainable development, core planning principles, building a strong competitive economy, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, flooding and climate change, conserving and enhancing the natural environment and conserving and enhancing the historic environment.

Central Lancashire Core Strategy:

Policy 1 Locating Growth  
Policy 2 Infrastructure  
Policy 3 Travel  
Policy 16 Heritage Assets  
Policy 18 Green Infrastructure  
Policy 21 Landscape character areas  
Policy 22 Biodiversity and geodiversity  
Policy 29 Water Management  
Policy 30 Air Quality  
Policy 31 Agricultural Land

#### Preston Local Plan 2012 – 20126 Site Allocations and Development Management Policies

Policy IN1 Western Distributor  
Policy MD2 North West Preston  
Policy AD1(a) Development within or in close proximity to the existing residential area  
Policy HS1 Allocation of housing sites  
Policy ST2 General Transport Considerations  
Policy EN1 Development in the open countryside  
Policy EN2 Protection and enhancement of green infrastructure  
Policy EN3 Future provision of green infrastructure  
Policy EN8 Development and Heritage Assets  
Policy EN9 Design of New Development  
Policy EN10 Biodiversity and nature conservation  
Policy EN11 Species Protection

North West Preston Masterplan Supplementary Planning Document ; The masterplan does not contain any specific policies but contains a variety of design guidance as a frame work to guide development brought forward within the North West Preston Strategic Location.

#### Fylde Borough Local Plan

Policy SP2 Development in Countryside Areas  
Policy EP10 Habitat protection  
Policy EP11 Landscape Character  
Policy EP12 Trees, Woodlands and Hedgerows  
Policy EP14 Landscaping schemes  
Policy EP18 Landscape Features  
Policy EP19 Species protection  
Policy EP21 Archaeology  
Policy EP22 Best and Most Versatile Agricultural Land  
Policy EP23 Surface water resources  
Policy EP26 Air Pollution  
Policy EP27 Noise pollution  
Policy EP28 Light pollution  
Policy EP29 Contaminated land

## Consultations

Preston City Council: The City Council fully support the principle of the proposed development and consider that it is necessary to support the development aspirations of the City to meet housing need. The Borough Council therefore raise no objections to the proposed development. The Borough Council consider that the application complies with policy IN1 and MD2 of the adopted local plan and the provisions of the North West Preston Masterplan.

The City Council consider that the function of the EWLR would be to service a major residential area and therefore the speed limit on this route should be restricted to 30 mph throughout. In terms of landscaping the City Council, emphasise that their vision is that the NW Preston area would be developed along Garden City principles with the use of street trees and verge planting as an important component of the scheme design alongside the EWLR. The City Council comment that further works needs to be carried out as to how these principles can be incorporated within the landscape design.

The Borough Council EHO has not raised any objections and is of the view that studies within the ES have been undertaken in line with requirements.

Fylde Borough Council: No observations received.

Newton-with-Clifton Parish Council: No observations received.

Lea Parish Council: No observations received.

Ingol And Tanterton Neighbourhood Council; The Council fully supports the provision of the new highways. Consideration should be given to the removal of the traffic lights at the Wychnor / Tom Benson Way junction once the EWLR has been constructed. Traffic turning out of Wychnor should be restricted to a left turn only as the new roundabout will replace the need for the right turns at this junction.

Woodplumpton Parish Council: The Parish note that development in the NW Preston area will lead to 5,000 new houses being constructed, mainly in their parish. The Parish consider that the new infrastructure is essential to this development and should be built as soon as possible. However, the Parish Council are concerned that the proposed design of the EWLR will lead to more traffic using Tabley Lane which is not suitable for increased use and which would have impacts on local residents from air quality and noise. The Parish Council would like to see clearer indication of traffic flows, signage and traffic calming to deter traffic from using existing local side roads.

LCC Highways Development Control: The EWLR is a key highway for the north west Preston strategic housing location and the PWD provides a complete corridor between Blackpool Road and the M55 improving access to a number of origins / destinations served off these corridors as well as relief to other corridors locally in Preston and further afield. The road also provides wider benefits elsewhere such as Warton where there is the Enterprise Zone and committed housing development. To deliver the strategic housing location in North West Preston requires the proposed highways to be constructed. The master plan for this area includes the provision of

the PWD as well as highlighting the importance of the EWLR in providing relief which will allow traffic calming to be implemented on other existing roads in the area.

Tabley Lane will be attractive to users as part of a through route as it links to Tom Benson Way. There are some existing constraints on Tabley Lane and it is important that there is a feature at its junction with the EWLR which controls driver behaviour from the north as well as giving consideration to other uses on this route such as cyclists accessing the current route of the Guild Wheel. It is important that vehicle movement along Tabley Lane is suitably managed through good design through the use of gateway features, coloured surfacing and consideration of a weight restriction. Consideration should be given to monitoring of traffic flows along Tabley Lane and if deemed necessary through the monitoring, provision allowed for further traffic calming measures. It is noted that Tabley Lane with the scheme will operate well within its theoretical capacity and the conclusions of the microsimulation model with regard to the impact of road geometry and the recently constructed roundabout are satisfactory in terms of impact on vehicle speeds, capacity and operation.

The modelling techniques used to assess predicted traffic flows within the ES are considered to be acceptable. The modelling shows that the PWD and EWLR will provide a reduction in traffic levels at most locations considered. There are exceptions such as on Cottam Way where there would be an increase but would still operate within capacity. Other roads where there would be relief include Blackpool Road and Riversway as well as other minor / rural roads such as Hoyles Lane and Woodplumpton Road.

There will be impacts on existing footpaths and the Guild Wheel cycle route. However, it appears that where possible the comments of the various user groups have been taken on board and all diversions appear to be well considered.

There will be traffic impacts during construction. There are some concerns about the routing of construction traffic especially in terms of vulnerable users and particularly sensitive locations. The routes for construction traffic and any local improvements that are required should be subject to a planning condition.

In conclusion there is no highway objection subject to conditions being imposed relating to routing of construction traffic, traffic management on Tabley Lane and a construction management plan.

Highways England: No objection to the new route and to the creation of a new junction 2 on the M55. No construction should commence until a full design and constructional detail has been agreed with Highways England. The County Council will need to consider the traffic changes on the M55 brought about by the new route and the implications for noise at this location particularly the Swillbrook noise important area.

Natural England: No objection. The proposal is unlikely to have a significant effect on the interest features of the Ribble Estuary and Alt Estuary SPA and Ramsar site and therefore the County Council does not need to undertake an appropriate assessment of the impacts of the proposal on the European site. The standing advice in relation to protected species should be applied to assess impacts such as on bats and great

crested newts. Consideration should also be given to any opportunities that may exist to enhance the character and local distinctiveness of the surrounding natural and built environment.

County Ecology Service: Much of the application area comprises relatively intensively managed agricultural land. However, in the absence of mitigation, the ES notes that the construction and operation of the road would have significant adverse effects on non statutory designated sites (Biological Heritage Sites) together with protected and priority species and habitats including great crested newts, bats, breeding birds, common toads, barn, owls, brown hare, hedgehog, woodlands, hedgerows, wetlands, ponds and veteran trees. Taking the proposed mitigation into account, the ES concludes that the only significant impact would be the loss of veteran trees. However, it is considered that this is slightly misleading as it only considers the impacts at 'county' level significance and there would certainly be a number of local impacts on ecology. There is uncertainty in respect of the likely significance of some of the proposed mitigation measures and notwithstanding the high quality landscaping scheme that has been submitted, the value of much of this landscaping for ecological mitigation will be compromised by its roadside location and the barrier effect of the road which will remain largely impermeable to the passage of wildlife. If the County Council are minded to approve the application, and acknowledging that residual impacts on ecology from a road scheme are inevitable, mitigation and compensation should be secured through a landscape and environmental management plan to provide for mitigation for the loss of habitat features and impacts on protected species.

The Woodland Trust: Object to the application due to the loss of a number of veteran trees which are considered to be of County level importance and which should be avoided.

Historic England: The proposed new highways have the potential to impact upon the historic environment including designated and non designated heritage assets and historic landscapes. Historic England consider that the assessment has been carried out using appropriate methodology and that its conclusions are reasonable. Subject to the implementation of a programme of mitigation measures and providing sufficient time in the construction programme for these to be carried out, no objection is raised.

Lancashire Archaeology Advisory Services: No objection – the recommendations in section 7.8 of the Environmental Statement appear appropriate. A condition should be imposed requiring a scheme of archaeological investigation and recording.

Environment Agency: No objection to the principle of the proposed development subject to the following:

- The design of the Savick Brook viaduct needs further detail in order to ensure that the risk of flooding is not increased.
- The proposed Crow Lady Farm roundabout is located close to two deep aquifer monitoring boreholes that are used by the EA for monitoring regional groundwater quality. Further discussion is required to ensure that the boreholes are either retained or replaced.

- There are two locations along the route which will impact upon areas of former landfill. The impacts of contamination arising from the excavation of these waste deposits should be subject to further consideration.
- The facilities for the treatment of surface water run off from the highways should be the subject of further detailed design to ensure that all facilities have adequate capacity and treatment capability.
- The ecology studies and mitigation measures are considered sufficient with the exception of the extended phase 1 habitat survey being undertaken at a sub optimal time of year. The protected species surveys will need to be undertaken within 12 months of the development commencing.
- The EA recommend that green infrastructure opportunities in terms of managing water resources, reducing flood risk and encouraging biodiversity are maximised along the proposed route.

United Utilities: There are a number of pieces of water infrastructure affected by the development. UU do not consider that adequate information has been supplied to assess the full impact on water infrastructure. The infrastructure includes an observation borehole, water pipelines including the Hodder Aqueduct and the Savick Brook Trunk Sewers. The aqueduct must be diverted which will require the partial drainage of the Bartle Wetlands to carry out the diversions, the creation of a physical barrier separating the drained areas from the wetland and provision of suitable drainage along the toe of the new road embankment to ensure that water levels within the Bartle Wetlands are not increased.

Since these comments were provided, a scheme for the diversion of the aqueduct has been submitted which proposes to divert the main to the south of the Bartle Wetlands area using predominately auger boring techniques. UU state that the proposed pipe laying techniques for the water main diversion are reasonable.

UU also request a condition regarding the drilling of a replacement observational borehole.

National Grid Company P. L. C.: No objection. The proposal passes in close proximity to a high pressure gas mains and to overhead lines.

Canal And River Trust; The Canal and River Trust owns and manages the Ribble Link and the Lancaster Canal both of which will be crossed by the scheme . The proposed viaducts will have a significant impact and whilst the supports for the Savick Brook are aligned with the canal, this approach has not been followed for the Lea viaduct where the columns are more visually intrusive at the canal. Careful thought needs to be given to the design of the viaducts particularly the heavier parapet design over the railway, the concrete abutment to the side of the Lancaster Canal and treatment of the land under the viaducts where it runs adjacent to both canals. The existing canal bridges are all listed structures and the Trust consider that the proposed scheme would have some impact on the setting of the Lancaster Canal but that impacts could be minimised by landscaping. Consideration needs to be given to how construction access to the road scheme would affect these structures to avoid damage. A construction management plan should be required

Network Rail : No objection – the developer should contact Network Rail about any works that are required to cross the railway.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. Further consultation has also taken place in relation to amended proposals and further information that has been submitted subsequent to the initial application.

Fifty representations objecting to the application have been received. Some of these respondents have submitted two sets of representations in response to the initial applications and to the submission of the further information.

The issues raised include the following:-

- The land take for amenity and landscape screening is excessive (raised in a number of representations in relation to various points along the route)
- The noise levels at properties and at the Priory Hospital close to the M55 are excessive and the new road will result in an increase.
- The new road proposals will increase traffic on Tabley Lane which is in conflict with the Preston Local Plan. The use of Tabley Lane as an access onto the EWLR would have a detrimental impact on the amenities of residents on Tabley Lane in respect of noise and general disturbance. The proposals should include measures to make Sandy Lane the main route as set out in the Masterplan SPD
- Tabley Lane has no traffic calming and increased use of this road will harm highway and pedestrian safety.
- The modelling of the traffic impacts on Tabley Lane has been undertaken incorrectly
- The proposed signalised junction at the intersection of Tabley Lane and the EWLR will result in queuing traffic on Tabley Lane and increased noise levels.
- No screening is proposed where the EWLR passes between the kennels and the Melbourne Industrial Estate which will result in increased noise, air and light pollution.
- The proposed traffic light junction on Tabley Lane will cause access difficulties into the Melbourne Industrial Estate – a roundabout would be preferable
- The road is not a relief road but is just a way of opening up the countryside to more house building
- The proposals for the EWLR do not properly assess the impacts of the road on the new houses that have recently been constructed adjacent to the road alignment nor has the impact of street lighting, noise or open space been adequately assessed.
- Why is the section of new highway from the Saddle Inn to the A583 required and what are the assumptions and data which underpin that section of the proposal?
- The proposed Cottam Link Road will require the loss of five mature oak trees which have amenity and nature conservation importance
- No further development should occur until the M55 has quiet surfacing, the existing roads are adequately maintained and that sufficient infrastructure is in place.

- The Darkinson Lane underpass is not sufficiently large for the types of traffic that uses the land and the road prevents access to existing landholdings in this area
- The PWD would have implications for access to land off Darkinson Lane and would have adverse impacts on the enjoyment of that land. Further noise attenuation fencing and landscaping should be provided in that area
- The alternative route options have not been properly consulted upon.
- The EWLR would create access difficulties to existing properties to the north of the proposed road.
- The road would have unacceptable impacts on existing properties due to lighting, visual impacts and noise (raised by a number of residents along the route)
- The proposals do not adequately address the impacts of the road on the Bartle Hall Hotel. In particular further off site planting is required to limit the impacts on the hotel and its grounds. It is also considered that Bartle Lane and Rosemary Lane should not be used as routes for road construction traffic and that any planning permission issued should contain controls relating to traffic management during the construction phase.
- Is there a need for a road of this size to serve the NW Preston area and is the road in the correct location?
- The impacts of the road will be severe in terms of noise and air pollution which will impact on quality of life and health
- The road both during its construction and use would have significant impacts on existing agricultural activities. The proposed water attenuation pond at the southern end should be relocated further to the south where it would have less impacts on agricultural activities.
- Construction of the road would require various local road closures which would impact upon Royal Mail's mail and parcels operation
- A more westerly alignment of the route would avoid impacts on properties off Bartle Lane and at Crow Lady Farm and would have less impacts on existing farming enterprises.
- The Cottam Link road is not required as there are no proposals at present for the park and ride railway station. The link road would also have implications for the access to Clock House Farm.
- The EWLR at its eastern end would prevent access to land held by an existing property and takes land for landscaping that appears excessive when compared to the landscaping strips that are proposed on adjacent land where the road runs through consented development sites.
- The EWLR will result in a large increase in traffic on Lightfoot Lane and Eastway that will have safety implications for other road users. An alternative routing should be provided for the EWLR that crosses to the north of the M55 and then links with the A6 at Broughton roundabout.
- Access routes for construction traffic would use roads that have a number of visibility and safety issues and which have already been determined by LCC as being unsuitable for HGV traffic as part of other planning applications.
- That the representations made in relation to Tabley Lane are not representative of the views of the majority of the residents in this area.



A number of representations have also been received from developers or agents for landowners of land affected by or adjacent to the proposed highways. The issues raised are summarised as follows:-

- The new road would not provide access into the land to the east of the PWD at its southern end and would therefore sterilise this land and prevent its future development.
- The EWLR would unnecessarily sterilise development land. It should be aligned with existing field boundaries instead of 30 metres to the south of the boundary as currently proposed
- The proposed relocated access to the Saddle Inn public house also results in a loss of developable land.
- The drainage proposals alongside the EWLR also result in a loss of developable land.
- The EWLR passes through an area of land at Hayfield Park off Tabley Lane that already has planning permission for the development of 450 houses. The alignment of the EWLR would have implications for the delivery of openspace and ecological mitigation that is a requirement of the planning permission and associated section 106 agreement for that development.
- The EWLR appears to have been designed in isolation from the wider vision for the North West Preston Strategic Location and runs contrary to the aspirations of the Masterplan SPD
- The EWLR would have impacts on the new dwellings in terms of noise and visual impact
- The EWLR together with landscaping would cut through the south west corner of land at the junction of Maxy Lane and Sandy Lane and would therefore reduce developable land in this area.
- The route of the PWD should be moved further to the west which would maximise future development potential in the area and would also offer a route with less environmental impacts than the current proposal.
- The road would result in a considerable loss of agriculture pasture land, would sever existing farming business and some of the resultant field sizes are too small for economic farming practices.

One letter of support for the application has been submitted by the Cottam Village Action Group (CoVAG) as they consider that this infrastructure is essential for the future prosperity of the Cottam area. They consider that the EWLR should be constructed as soon as possible as construction activity is already resulting in impacts on existing roads in the area. The completion of the EWLR should be prioritised. However, CoVAG are concerned that the speed limit on the PWD will be 70 mph and they consider that it should be reduced to 50 mph to minimise pollution impacts resulting from accelerating vehicles.

### **Advice**

The proposal is for two new highways to provide a north - south link between the M55 and the A583 and also an east – west link through a proposed area of major housing development to the north west of the existing urban area of Preston. The proposal is of major significance and raises a number of planning and environmental

issues in terms of the need for the development and its impacts in terms of landscape, ecology, local amenity, water environment and a number of other factors.

A similar road alignment to the PWD was first proposed in 1969 within a Government White Paper called 'Roads for the Future' as a westerly bypass of Preston. The proposal was also included in an Outline Plan for the Central Lancashire New Town published in 1974.

When the M55 opened in 1975, it included three junctions numbered 1, 3 and 4 but junction 2 was never built, this being a possible future connection to a westerly bypass of Preston. Subsequently, the PWD became part of a Department of Transport scheme in the early 1990's as part of the Government's National Roads Programme but the scheme was never taken forward and a decision was taken to widen the M6 between junctions 30 and 32.

### *Planning Policy Considerations*

A central aim of the National Planning Policy Framework is to ensure sufficient supply of land for new residential development to provide for the housing requirements of current and future generations. Paragraph 47 of the NPPF requires LPA's to boost significantly the supply of land for housing by identifying a supply of specific deliverable sites or broad locations for growth. The NPPF states that such development requirements can sometimes be best delivered by way of planning for larger scale development such as extensions to existing towns and villages.

The three central Lancashire Authorities (Preston, South Ribble and Chorley) have produced a Core Strategy in order to guide development in their area and to set out strategic policies for the location of key growth areas in order to meet the housing targets that were set out in the former North West Regional Spatial Strategy. As part of the preparation of the Core Strategy, an issues and options paper was published in November 2007 in order to set out and consult upon the various options to accommodate future growth in the area. Three main options outlined comprised of i) focusing growth in Preston City and the other main urban areas, ii) targeting growth to a few priority urban locations and protect suburban locations and iii) spreading growth between all the main urban areas and identified rural service centres. The preferred option published in September 2009 was in fact a hybrid of all three options and proposed focusing growth in Preston City centre with some green field development on the fringes of the main urban areas combined with an appropriate scale of growth at other local service centres and at other key locations outside the main urban areas.

However, at the examination in public into the draft Core Strategy, the Inspector expressed concern that the preferred option did not provide sufficient land for new housing and that the draft Core Strategy could not be found to be 'sound'. In order to address this issue, the Central Lancashire Authorities revised the housing policies in the draft Core Strategy to propose a number of additional strategic locations for development including North West Preston. The North West Preston Strategic Location included a broad area of greenfield land lying between the M55 and the existing urban edge of Preston on Lightfoot Lane / Hoyles Lane and extending westwards to Sidgreaves Lane and east towards the M6. The North West Preston

area was selected as it was considered to be the most sustainable option for locating new growth whilst protecting and enhancing existing social and environmental assets.

Policy 1 of the adopted Core Strategy therefore proposes the development of around 2500 houses in the North West Preston area over the plan period to 2026 and to safeguard and protect further land in this general location that might be needed to provide for further development needs over the longer term. It is likely that the total provision in this area beyond the plan period of the CS would be in excess of 5000 dwellings. Policy 1 identified that new transport infrastructure as well as community facilities (education and health) would be needed to support this level of development within the strategic location.

Given the interrelated planning and transport implications of Policy 1, a number of further planning and transport policy documents have been produced to guide the development of this area. In particular Lancashire County Council has produced a series of Highways and Transport Masterplans. The purpose of the masterplans is to provide integration between the landuse planning and transport planning systems to ensure that investment in new transport infrastructure is properly planned and targeted to support areas of growth. The Central Lancashire Transport Masterplan includes proposals for a number of transport infrastructure improvements having regard to growth proposals and aspirations in the area. The transport improvements in the Central Lancashire area of relevance to the current application include the provision of a Preston Western Distributor Road - a new dual carriageway between a new motorway junction on the M55 and to the A583/A584 at Clifton.

In July 2015, the City Council adopted a new Local Plan (Site Allocations and Development Management Policies DPD). Policy MD2 of the Local Plan allocates land within the North West Preston Strategic Location for a residential – led mixed use development comprising the erection of approximately 5,300 dwellings and associated local centres together with infrastructure to facilitate the creation of a sustainable community. The policy requires that proposals within the Strategic Location should provide or financially support the provision of key infrastructure including:-

- An East – West Link Road providing a connection from the Preston Western Distributor Road in the west to Lightfoot Lane to the east.
- A comprehensive package of on and off site transport measures to mitigate the development's impact on roads and encourage sustainable modes of transport.

Policy IN1 of the Local Plan also safeguards the route of the Preston Western Distributor road and states that planning permission will not be granted for any development that would prejudice the construction of the road.

The City Council have also adopted a Supplementary Planning Document to provide a framework to guide and plan for the north west Preston area and to avoid piecemeal development. A Transport Assessment was undertaken as part of the preparation of the SPD in order to determine the impacts that the development of the Strategic Location would have on the local highway network. The Transport Assessment found that due to the proposed scale of development, major investment

in infrastructure is required including new roads, bus services, pedestrian and cycle routes in order to provide capacity and connectivity to satisfy the transport demand. The SPD also includes design guidance to set out a series of principles to guide the development of the NW Preston Strategic Location including to ensure a mix of housing types, adequate open space, incorporation of existing landscape features and to properly integrate the development with transport infrastructure.

The Government also awarded the Preston and South Ribble areas City Deal Status in September 2013. City Deal status was introduced by the Government as a way to drive economic growth in a number of targeted locations. The City Deal for Preston and South Ribble plans to deliver an economic regeneration programme over a ten year period that will deliver 20,000 new private sector jobs, 17,000 new homes and £2.3 in leveraged commercial investment. The City Deal allows the County Council to use forward funding to deliver critical highway infrastructure to allow this level of growth which in the Central Lancashire area includes the Broughton bypass, Penwortham bypass, improvements to the A582, the Preston Western Distributor Road as well as improvements to public transport infrastructure such as Preston Bus Station.

A number of planning permissions have already been granted for new residential development within the North West Preston Strategic Location on the basis that the existing road infrastructure in the area has some capacity to accommodate the additional traffic generation. Whilst some improvements to the existing highway network have already been undertaken or are currently underway, particularly in terms of the Broughton Bypass and improvements to the Broughton interchange, these would not be sufficient to accommodate the additional transport pressures that would be generated through full development of the strategic location. Such development, without further investment in new highway infrastructure, would have unacceptable impacts on the existing highway network including delay, congestion and associated noise and air quality impacts. Whilst the proposed highways would have some benefits in terms of traffic relief on existing roads, particularly at the junction of the M55 and A6, their primary purpose is to facilitate the planned growth that is proposed in the Development Plan for the area. Without these highway improvements, the full development of the North West Preston Strategic Location in a properly planned manner would not be possible and other more dispersed locations for the required level of housing development would have to be found where it may be more difficult to provide transport and community infrastructure.

The policy background is therefore that the preferred route of the PWD is safeguarded in the adopted Local Plan and that provision of this road is necessary in order to fulfil the development proposals set out in other policies of the local plan. If the road is not delivered, it would not be possible to deliver the growth proposals without having unacceptable impacts on the existing local highway network.

### *Route Options*

As part of an Environmental Impact Assessment process, applicants are required to identify and assess the main alternatives to the proposed development. In terms of road schemes this can include alternative alignments as well as different designs within the alignment that is proposed.

The applicant's ES contains a description of the main alternatives to the proposed alignment that have been investigated and an explanation as to why they have been discounted. A number of representations have been received which put forward other alignments on the basis that they would have less environmental impact or would have other advantages over the proposed route.

As set out above, it has been established in a number of historical transport planning documents that a new link should be provided around the western side of Preston to link the M55 with the A583. This objective set the broad area of search for the new road together with a requirement that the road alignment be as close to the edge of existing and proposed development as possible to ensure that journey times to the M55 were minimised thereby maximising the relief provided by the new route to existing highway infrastructure in particular junction 1 of the M55. The need to avoid impacts on existing infrastructure and properties and minimise environmental impact were other factors that influenced route selection.

Six Route options for the PWD have been considered and consulted upon including the preferred option:

**Red Route :** The Red Route is similar to the proposed route apart from it would provide for a junction on Bartle Lane and an 'on line' junction with Lea Lane / Sidgreaves Lane. This option has been dismissed as it would increase the number of junctions on the route and the junctions themselves would have a large landtake which would have environmental implications particularly at Bartle Lane.

**The Blue Route:** This route would commence at a junction on the M55 that would be further west than proposed in the current application and would follow a route to the west of Bartle Hall to a new junction close to the Saddle Inn but further west than is proposed in the current application. It would then follow a similar alignment to the Red Route as far as the A583. This route has been dismissed due to the additional impact on Bartle Hall and on properties off Rosemary Lane due to the motorway slip roads having to be moved further to the west. There would be a reduced impact on the Bartle Wetlands BHS but there would be a requirement for a bridge across Lea Lane and Harbour Lane.

**The Green Route ;** would be similar to the proposed route but the central section of the road would swing further to the east closer to Sidgreaves Lane before moving back westwards towards the junction with the A583. This route would have benefits in providing better access to the proposed Cottam railway station and would remove the need for part of the Cottam Link Road. It would also move the road further from the properties on the eastern edge of Lea Town but would require landtake from Ashton and Lea Golf Club.

**Magenta Route:** This route would commence on the M55 further to the east close to the Sandy Lane overbridge with the northern half of the route following a route generally to the east of the proposed alignment and then following the Green Route to the southern termination. However, this route would run through part of the NW Preston development area and there would be complications with the existing Sandy

Lane Bridge. The issues with the southern end of the route would be as for the Green Route

Purple Route: This would be the same as the Red Route but the junction with the A583 would be around 500 metres to the west of the proposed alignment. The resulting alignment would have to cross under an additional low pair of powerlines and would result in an additional major junction in the existing space between the A583/ A584 junctions and the junction of the A583 and A5085. The new junction would also be close to the grade 1 listed building at Old Hall Farm.

The preferred route is basically a variant of the red route with the road in cutting under Bartle Lane to minimise impacts at that location and an alignment that allows all existing properties to be retained. However, there would still be some impacts on properties due to proximity in the Lea Lane / Sidgreaves Lane area and to the east of Lea Town.

One representation has been received proposing a further variant of the road alignment. The objection is that the proposed alignment fails to deliver sustainable growth and would impact severely on agricultural operations in the northern part of the route. The objector is concerned that the route of the PWD does not make provision for future development on his land and that the search corridor that was used for the alternative options investigated was unduly restrictive and narrow. The objector proposes an alternative alignment at the northern end of the route which takes a route to the west of Bartle Hall to rejoin the preferred route at the Saddle Inn roundabout. The objector has included a drawing to demonstrate how this alignment would allow the development of the land immediately south of the M55 for a combination of housing and employment uses. Ecological and engineering information has also been submitted to demonstrate that the proposed alignment is feasible and is more preferable to the proposed alignment.

The reasons for the search corridor have been outlined above. One of the main purposes for the road is to serve the proposed housing development within the NW Preston Masterplan area. The PWD therefore needs to be as close to the proposed development area as possible in order to provide quick and convenient access to the motorway network. Aligning the PWD further to the west would reduce the benefits of encouraging traffic to use the new M55 junction 2 rather than accessing the motorway at Broughton interchange. A route further to the west would also intrude further into the countryside compared to the proposed route which is aligned along the boundary of the masterplan area thereby forming a defined edge to the Preston urban area.

There are also a number of other engineering and associated environmental impacts to consider. Whilst the objector has produced ecological information to demonstrate that their alignment would have reduced ecological impacts, their alignment would require it to be either in cutting or on embankment to cross Rosemary Lane and Blackleach Lane. It would therefore have other environmental impacts such as the need to demolish properties on Blackleach Lane or requiring landtake from Bartle Hall Hotel. The proposed alternative alignment may have some ecological advantages over the proposed route but it would have several other environmental impacts that on balance make it a less satisfactory route.

For the EWLR, the main criteria was that the route had to provide a link between the PWD, provide suitable junctions on the roads that are crossed mid way and at the eastern end on Lightfoot Lane, minimise impacts on existing and proposed housing within the NW Preston Masterplan area and meet a number of other planning and environmental constraints. When all of these criteria were considered, the only route option was for the EWLR to pass through the centre of the NW Preston housing development area. Subsequently, the route has been further developed to reduce impacts on existing properties and businesses and mitigate environment impacts.

One representation has also commented on the alignment of the EWLR at its eastern end. The objector is concerned that the EWLR will lead to unacceptable volumes of traffic on Eastway / Lightfoot Lane and that the EWLR should therefore terminate at the Broughton Roundabout (junction 1 of the M55). However, this would require a further crossing of the M55, a crossing of the West Coast Main Line and a major reconfiguration of the existing Broughton roundabout where there is restricted space to expand the existing junction and would probably require removal of a number of properties and existing businesses. This option would therefore have a number of technical issues and environmental impacts.

To conclude on the route options, whilst the proposed alignment of both the PWD and the EWLR would have a number of environmental impacts, it is considered to be the best achievable in terms of addressing the transport / traffic requirements and minimising environmental impacts including intrusion into the countryside and a range of other impacts.

#### Planning and Environmental Impacts

This proposal is for the construction of a significant length of new highway and raises a number of planning and environmental issues in relation to landscape impact, ecology, impact on amenity of houses close to the new route, flooding and hydrology and archaeology. There are also issues regarding the inter relationship of the development particularly the EWLR in terms of the design and layout of the North West Preston Strategic location and the design guidance that is contained within the adopted SPD.

#### *Traffic / Transport Considerations*

In common with many urban areas, it has been evident that the existing transport infrastructure serving Preston and the wider area is becoming increasingly congested due to general economic growth and increase in traffic generally. The Central Lancashire authorities therefore funded a transport model to study flows on the network and permit an analysis of how the transport network functions and potential solutions to satisfying current and future demand. The model was of particular use in the preparation of the Central Lancashire Core Strategy given the scale and distribution of new housing that was to be accommodated within this plan. The study indicated that the existing infrastructure would not be able to cope and that substantial investment in new infrastructure would be required to serve the level of new development proposed.

To support the planning application, base line traffic information was collected during 2014 and applied to the traffic predictions from committed development and that proposed in local plans and natural traffic growth to produce a model forecasting future traffic flows for 2019 and 2034 (the opening and design years) with and without the scheme in place. The traffic flow information has also been used to inform assessment of noise and air quality impacts of the proposed development.

The model includes traffic flow information on the roads likely to be beneficially and adversely affected by the construction of the PWD and EWLR. In the baseline scenario without the scheme, the M55 has AM peak flows of around 2600 passenger car units (PCU's) in each direction. To the south, the A583 (Blackpool Road) has flows of 1500 in each direction on the am and pm peak hours to the west of the proposed PWD junction. On the A6 Garstang Road and Tom Benson Way the existing flows are approximately 800 – 1000 PCU's during peak hours. Other routes of note include Tag Lane, Tabley Lane / Hoyles Lane and Sidgreaves Lane with peak flows of around 500, 250 and 200 PCU's respectively in peak periods.

In the 2019 'with scheme' scenario, the PWD would have an AM peak flow in each direction of around 1300 PCU's with flows on the M55 increasing to around 3400 in each direction. These flows on the PWD are at the northern end of the scheme close to the M55 and are generally lower at the southern end. The EWLR would have flows of up to 250 PCU's per peak hour in each direction at its eastern end. It should be recognised in 2019, the NW Preston Masterplan area would only be partly developed which is especially of significance to traffic flows on the EWLR.

On the existing roads, the model predicts that the largest traffic reductions are on Hoyles Lane, Eastway and Lightfoot Lane. These reductions are primarily as a result of traffic from the north west Preston area having an alternative route to reach the M55. The model also predicts reductions on the A5085 through Ashton on Ribble and on the A583 Blackpool Road between the southern end of the PWD and Kirkham. Again, these changes would arise from traffic on these roads re routing via the M55 due to the better connectivity offered by the PWD. The reductions on these roads would be in the order of 150 – 300 PCU's per hour in each direction. Similar levels of traffic reductions are also noted on the A583 / A585 through Kirkham to junction 3 on the M55. There would also be reductions on east and west bound traffic on orbital routes in Preston city centre. Conversely, there would be increases on certain existing roads most particularly on the motorway network between junction 32 of the M6 and junction 1 of the M55 and between junctions 2 and 3 on the M55. There would also be an increase in traffic on the Broughton bypass compared to the levels without the scheme.

Two further scenarios have also been modelled for 2034 as the design year showing the difference in traffic levels at this date without the scheme and with the scheme in place. By this time most of the development within the NW Preston masterplan area would be constructed and this data is useful in underlining why the new roads are essential if the NW Preston development area is to proceed as it illustrates the increase in traffic levels from new development combined with natural traffic growth. However, it is important to acknowledge that the traffic levels in the '2034 - without scheme' scenario would never actually be achieved in full as the entirety of the NW



Preston masterplan area could never be developed unless the proposed highways are constructed.

The 2034 data shows that in the 'with scheme' compared to the 'without scheme' scenario there continue to be noticeable reductions in traffic resulting from the construction of the road on existing roads in the NW Preston area particularly on Hoyles Lane, Lea Road, B5411 Tabley Lane, Tom Benson Way and Black Bull Lane. There would also be continued reductions on the A583 Blackpool Road and A585 to junction 3 of the M55 of around 4,700 PCU's per day and between Eastway and Lightfoot Lane of around 2700 PCU's per day compared to the scenario of where the development takes place and where no road is constructed. There would also be reductions on other roads in the NW Preston area of approximately 500 – 1000 PCU's per day. The main increases in traffic would be on the M55 and on the A584 to and from Warton.

The traffic modelling demonstrates the necessity for the scheme in terms of supporting the additional development within the NW Preston area. Without the scheme, traffic arising from the new housing development in this area would overwhelm the existing highway infrastructure in the local area leading to unacceptable delay, and other local environmental impacts. The new highway capacity that is provided would also stabilise or reduce traffic levels on a number of existing roads in the wider Preston and Fylde areas thereby providing some relief in terms of delay and local environmental conditions on these roads. The highways that would experience a significant increase in traffic are all major roads (such as the M55 and A584) which are already heavily trafficked and therefore the percentage increase in traffic is comparatively low.

Whilst the proposed roads are not proposed as a conventional bypass to relief existing unacceptable traffic conditions, they would have some benefit in providing relief to traffic levels on certain routes within the main urban area of Preston thereby releasing capacity or enabling improvement in the reliability or provision of public transport or other sustainable transport measures. One of the stated purposes of the new roads is to enable provision of a new park and ride railway station in the Cottam area and to allow bus priority measures and other sustainable transport measures in the local area. In order to secure the implementation of such measures as part of the road proposal, it is considered that any planning permission should be subject to a condition requiring a package of public transport and other sustainable transport measures to be submitted.

Preston City Council have published a Masterplan to guide the development of the North West Preston area. This masterplan has been adopted as supplementary planning guidance and therefore forms part of the Development Plan. During the preparation of the masterplan, a major concern of local communities was the impact that the development of the masterplan area would have on an already congested existing highway network. The masterplan notes that without mitigation, traffic generated by the new development would increase pressure on several existing roads that serve this area including Bartle Lane, Hoyles Lane, Lightfoot Lane and Tabley Lane. The mitigation measures that are proposed include adopting Sandy Lane as the main north – south link through the masterplan area and new design, signage and traffic calming measures along Tabley Lane north of the EWLR.

A number of representations have been received from residents on Tabley Lane who are concerned about the traffic impacts of the proposed highway and development of the NW Preston area more generally. The objections note that Tabley Lane is a narrow road with a number of bends with houses close to the highway and which is unsuitable to act as a major access onto the proposed EWLR. There are concerns that the impact of the additional traffic would create more noise, poor air quality, light pollution and vibration which would be exacerbated by standing traffic backing up from the proposed traffic light junction with the EWLR. The objectors consider that the current proposals are unacceptable as they do not achieve the objectives of the masterplan to reduce traffic on Tabley Lane. One representation considers that the data presented in the application shows that a peak traffic levels along the length of Tabley Lane to the south of the EWLR would increase by 308% using the traffic model figures provided in the Central Lancashire Transport Model and by 190% using the modelling data presented in the planning application. The resident considers that the data shows that Tabley Lane would actually carry more traffic than the EWLR which is considered to be irrational given that the EWLR would be a purpose designed highway which would not have the same constraints as Tabley Lane. The representation considers that the solution should be to prevent traffic on the EWLR from turning into Tabley Lane which would prioritise Sandy Lane as the main north – south route and that the traffic management interventions to address the Tabley Lane issue should be shown in the planning application. However, it should also be noted that a representation has also been received which claims that the above views are not representative of the majority of local residents in this area.

The existing traffic flows on Tabley Lane south are around 500 PCU's during the AM peak. The modelling accompanying the planning application shows that these levels would be broadly similar in 2019 with the scheme in place and around 900 PCU's in 2034 again with the scheme in place. The modelling therefore shows that construction of the EWLR would have an impact on traffic levels on Tabley Lane but that any increase would be significantly less than the 308% and 190% levels quoted by the objector. Furthermore the modelling shows that in 2034 with the scheme being in place, traffic would be approximately 58% lower than in a theoretical situation of the NW Preston area being fully developed with the road not being constructed

The modelling that has been undertaken as part of the planning application is based upon the existing highway network and all the traffic arising from the new development has been assigned to the existing roads. However, as the NW Preston area is developed, the number of roads in the area will increase which may have the impact of diluting the levels of traffic on the existing highways that cross the NW Preston development area. Further modelling work (a microsimulation model) has been undertaken to understand the impacts that the new estate roads might have on the traffic flows on the existing highways including Tabley Lane. The approved layout plans for new developments (for example for the approved Haydock Grange development) have been used to assign access points and traffic flows into the model with further inputs being made at assumed points where no detailed housing estate layout information is available. In terms of Tabley Lane, the microsimulation model has 2016 base year two way AM and PM peak flows of around 530 and 400 respectively for that section of the road south of the EWLR. For 2034, with the

scheme in place, it predicts that these levels would increase to around 560 and 570 two way movements in the AM and PM peaks respectively. The microsimulation model therefore predicts that the traffic levels in the AM peak will remain similar to those at present but with a more significant increase in the PM peak (42% increase). However, this increase must be seen in the context of the lower background levels in the afternoon compared to the morning in 2016. In 2034 it is predicted that the peak pm levels will be similar to the existing am peak levels.

It is acknowledged that Tabley Lane does have some constraints in terms of road width, alignment and the position of houses. However, it is a B class road and is an important north – south link which will continue to be the case even if the EWLR is developed. The modelling demonstrates that the traffic levels on Tabley Lane would not increase markedly in the AM peak but with a more significant increase in the PM peak hour. However, the traffic levels would still be well within the theoretical capacity of the road. It is also likely that many of the HGV's that currently use the southern part of Tabley Lane would divert onto the EWLR in order to reach the principle road network and therefore the element of traffic that is most unsuitable for this road and which probably has most impact on local amenity would be reduced in volume.

Some residents are requesting that no access be allowed off the EWLR onto Tabley Lane. However, that would prevent the use of an important north – south route and whilst some of this traffic would divert onto the EWLR, it is also very probable that some would divert onto other routes such as Sandy Lane and Hoyles Lane which have their own traffic and amenity issues. It is also likely that traffic would seek to travel north – south by using the new estate roads that would be constructed as part of new residential developments. Neither of these outcomes would be desirable in terms of local amenity or highway safety. Given, the conclusion of the modelling that the increase in overall traffic and air emissions on Tabley Lane would not be significant, it is considered that there is no reason to require the design of the EWLR to be modified to prevent access onto Tabley Lane. It is also important to recognise that closing the southern section of Tabley Lane would be contrary to the NW Preston Masterplan Supplementary Planning Document.

However, it is recognised that the predictions of the model may not be totally accurate and that other measures may be required to encourage traffic to use the EWLR rather than Tabley Lane. The response from County Council Highways acknowledges these issues and indicates that a gateway feature, road markings and weight restriction should be applied on Tabley Lane as part of the design of the EWLR and that provision should be made for monitoring of traffic levels with implementation of measures to further manage traffic on Tabley Lane should it be considered necessary. Such measures might include general traffic calming to reduce the attractiveness of the route to through traffic and can be the subject of a planning condition.

There would be some highway impacts relating to construction traffic particularly in relation to the proposed use of routes through Clifton village in order to access the central section of the route to the south of the Saddle Inn roundabout. Representations have been received that these routes would involve the use of roads that the County Council has previously considered as part of other planning

applications to have highway safety issues. Currently the only roads that serve the central area of the scheme are the unclassified roads around the Clifton village area or those that link to this area from the east. Some use of these roads during particular parts of the project would therefore be necessary for the scheme to be constructed in an economically viable manner. In order to manage such impacts to an acceptable level, it is considered that any planning permission should be subject to a construction management plan which includes details of vehicle routing and control and that existing roads are only used for the minimum time possible until construction vehicles can be routed along the line of the road itself.

### *Landscape / Visual Impact*

The Environmental Statement includes a full assessment of the landscape and visual impacts of the development including on local landscape character and on more site specific impacts. A number of visualisations have been provided to allow an appreciation of the visual impacts of the road on local viewpoints including the mitigating impacts of proposed landscape works.

For the purposes of assessing the landscape impact of the road, the proposal can be considered into two parts. The PWD and Cottam Link Road are located entirely on agricultural land. Much of the EWLR is also located on agricultural pasture although with some areas having a more urban fringe character particularly at its eastern end. However, much of the land, particularly on the south side of the EWLR, benefits from existing planning permissions for residential development which are unimplemented or are currently being constructed. In addition almost all of the route lies within areas allocated for housing and associated development in the local plan and therefore there can be a reasonable expectation that the landscape character of this area will experience significant change over the next 20 years. The landscape impacts of the EWLR therefore need to be seen in that context.

For the PWD and Cottam Link Road, no part of the route is located within, or readily visible from, an area of protected landscape such as AONB. However, the entire route of these roads crosses undeveloped agricultural fields that are separated by hedgerows with occasional mature and veteran trees. The PWD also crosses the Lancaster Canal and the Savick Brook, both of which are well used recreational resources.

Policy 18 of the Central Lancashire Core Strategy deals with green infrastructure and requires the protection and enhancement of the natural environment where it provides economic, social and environmental benefits. It also encourages investment to improve canal networks and to secure mitigation where development would lead to a loss of or damage to the green infrastructure network. Policy 21 of the Core Strategy requires that development should be well integrated into existing settlement patterns appropriate to the landscape character type and designation and contribute positively to its conservation, enhancement or restoration or the creation of appropriate new features. The NPPF also states that developments that give rise to a loss of aged or veteran trees should be refused unless the need for and benefits of the development in that location clearly outweigh the loss. Policies EN2 and EN3 of the Preston Local Plan contain similar requirements.

Landscape Guidance is provided by the County Council's 'Landscape Strategy for Lancashire – Landscape Character Assessment'. This assessment divides the county into a number of different landscape character types and identifies key landscape features within each of the character types as a way of assessing the significance of change upon landscape character and quality. The route of the PWD / CLR is predominately located within the Coastal Plan and Fylde Landscape Character types with the most southerly part of the route falling into the Enclosed Coastal Marsh Character Area. The main characteristics of these areas are gently undulating dairy farmland with fields divided by low hedgerows often with mature trees with many field ponds and blocks of woodland with occasional farm developments. The ES breaks down these broad character areas further in terms of local landscape impacts including on footpath users, individual properties that would have views across the proposed roads and other private and community premises that are located close to the route.

The main landscape impacts of the development relate to the loss of natural landscape features and the visual impacts of the road construction including the embankments and cuttings and other structures forming part of the development.

In terms of the key landscape features identified in the Landscape Strategy, the road scheme would result in the loss of three ponds with the partial loss of a further pond and the loss of 7615 metres of hedgerow approximately 40% of which is assessed as being 'important hedgerow' within the definition of the Hedgerow Regulations 1997. In regard to loss of other landscape features, a total of 236 trees would be lost. Of these, six are classed as veteran trees and six class A trees (higher quality trees) with the remainder being trees of lower landscape quality or those that show signs of decay / instability. A significant number of these are likely to be 'aged' trees which are given special protection in the NPPF alongside veteran trees. Thirty nine of the trees to be removed are also subject to Tree Preservation Orders, these being comprised of 10 individual trees and a further 20 trees included with two group TPO's. The other main impacts on key landscape features relate to the loss of a significant area of agricultural pasture together with a smaller area of semi improved grassland and an area of swamp.

Starting at the northern end of the scheme, the new motorway junction would clearly be a major structure in the landscape as it would be elevated above existing land levels. However, apart from the footpaths that run across this area (some of which would have to be diverted), this part of the scheme is not especially visible with the main viewpoints being from the existing motorway bridges to the east and west where Rosemary Lane and Sandy Lane cross the M55. On the approaches to the M55 crossing on both of these existing roads are thick hedgerows and other tree planting which limits views across the countryside towards the application site and would therefore reduce visual impacts of the new motorway junction.

Moving southwards, the road would firstly be on embankment approximately 6 metres above existing ground level at the motorway junction and then quickly running into cutting around 4 metres in depth where it passes close to the Bartle Hall Hotel. The land affected in this area is predominantly comprised of a small number of large fields with isolated specimen trees, some of which are veteran trees and which give this area a parkland character. The loss of the trees and construction

of the road in this area would result in an impact on landscape character which would particularly be appreciated from Bartle Lane which is the main viewpoint from where the PWD would be seen in this area. Bartle Lane is currently an attractive rural lane and the new road would have a major visual impact on views to the south and north of the existing road although sinking the road in cutting at this point would limit impacts from the wider landscape.

Bartle Lane has to be raised above its existing level in order to cross the PWD. The resulting embankments supporting the road means that Bartle Lane would have to be diverted south of its present alignment as maintaining its existing alignment would result in the embankments encroaching on the grounds of Bartle Hall Hotel which would require the loss of an area of mature woodland including several specimen trees. There would also be some impacts on trees on the southern side of the existing road. Even with the realignment of the existing road, there would still be a loss of approximately six large trees (covered by TPO's) in this area due to the need to create a new junction and visibility splays with Rosemary Lane. The impacts of the new junction and associated loss of important trees in this area would have a significant visual impact in this locality.

Moving southwards, the next area of major change is the proposed Saddle Inn Roundabout which would form the junction of the PWD and EWL. This roundabout would measure approximately 100 metres in diameter and would be located in an agricultural field which would be lowered by around 2 -3 metres in the area of the roundabout. No trees would be removed to create the roundabout but there would be some loss of hedgerow where new roads are constructed to link into the new intersection. Nevertheless, the roundabout and new / realigned roads in this area would still have a significant visual impact and would have major urbanising impact on the existing landscape particularly when seen from the Saddle Inn and existing roads and footpaths in this area.

The PWD then continues southwards. This section of the route as far as its southern termination follows the alignment of two existing high voltage power lines which are existing prominent landscape features in this area and which would have some effect in terms of reducing visual impacts of the road itself. There would be some hedgerow removal required in this area together with a number of good hedgerow trees but this section of the route is more distant from existing highways and apart from views from a single public right of way close to Earle's Farm, this section of the route would have a lower visual impact than some other sections of the route.

To cross the Lancaster Canal and Preston to Blackpool railway line, a new viaduct is proposed. The viaduct would be approximately 233 metres long with the road level being 14 metres above existing ground levels and supported on four rows of concrete piers. On the approaches to the viaduct the road would sit on earth embankments measuring up to 9 metres high on the northern side and 14 metres high on the southern side. A viaduct has been proposed in this location in order that both the canal and the railway can be spanned using a single structure rather than two separate bridges. The viaduct has to be the height proposed in order to clear the railway including any overhead lines associated with the electrification of the line. Although the viaduct and embankment would be a significant structure elevated above existing ground levels, the viewpoints would be limited to the footpath along

the southern side of the Lancaster Canal, from where the impact would be significant, and longer views from the bridges that cross the canal on Darkinson Lane and Lea Lane. These bridges are located around 600 metres from the proposed viaduct and therefore the visual impact from these locations would be reduced due to the structure being seen in the context of the wider landscape.

Moving southwards, the road then crosses further agricultural fields which would require the removal of further hedgerow on field boundaries but without significant loss of trees. Darkinson Lane is an existing single track lane located in a shallow valley at the point where it is intersected by the PWD. The PWD would cross Darkinson Lane by enclosing the road in a short tunnel with a concrete arch and brick wingwalls to the outer faces. This structure would have some impacts upon the current rural character of the lane.

South of Darkinson Lane, the PWD cuts across the crest of a low hill located directly underneath the two powerlines. Further south, the road has to cross a shallow valley of the Savick Brook / Ribble Link Canal. The tow path of the canal is also part of the Guild Wheel cycle route. The PWD would cross this valley by means of a further viaduct which would measure 278 metres in length with the base of the bridge deck being approximately 4.5 metres above existing ground levels. The viaduct would be supported on five rows of concrete piers. Supporting the road on an embankment rather than a viaduct would have offered greater opportunities to mitigate the visual impacts of the road through landscaping. However, the valley of the Savick Brook falls with flood zone 3 and constructing embankments within this area would result in a loss of flood storage capacity. The use of a viaduct structure is therefore the proposed way to cross this valley without impacting on flood storage. The visual impacts of the viaduct have been limited as far as possible by reducing its height above ground level so that it is less prominent in the landscape. However there is very limited scope to mitigate the visual impacts of the viaduct and particularly from the Guild Wheel, it would be seen as a large structure crossing a valley with an otherwise undeveloped character.

At the southern end of the route, the PWD would require major works to create a new roundabout at the intersection with the existing A5085 / A583. These works would require some loss of hedgerow and trees that are adjacent to the existing highways. However, this area is already characterised by major highways and is therefore more able to accommodate the proposed development without having significant impacts on existing landscape character.

In terms of the Cottam Link Road, this highway would be a single carriageway and would therefore have a significantly lower landscape impact than the PWD. It would cross a number of agricultural fields and would therefore require some loss of existing hedgerow together with a number a trees alongside the access to Earl's Farm and on Sidgreaves Lane. Whilst the countryside in this area does not have any particularly remarkable characteristics, the new road proposals in this area would still have an urbanising impact particularly in terms of the two limbs of the road on either side of Lea Primary School.

The landscaping of the EWLR presents different issues. Whilst much of the land on either side of the EWLR is currently in agricultural use, this is rapidly changing as

residential estates are constructed in accordance with the planning permissions that have been granted. The City Council's Supplementary Planning Guidance envisages that the North West Preston masterplan area will be developed on the 'garden city' principles where instead of the EWLR just being a distributor road which emphasises the role of the motor car, it will include design features so that it will relate to adjacent development in a way that has quality of place and prioritises the needs of pedestrians and cyclists. In general the design approach in the SPD is that the development on either side of the EWLR will be relatively open to the road and facing the street without the significant landscaped buffers that are found on other local road such as Tom Benson Way. Such a design approach is intended to create a better sense of community rather than the road being screened from the development which then becomes a physical and visual barrier between the northern and southern parts of the NW Preston development area.

The SPD states that the EWLR will have a 30 / 20 mph limit whereas the planning application proposes that speeds will be restricted to 30 / 40 mph. Whilst the City Council's objectives in creating a high standard environment are acknowledged, it must be recognised that the role of the EWLR is to provide a route for traffic from the NW Preston development area to access the primary road network without using existing highways such as Tabley Lane or Hoyles Lane. A speed restriction along the EWLR would introduce delay and therefore make it more likely that traffic would use existing roads as an alternative. There may be parts of the route (such as the proposed village centre) where a lower speed limit may be desirable and which would not be detrimental to the efficiency of the EWLR as a whole. To ensure that the EWLR reflects the design guidance in the SPD, it is considered that a condition should be attached to any permission requiring a detailed scheme to be approved covering issues such as design, materials, landscaping and traffic management.

Along much of the EWLR, no landscaping is proposed as it is envisaged that this will be delivered by the individual housing developments as they are constructed taking into account the design principles set out in the SPD. However, the construction of the EWLR will have several landscape impacts in its own right including removal of hedgerows and several trees. It is therefore important that provision is made along the EWLR for these existing landscape features to be replaced as mitigation and that such landscaping is retained on a permanent basis irrespective of any development that may be proposed adjacent to the road at a later date. There are also existing properties close to the EWLR which also need to be properly landscaped to preserve their amenity. The draft landscaping drawings show that appropriate levels of provision can be made for the landscaping of existing properties. There are also a number of water attenuation ponds alongside the EWLR to deal with highway drainage. These areas have sufficient ancillary land that can be also be used to provide replacement hedge and tree planting to mitigate for the losses due to highway construction. As these facilities have to be retained on a permanent basis, there is no risk that mitigation planting will be removed by subsequent development.

To summarise on the visual and landscape impacts of the PWD and Cottam Link Road, it is inevitable that a major highway such as that proposed within an existing rural area will have major impacts in terms of landscape impact through loss of existing key landscape features particularly the veteran trees and important hedgerows. The provision of new man made structures, modern road layouts and a



loss of general tranquillity through new noise and visual impacts would also be significant impacts. The proposed development aims to minimise these impacts through careful design of the new highway by sinking the road into the landscape whenever possible and minimising the heights of the new structures and through a comprehensive landscaping scheme that in time will help to integrate the new roads within the existing landscape. The street lighting would also be designed such that only the junctions and approaches on the PWD would be lit therefore minimising light spill and pollution into an area that is currently largely unaffected by such impacts. Nevertheless, it is considered that there will be some landscape and visual impacts that will not be able to be satisfactorily mitigated including around Bartle Lane, the Saddle Inn area and the two viaducts across the Lancaster Canal and Savick Brook. These impacts will have to be weighed against any benefits of the development.

If planning permission is granted for the development, it will be necessary to include conditions requiring detailed landscaping schemes to be submitted and also an obligation to manage the landscaping for an extended period of 20 years to ensure that the landscaping reaches maturity and provides replacement for the landscape features that are lost.

### *Ecology*

The Environmental Statement includes an assessment of the impacts of the PWD / EWLR on ecological interests. The proposal would not directly affect any area of international or national level wildlife importance. However, the route would be close to, or would directly affect a number of locally designated sites (BHS's) including Bartle Wetlands (at the northern end of the scheme) and the Lancaster Canal. There is also an area of land adjacent to the Bartle Wetlands BHS that is not designated but is of equivalent value that would be directly affected by the scheme.

The ES has investigated the impact on these sites as well as on a range of protected and other important species including bats, great crested newts, commons toads, reptiles, barn owls, water voles, badgers, hares and hedgehogs. Surveys have also been conducted to assess the ecological value of hedgerows and general water features and potential impacts on breeding and over wintering birds. The level of survey that has been undertaken as part of the ES is therefore considered to be generally adequate and allows an assessment of the ecological impacts of the development to be undertaken,

The ES has found that the majority of the site is dominated by habitats of limited ecological value including arable and improved grass pasture. The main habitats of note other than the BHS areas noted above are the hedgerows and mature trees, ponds, small areas of shrub and wetland / swamp habitat.

Some parts of the EWLR have already received planning permission as the road forms part of some of the residential developments that have already been approved on either side of the EWLR. The ecological impacts of these parts of the EWLR (which mainly relates to the loss of hedgerow with some significant trees) have therefore already been considered acceptable and mitigation for these impacts will have been conditioned as part of the planning permissions for these developments.

The NPPF requires that local planning authorities should aim to conserve and enhance biodiversity when determining planning applications by applying the following principles:

- If significant harm to ecology cannot be avoided (through locating on an alternative site with less impact), adequately mitigated or compensated for, then planning permission should be refused.
- Proposed development on land outside a SSSI likely to have an adverse effect on a SSSI should not normally be permitted
- Opportunities to incorporate biodiversity in and around developments should be encouraged
- Planning permission should be refused for development which results in loss or deterioration of irreplaceable habitats including aged or veteran trees unless the need and benefits of the development clearly outweigh that loss.

The policies of the Development Plan for the application site (Preston Local Plan and Fylde Borough Local Plan) also contain similar requirements to the NPPF in relation to ecology.

The Conservation of Habitats and Species Regulations 2010 provide special protections for European protected species. The Regulations make it an offence to deliberately disturb European protected species by way impairing the ability to survive, breed or to affect significantly the local distribution or abundance of such species. Therefore to undertake a development which detrimentally affects such species a licence must be obtained from Natural England. A licence can only be granted if three tests are satisfied:

- where the development is necessary for preserving public health or safety or other imperative reasons of public interest including those of an economic nature;
- That there is no satisfactory alternative;
- That the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status.

Although, the granting of a licence is a matter for Natural England, the County Council is a competent authority for the purposes of the Regulations and should only grant planning permission if it is satisfied that the above tests can be met.

In terms of European Protected Species, bats and great crested newts have been identified as being affected by this development.

In relation to bats, the surveys suggest that no confirmed bat roosts would be directly affected although six trees which have moderate to high bat potential would be felled. There is also a confirmed maternity bat roost at Crow Lady Farm close to the proposed Saddle Inn roundabout. Whilst Crow Lady Farm itself would not be directly affected by the proposal, the EWL and PWD would result in major new highways on three sides of the property and would therefore impact significantly on bats through severance of commuting routes and disturbance of foraging habitat. This would result in a high likelihood that any bats would abandon this roost contrary to the requirements of the Conservation of Habitats and Species Regulations 2010.

To address these impacts, the applicant proposes to construct a replacement bat barn located at Gracemire Farm approximately 800 metres west of the PWD route. This bat barn is the subject of a separate planning application ref LCC/2017/0062. The County Council's ecologist considers that a replacement bat barn could offer suitable mitigation for the probable loss of an established roost to the scheme subject to the exact details of the design of the replacement roost being the subject of further consideration. It is also necessary to ensure that the bat barn is maintained for perpetuity and because it is located on land outside of the County Council's control, a section 106 agreement will be necessary to secure the retention of the mitigation measures. The loss of the potential tree roosts is proposed to be mitigated through a number of bat boxes located close to the trees to be felled but at sufficient distance from the new road. This is a generally accepted method of compensation for the loss of tree roosting features. The details of the design and location of bat boxes can be the subject of a planning condition.

Construction of the highways would have other impacts on bats including severance of existing flight paths and disturbance due to street lighting. The application proposes a range of mitigation measures for such impacts including underpasses so that bats can pass under the road corridor, tall planting along the road corridor to deter bats from flying at traffic height and careful control of street lighting. However, there is little evidence that bats will use underpasses and planting alongside the road will clearly take some time to mature to a state where it functions to prevent bat impacts. Such planting would also be less effective for the PWD which will be a road of greater width. Notwithstanding these issues, the proposed scheme of mitigation and landscaping has been developed as far as possible given the design constraints on the road. Details of mitigation for bats should be incorporated within any conditions that are attached in terms of landscaping and highway design.

In relation to Great Crested Newts, the surveys identify that the road would result in the loss of one breeding pond near to Bartle Hall and loss / damage to terrestrial GCN habitat around a number of other ponds. The road would therefore result in loss of habitat / habitat connectivity and individuals would be at risk of killing and injuring during road construction. To address these impacts, the applicant has submitted a Great Crested Newt Mitigation Strategy which sets out a range of measures to avoid direct impacts to populations and to mitigate for habitat loss. These include fencing off of the construction corridor, trapping to capture individuals and creation of new suitable habitat to increase that which is already available around the existing GCN ponds that would be detrimentally affected.

The County Council's Ecologist considers that in relation to the impacts on European protected species (bats and GCN's), that the mitigation measures would meet the requirements of the third licencing test (maintenance of populations at favourable conservation levels) and provided that the other two tests are met, there would be no reason to suggest that a licence would not be granted to interfere with the habitat of bats and GCN's. In relation to the other two tests, the issue of alternatives has been covered in earlier sections of this report. It would be possible to avoid the loss of the GCN pond by moving the road to the west but this would result in a greater impact on the Bartle Hall Hotel possibly resulting in the loss of much of the screening vegetation that currently exists between the hotel itself and the road alignment. The

road alignment is considered to be the optimum that can be achieved in terms of balancing impacts on ecology against other environmental constraints. In relation to the public interest test, as set out in other sections of this report, this road is required to allow the growth proposals set out in the development plan to be achieved without having unacceptable impacts on the existing highway network. Delivery of this road is therefore in the wider public interest and this test is therefore satisfied.

In terms of designated sites, the main issue is in terms of the impact on the Bartle Wetlands Biological Heritage site which is at the northern end of the scheme close to the M55. This site is a series of ponds and wetland areas. The road would not directly affect the designated area but would cross land directly to the west which is of equivalent value and is supporting habitat to the BHS. The road alignment has been moved to reduce the impacts on this area but there would still be some loss of wetland habitat on this part of the scheme. It is also possible that there would be some impact on hydrology in this area. However, the road is on embankment at this point and with the increased standoff to the designated area, impacts of the actual road are considered unlikely. In order to provide mitigation for the impacts of road construction in this area, a series of new ponds and other habitat enhancements including within the existing BHS area are proposed which would be sufficient to ensure no net loss of habitat value within this area.

Aside from the specific impacts referred to above, there will also be other general ecological impacts arising from the removal of hedgerows and trees as well as the other ecological interests along the route notably breeding birds, barn owls, common toads, hares and hedgehogs.

In relation to general habitat, the scheme would result in the loss of around 7km of hedgerow, 2km of which is species rich and therefore of greater value. This represents a significant adverse impact in the absence of any mitigation. The applicant proposes that a greater amount of hedgerow will be replanted than that lost and existing hedgerows translocated where possible. The new hedgerows would also be of a greater species diversity than found in those hedgerows that are removed. Whilst these measures will have some value in terms of mitigating the impacts, it is considered that the habitat value of the new hedgerows may be less than existing given that they will generally be located adjacent or close to the new highways rather than in a rural setting.

The scheme would also result in the loss of a large number of trees, including several which are identified as veteran or aged trees. Whilst the number of new trees proposed to be planted far exceeds the overall numbers lost, this can only partially compensate for the loss of mature specimens. Paragraph 118 of the NPPF states that planning permission should be refused for development that would result in the loss of such irreplaceable habitats unless the need for and benefits of the development in that location clearly outweigh the loss. In general across this area, such trees are widely distributed in the hedgerows and any road alignment between the M55 and the A583 is likely to result in similar impacts on trees. However, these impacts will still be significant and could only be partially compensated through mitigation measures. Any planning permission should be subject to a condition to secure such measures to include protection and management of trees and hedgerows close to the route, replacement planting and management of felled trees.

It is also likely that there would be impacts on barn owl populations. Barn owls are not European protected species but are listed within schedule 1 of the Wildlife and Countryside Act 1981. The surveys carried out identified that nine buildings and one tree close to the road corridor are used by barn owl including four likely breeding sites in buildings indicating that the area is of value for this species. None of the confirmed roost sites would be directly affected by the development. However, several of the sites are close to the proposed highway and it is likely that the road development would have impacts on this species through removal of suitable hunting habitat. Road schemes also have the potential to impact upon this species due to collision with vehicles and therefore increased levels of fatality. There is therefore a risk that some of the existing roost sites would be abandoned or lost. Mitigation is proposed in the form of additional barn owl boxes, tall planting alongside the road corridor to 'lift' barn owls over the carriageways and careful habitat management on the road verges to avoid creating good hunting habitat in locations close to traffic. However, it is unlikely that these measures would be fully successful in maintaining barn owl populations at their current levels and there would be a residual risk to this species.

The ES has also assessed impacts on other species. It is likely that there would be impacts on breeding birds (through loss of hedgerow and trees) and also hares. However, no badgers or water voles were identified as being present in the study area.

United Utilities state that the route of the Hodder Aqueduct is affected by the road alignment. The aqueduct supplies water to a reservoir in the Fylde and crosses the PWD close to its junction with the M55. The aqueduct is very close to the surface and therefore to allow the road to be built, the aqueduct needs to be buried at greater depth and protected with a concrete slab in view of the greater loading from the road embankment. As the diversion works are only required as a consequence of the road scheme, it is considered that the ecological impacts of the diversion must be considered alongside the impacts of the road as a whole.

The applicant has considered a range of options for the diversion of the aqueduct. The preferred option is to realign the pipeline along the southern edge of the Bartle Wetlands with the new pipeline being installed using boring techniques rather than surface cut although some surface works would still be necessary at either end of the new pipeline route. The environmental impacts of the pipeline diversion have been assessed. The County Council's Ecologist concludes that the proposed diversion works would be preferable to open cut methods and the route would avoid the more sensitive areas of wetland at the site. Subject to any habitat features that are removed as part of the diversion works being adequately replaced or mitigated, the impacts of the Hodder Aqueduct diversion are considered acceptable. The mitigation measures can be incorporated within the general landscape and ecological mitigation conditions.

In conclusion on ecology, the proposed roads would not impact upon any statutory designated wildlife sites and it is considered that the impacts on European protected species could be mitigated successfully. However, there will certainly be some adverse impacts on general ecological interests in the area that will not be able to be

fully mitigated. Whilst the landscaping and ecological enhancement scheme is considered to be comprehensive, it will take many years until these works would provide adequate replacement for the habitats that would be lost or detrimentally impacted through the construction or operation of the road. These impacts will need to be weighed against the need for and benefits of the road proposal.

### *Impacts on Cultural Heritage / Archaeology*

Road schemes have the potential to impact on cultural heritage assets either by affecting the setting of listed buildings or ancient monuments or destroying archaeological features and historic landscape features.

The NPPF requires that great weight should be given to the conservation of heritage assets and that substantial harm or loss to a grade II listed building should be exceptional and that harm or loss to buildings of grade I and II\* should be wholly exceptional. Where a proposed development would lead to substantial harm to or total loss of significance of a designated heritage asset, planning permission should be refused unless it can be demonstrated that the loss or harm is necessary to achieve substantial public benefits that outweigh the harm or loss.

Policy 16 of the Central Lancashire Core Strategy requires that heritage assets will be safeguarded from inappropriate development that would cause harm to their significance. Policy EN8 of the Preston Local plan contains similar requirements

The ES contains an assessment of the impact on cultural heritage assets based upon a desk top study and also walking of the route. There are no scheduled monuments or registered parks and gardens within the study area. The main designated heritage assets in the area are listed buildings of which there are 60 within 2km of the road alignment. Of the listed structures within 200 metres of the alignment, there is a grade I listed farmhouse and other outbuildings (listed grade II) located at Old Hall Farm around 200 metres to the west of the southern termination of the PWD but given its location to the south of the existing A583, it is considered that the scheme would not impact upon the setting of this building. The other listed structures (all grade II) potentially affected are Clock House Farm close to one arm of the Cottam Link Road and a stone bridge carrying Darkinson Lane over the Lancaster Canal.

In terms of the canal bridge, this is located approximately 600 metres from the route of the PWD. Whilst the new viaduct would be visible from the canal bridge, it is considered that it would be sufficiently removed not to impact on the setting of the bridge itself.

The southern branch of the Cottam Link Road would pass within 40 metres of the listed part of the farmhouse at Clock House Farm. Impacts on the listed part of the house would be partially mitigated by other farm outbuildings and given the relatively small scale of this road it is therefore considered that there would be limited impact upon the setting of this building given the ability to provide additional landscaping on the road verge.

There are some undesignated heritage assets that would be more significantly affected. These include the Lancaster Canal, various unlisted but old buildings and an area of historic landscape significance east of Bartle Hall.

In terms of archaeology, a total of 58 archaeological sites have been identified within 200 metres of the road alignment. These are comprised of existing historical landscape features or earthworks, former buildings shown on historical maps, sites of previous finds and routes of previous highways / tracks including a Roman road. The only site of high significance is a possible Medieval settlement site at Bartle located around 100 metres west of the PWD alignment

Historic England consider that the assessment has been carried out to an appropriate methodology and that its conclusions are reasonable. Whilst the impact on designated heritage assets would be minor, they consider there would be a greater impact on non designated assets including the Lancaster Canal, the historic landscape character of the area east of Bartle Hall and a number of other historic buildings. These are predominately landscape impacts which are considered in other sections of this report.

Historic England consider that the proposed mitigation for archaeology would be acceptable subject to the implementation of a programme of mitigation measures and allowing sufficient time within the construction programme for these to be undertaken. Lancashire Archaeological Services are similarly satisfied with the findings of the ES. The mitigation measures can be the subject of a planning condition which should provide for a scheme of archaeological investigation and recording. The development is therefore considered to be acceptable in terms of the impact on heritage assets and complies with Policy 16 of the Central Lancashire Core Strategy and Policy EN8 of the Preston City Local Plan subject to the imposition of the conditions referred to above.

#### *Impacts on Water Environment / Flood Risk*

The construction of new roads can impact upon water resources in a variety of ways including through the need to divert / culvert existing water courses, loss of flood storage capacity, increasing volumes of run off and contamination of water through spillages of fuel and deposition of contaminants from vehicles.

Paragraph 121 of the NPPF requires that planning decisions should ensure that the effects of pollution on the natural environment should be taken into account. In addition, Paragraphs 101 - 103 of the NPPF require that development should not increase flood risk elsewhere and that a sequential test should be applied to ensure that development is located in areas with the least probability of flooding. Where a development cannot be located in a lower flood risk area, an exception test must be passed where development has to provide wider sustainability benefits to outweigh the flood risk together with a demonstration that the development will not increase flood risk elsewhere and where possible will reduce overall flood risk.

Policy 29 of the Central Lancashire Core Strategy also sets out various criteria in terms of water management including appraising, managing and reducing flood risk in all development and encouraging the adoption of sustainable drainage systems.

In terms of impacts on existing water courses, the application site is split into two main catchments with the watershed running approximately east – west from Bartle Hall and Lower Bartle. The northern area drains towards the Woodplumpton Brook which is tributary of the River Wyre whilst the southern area flows southwards towards the Savick Brook and then into the River Ribble. A number of unnamed water courses and drainage ditches cross the application site before flowing into the two main watercourses. The development would involve the diversion of 17 sections of watercourse / drainage ditch with installation of associated culverts under the new highways and construction of 17 new outfalls for the discharge of highway drainage into the existing surface water course system. The diversions required are relatively minor so that there would not be any major redistribution of flows.

Without appropriate mitigation, the water courses receiving run off from the road would be adversely affected by reductions in water quality and also by increases in discharge rates compared to existing green field rates. Mitigation has therefore been incorporated within the development to address such impacts comprised of a combination of surface balancing ponds and swales adjacent to the road together with hard engineering measures such as catchpits, gullies and oil interceptors within the road itself. An analysis of the likely efficiency of such measures predicts that they would achieve acceptable levels of suspended solid attenuation on all but two of the discharge points. The two outfalls that would fall below standard, discharge into low energy drainage ditches where the applicant states that further attenuation would take place within a short distance of the outfall and which would not lead to a decrease in water quality below the required levels. The combination of swales and balancing ponds would allow run off from the road to be contained during storm events and discharged to existing water courses at the green field rate therefore preventing any exacerbation of downstream flooding issues. Other mitigation measures to prevent pollution of watercourses during construction are also proposed. These matters can be the subject of planning conditions.

The only part of the route that affects a flood zone is the section of the PWD that crosses the Savick Brook which is in flood zone 3a. The majority of the scheme is located in flood zone 1 (area with low probability of flooding).

The crossing of the Savick Brook would be achieved by a multi span viaduct. This would have less impact on the flood plain compared to sitting the road on embankment but would still involve erecting several supporting piers within the flood plain.

In terms of the sequential test set out in the NPPF, all of the various options for constructing the PWD crossed the Savick Brook at some point in order to achieve a junction with the A583. There is no route option available that would have avoided crossing the flood zone. Applying the sequential test, it is therefore not possible to locate the development in an area with a lower risk of flooding. In terms of the exemption test, the development would have wider benefits as outlined in other sections of this report. To address the flood risk arising from the viaduct structure, the applicant estimates that the support piers would reduce the area of the floodplain by around 4.5 m<sup>2</sup> based on a 1 in 100 year flood. This loss of flood plain capacity is very small and given the absence of flood prone properties in the local area, is likely



to be insignificant except in extreme circumstances. Nevertheless, it is proposed to undertake some minor re contouring of the valley sides adjacent to the viaduct to locally increase the size of the flood plain thereby maintaining the existing flood capacity. Measures are also proposed to address possible scour issues arising from the structures within the flood plain. The flood plain mitigation measures can be the subject of planning conditions.

The Environment Agency comment that they have no objection to the principle of the road. However, they make a number of observations in relation to the possible excavation of two former landfill sites which may contain contaminated (including low level radioactive) material. They also comment that all outflows from the site should incorporate suitable measures for treatment of water and that it is not acceptable to use existing ditches as treatment facilities as proposed by the applicant. A condition should therefore be imposed to ensure that all facilities for the attenuation and treatment of highway run off are of an adequate design.

Subject to conditions being imposed regarding the implementation of flood mitigation measures, the details of the water management provisions to be incorporated into the road development itself and measures to protect the water environment during construction works, it is considered that the development is acceptable in terms of paragraphs 101 – 103 and 121 of the NPPF and Policy 29 of the Central Lancashire Core Strategy.

#### *Impacts on Existing Residential Properties / Adjacent Land Users*

The proposed highways are close to a number of existing residential properties, businesses and other locations which have a community significance such as schools, residential homes and health care facilities. The development has the potential to detrimentally impact upon these land uses through visual impact and loss of amenity due to increased noise, vibration, air emissions and light pollution. Equally there may be some properties which experience some improvements in noise and air quality due to the change in the distribution of traffic flows that the new highways would create.

In terms of the PWD, the main issues relate to the impact upon the Bartle Hall Hotel, the cluster of individual dwellings around the Saddle Inn roundabout area, Earle's Farm / Brylea Caravan Park and the houses that are located off Darkinson Lane / Lea Lane towards the southern end of the scheme. The main impacts of the Cottam Link road would be in relation to the properties at the northern end of Darkinson Lane, Lea Primary School and the properties off Lea Road. For the EWLR, there are a number of existing residential properties along its length most particularly at its eastern end in the Tabley Lane area and off Sandyforth Lane and on several estates that have recently been constructed adjacent to the road. There is also a small industrial estate and kennels complex to the respective north and south of the EWLR off Tabley Lane. In terms of the EWLR, it is also important to consider the impact of the road upon a large number of dwellings within the NW Preston Masterplan area that have planning permission but which are currently being or yet to be constructed.

The proposed highways do not require the demolition of any property either in residential or business use apart from some buildings occupied by the kennels

business located on Tabley Lane. However, planning permission has already been granted by the City Council for the relocation of these buildings in order to allow the road to be constructed without affecting the viability of the kennels business.

Policy 17 of the Central Lancashire Core Strategy relates to the design of new buildings. However, the policy is considered to relate to all development proposals and requires that development is sympathetic to surrounding land uses and occupiers and avoids harm to local amenity, that new development does not prejudice the development of neighbouring land and provides landscaping as an integral part of the development. Policy AD1(a) deals with development within or in close proximity to existing residential areas and states that such development will be permitted provided that the design and scale is sensitive to and in keeping with the character and appearance of the area and that there would be no adverse impacts on residential amenity by reason of noise, general disturbance and loss of privacy due to the activity under consideration or the vehicular movements that are generated.

In terms of the Bartle Hall Hotel, the centreline of the road would be approximately 130 metres from the main hotel building. The owner of the hotel does not object to the application but is concerned about the visual impact of the development and the routing of construction traffic. A number of measures to mitigate the visual impacts are proposed including routing of the PWD (and Bartle lane diversion) away from the grounds of Bartle Hall so that the existing vegetation surrounding the hotel is retained, sinking the PWD further into cutting which also allows the height of the over bridge to be reduced and incorporating further tree and hedgerow planting alongside the road corridor. Photomontages have been produced to demonstrate the likely visual impact. Due to the PWD being in cutting and the extent of existing vegetation, it is unlikely that the dual carriageway would be visible from the hotel even from the upper floor windows. The main visual impact would be from the diversion of Bartle Lane over the PWD and it is likely that the new bridge would have some visual impacts particularly in winter. However, the combination of the existing landscaping and planting proposed on the bridge as bat mitigation would reduce the impacts and on balance the effects on the hotel are considered acceptable. The hotel owner has requested that further planting works are undertaken within the hotel grounds but it is considered that the additional planting alongside the road corridor would be sufficient to provide an acceptable degree of landscaping subject to further consideration of detailed design.

In relation to the properties in the Saddle Inn roundabout area, the main impacts would be in terms of the properties known as 'Hillcrest' , 'Many Views' and 'The White House' on Lea Lane, all of which would be around 100 metres from the centre of the roundabout. The Saddle Inn and Crow Lady Farm are also in this location but are located slightly further away. However, all these properties are currently located in a rural environment and the introduction of the new road and roundabout in this location would have a significant impact upon the amenity of these properties. The proposed landscaping in this area is extensive and there is potential to improve this further through the use of planted mounding which would have some benefit in further reducing the impact of the road on the outlook from these properties. However, the degree of change in this area would remain significant.

The other main area of impact on residential property on the PWD is in the Darkinson Lane area. There are twelve properties in this location between 110 – 240 metres to the west of the road centre line, the closest of which have views from the rear or side elevations across the proposed road alignment. At this point the road runs under two overhead power lines which restricts the ability to undertake significant tree planting and also prevents the road from being placed in deep cutting due to the need to protect the pylon towers. It is considered that the impact on the amenity of these properties would be significant and that the mitigation would not fully address these impacts.

For the Cottam Link Road, this highway would be considerably smaller than the PWD and therefore the likely visual impacts on adjacent properties would be less and would be mainly confined to the removal of hedgerows and the new highways themselves. However, in time the additional landscaping proposed would be likely to mitigate some of these impacts. Some of the properties in this area on Lea Road including the primary school may also experience an improvement in general amenity through the removal of passing traffic.

On the EWLR, whilst much of the area is currently rural in nature, the proposals in the Preston Local Plan would result in a considerable change in the character of this land as the area is progressively developed for housing and other associated uses. Along some parts of the EWLR, where planning permissions have already been granted for development, no landscaping is proposed as this will be delivered by housing developers as the land on either side of the road is progressively developed. There are locations along the EWLR where the road passes near to existing properties and in these locations the road has been routed far enough away that the impact on residential amenity will be acceptable. Additional landscaping has been incorporated where required. The most significant impacts on existing land users that have been raised are in relation to Tabley Lane and these issues have been addressed above.

### *Noise*

Paragraphs 123 - 125 of the NPPF state that planning decisions should avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and that noise impacts should be mitigated and reduced to a minimum including through the use of conditions. However, it also requires planning authorities to recognise that development will often create some noise.

Assessment of 'significant adverse impacts' is directed to the DEFRA publication *Explanatory Note to the Noise Policy Statement for England*.

*In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.*

The following effect levels are noted:

- Significant observed adverse effect level (SOAEL): This is the level of noise exposure above which significant adverse effects on health and quality of life occur.
- Lowest observed adverse effect level (LOAEL): this is the level of noise exposure above which adverse effects on health and quality of life can be detected.
- No observed effect level: this is the level of noise exposure below which no effect at all on health or quality of life can be detected.

In relation to the impacts of noise, the ES has been based upon a background noise survey at various residential and business locations during day and night time periods. This data has then been used to model predicted noise impacts following construction of the new highways. The noise modelling has been based upon the results of the traffic modelling as this predicts the changes in traffic volumes that will occur on various roads in the NW Preston area due to the construction of the scheme.

For the operational noise assessment, appropriate noise level criteria (in terms of LOAEL and SOAEL noise levels) have been defined with reference to the above guidance resources for the purposes of identifying potential significant effects that could arise from the operational phase of the proposed scheme. An SOAEL is identified as 68 dB *LA*<sub>10,18hr</sub> (façade) / 63 dB *LA*<sub>eq,16hr</sub> (free-field) during the day and 55 dB *L*<sub>night</sub>, outside (free-field) for night time, and an LOAEL of 55 dB *LA*<sub>10,18hr</sub> (façade) / 50 dB *LA*<sub>eq,16hr</sub> (free-field) day time and 40 dB *L*<sub>night</sub>, outside (free-field) night time.

The results of the noise modelling largely follows the results of the traffic modelling with regard to those locations that will experience increases and decreases in impact. There are a large number of properties that will experience a decrease in noise due to a reduction in passing traffic arising from diversion onto the new roads. Properties in locations such as Blackpool Road, Preston and Fleetwood Road, Kirkham would experience a decrease in noise levels due to passing traffic diverting onto the new road. However, reductions in these locations would not be of a significance such that there would be a noticeable decrease in noise. More noticeable benefits would be on existing roads closer to the proposed highways such as Hoyles Lane where the beneficial effect of the new highway in terms of redistributing traffic would be more significant. Lea Primary School is also a notable example where there would be a more noticeable reduction in noise due to a reduction in traffic passing directly to the sides of the school.

The most significant increases in noise would be at certain rural locations on the PWD where existing noise levels are generally low and where the noise level increase due to the new road would be correspondingly higher. In particular, the properties located off Darkinson Lane, at Earl's Farm (Sidgreaves Lane), Crow Lady Farm and the Brylea Caravan Park would experience average day time noise increases of 12.4, 14.0, 14.4 and 15.6 dB(A) respectively which is described as a major adverse impact. Other locations such as Bartle Hall, Ashton and Lea Golf Club and St Mary's RC Church, Lea Town would experience noise increases of a lower order described as moderately adverse. It is important to note that the above

locations are only those chosen for the model and that there are other properties close to these locations, notably in Lea Town that would probably experience noise increases of a similar order. For the EWLR, a number of the existing properties that are potentially impacted by noise are located close to the M55 where background noise levels are generally higher than in the areas close to the PWD alignment. The noise impacts for these properties are therefore less significant. In total over the whole scheme for the day time period there are predicted to be 475 sensitive receptors that would experience significant adverse noise impacts with the scheme in place comprised of 178 SOAEL impacts and 297 LOAEL impacts. This compares to a prediction of 1202 sensitive receptors who would be likely to experience significant beneficial noise impacts the majority of which would fall within the SOAEL category. For night time, the figures are 309 and 541 for adverse and beneficial impacts respectively. Therefore, in terms of overall noise impacts, there would be more properties that would experience a beneficial impact than an adverse noise impact.

Mitigation measures have been built into the scheme. These include careful choice of route in order to minimise the impact on noise sensitive properties, maximising standoff distances and sinking the road in cutting where feasible. However, where a new road runs through a largely rural environment, it is inevitable that there will be substantial increases in noise above existing levels in some locations. Other mitigation measures have been considered such as the use of earth mounding or noise mitigation fencing / barriers and there is the potential to implement such measures in the Saddle Inn roundabout area which will provide some additional protection for certain of the properties in this area. With regard to noise barriers in particular, a cost benefit study has been undertaken which demonstrates that such barriers would not provide appreciable benefits to the vast majority of receptors. In other locations, there are other reasons why further mitigation measures cannot be implemented. In particular, where the PWD runs close to the properties off Darkinson Lane, mitigation such as sinking the road in cutting is not possible due to the reasons explained above. In this location it is likely that there will be a significant noise impact unless there is further mitigation. Notwithstanding the applicant's submission on noise mitigation measures, it is considered that there should be further consideration given to noise attenuation through the use of noise attenuative fencing or other measures such as bunding. Design and installation of such measures can be the subject of a planning condition. Even with such mitigation it is likely that there would still be some significant impacts on the amenity of these properties which will need to be balanced against the benefits of the scheme as a whole.

Highways England have commented that the new motorway junction will be close to a DEFRA noise important area (NIA) at Swillbrook immediately north of the M55. NIA's are identified in action plans developed by DEFRA under the Environmental Noise (England) Regulations 2006 and list locations which are affected by noise from roads, railways and airports and provide for development of action plans to manage such noise. Highways England state that their agreed current response to the NIA at Swillbrook is to resurface the M55 with thin low noise surfacing material. However, the HA state that the County Council will need to consider the traffic changes brought about by the new route and junction 2. A representation has also been received from a property in this area raising concerns about noise from the M55. The new road would increase traffic on the motorway at this point but the increases

would not be of such a magnitude to increase noise levels substantially. The impacts on the NIA affected have been assessed in the ES and it is concluded that the impact would be negligible adverse effect. It is therefore considered that there is no requirement for additional measures beyond those already proposed by Highways England.

One representation claims that no noise forecasts have been produced for the section of Tabley Lane south of the East West Link Road. However, the ES does include noise contour plots showing the distribution of noise changes as a result of the scheme. These show that the noise climate for this location in 2019 and 2034 is classed as 'negligible or no change' (-2.9 to +2.9 dB(A)) when compared to the predictions of the noise environment without the road scheme.

There would also be noise impacts arising from the construction of the road itself. Whilst these impacts would be temporary they would still arise over a significant period of time in relation to the movement and use of construction plant and machinery. It is considered that these impacts can be managed to an acceptable level by imposing conditions relating to hours of construction and silencing of plant.

#### *Air Quality / Climate Change*

Road traffic can generate air quality impacts in terms of oxides of nitrogen and particulates. Such impacts can be harmful to human health particularly where they are associated with congestion in urban areas. Road traffic also contributes towards global warming through the combustion of fossil fuels.

Paragraph 95 of the NPPF requires planning authorities to plan for new development in locations and ways which reduce greenhouse gas emissions. The NPPF also requires planning decisions to ensure that any new development in air quality management areas is consistent with the local air quality management plan. Policy 30 of the Central Lancashire Core Strategy aims to improve air quality through delivery of green infrastructure initiatives and through taking account of air quality when prioritising measures to reduce congestion.

The ES examines the impact of the development in terms of oxides of nitrogen and particulates (PM10's), these being the relevant pollutants included with the National Air Quality Strategy. The Strategy sets out objectives for various pollutants and dates by which they must be achieved. Where air quality objectives are not achieved at specific locations, local authorities must declare air quality management areas (AQMA's) and associated plans which set out the means by which the concentrations of pollutants will be reduced to below the relevant objectives. The ES examines the likely levels of changes in pollutants at various locations where there would be significant changes in road alignment, speeds or volumes taking into account the traffic modelling data which has been produced to support the overall scheme.

The proposed scheme would not directly affect any designated air quality management area. However, there are four AQMA areas with Preston City that might be affected by changes in traffic volumes brought about through the

development of the proposed scheme. These are in Broughton, Blackpool Road / Plungington Road area, part of New Hall Lane and London Road.

The assessment shows that there would be no predicted exceedance at any modelling location of the objective levels for particulates. Within the Air Quality Management Areas listed above, there would be a decrease in NO<sup>2</sup> levels resulting from a diversion of traffic away from existing roads within the main urban area of Preston.

Outside of the existing AQMA areas, there are 250 receptors within the modelling exercise. Of these, it is predicted that 18 locations would exceed the NO<sup>2</sup> annual mean air quality objective without the scheme in place. With the scheme in place, 17 of these would continue to exceed the objective levels therefore demonstrating that even with the road in place, the number of locations where NO<sup>2</sup> levels exceed objective limits would remain broadly the same as at present. The locations where the exceedances would continue are all located close to the M6 between junctions 31 and 31a but the degree of change in exceedance level is classified as imperceptible.

A number of residents on Tabley Lane are concerned that increased traffic levels and congestions as a result of the creation of traffic light controlled junction with the EWLR will result in poorer air quality. The ES provides air quality predictions for the southern section of Tabley Lane south of the East West Link Road. Prediction point R80 shows that nitrogen dioxide levels are predicted to increase by 0.5 micrograms per cubic metre (ug/m<sup>3</sup>) when the road is built, with levels of 20.1 ug/m<sup>3</sup>. The UK standard is 40 ug/m<sup>3</sup>, so the levels are half the national standard. At point R80, particulate matter is predicted to show a very modest improvement when the road is built, with levels of 15.4 ug/m<sup>3</sup>. The UK standard is 40 ug/m<sup>3</sup>, so the predicted levels are less than half the national standard. Overall, air quality impacts are not significant and are acceptable at the southern end of Tabley Lane.

With regard to green house gas emissions, the ES includes a calculation of regional CO<sup>2</sup> emissions for road traffic which estimates that there would be an increase from 145,000 tonnes in 2014 to 207,000 tonnes in 2034 taking into account the additional traffic that would be generated by the proposed development and other road schemes that could be developed within this timeframe. The Lancashire Climate Change Strategy 2009 – 2020 has a target of 30% reduction in Lancashire's CO<sup>2</sup> emissions by 2020 based on 1990 levels. Data from 2014 shows that the County is on course to achieve the target. Whilst this and other schemes to be developed would result in an increase in CO<sup>2</sup> emissions, the proposed highways are required to support a planned development of NW Preston which would be designed to incorporate community infrastructure and public transport facilities that would reduce dependence on the private car as a means of travel. Therefore it may be concluded that this pattern of development would produce lower levels of green house gas emissions compared to those that would be produced from a more dispersed method of providing housing provision where such infrastructure and provision could not be so easily incorporated into development.

Therefore, the proposed development would not result in an increase in pollution levels in locations where there are existing air quality issues and at other locations,

levels of pollutants would remain broadly similar to those currently experienced. The development is therefore considered to comply with paragraphs 95 and 124 of the NPPF and Policy 30 of the Central Lancashire Core Strategy.

Air quality impacts are also possible due to road construction activities such as dust through stripping and transporting of soil materials and associated works. Such impacts can be managed through good construction practices such as watering of haul routes, suspension of activities during dry windy weather conditions and limitation on heights of stockpiles. It is considered that these impacts can be adequately addressed through suitable planning conditions.

#### *Impacts on adjacent land owners / development interests*

In relation to the EWLR a number of issues have also been raised in representations from landowners who are concerned how the alignment and design of the EWLR will impact upon potential development interests or on the implementation of planning permissions that have already been granted. In addition there are also a number of other locations where the access to properties or land would be affected and where alternative access provisions are required. Much of the existing route is also farmed and the proposed road would have implications for the agricultural management of the land.

An existing land owner has objected to the routing of the EWLR on the basis that it occupies developable land and that the road should be routed outside of their land. However, moving the road further north would require removal of a good quality hedgerow with a number of trees, would move the road nearer existing properties at Moor Hall Farm and would require the diversion or closure of a footpath. Moving the EWLR further north would therefore have a number of environmental impacts.

The developer of the Haydock Grange development off Hoyles Lane has objected in relation to the impact of the EWLR on the ability to implement their planning permission. The permission granted in 2013 is for 450 houses and the developers, whilst supportive of the principle of the EWLR and PWD, state that the road would prejudice provision of public open space and ecological mitigation that is a requirement of their permission. They are also concerned that the road will impact upon the amenity of dwellings on their development. The EWLR does cross part of the permission area and would have implications for how the open space and ecological mitigation is provided. However, the land take is slight confines to the north east corner of the site and it is considered that sufficient land will remain that will allow the developer to still comply with the requirements of their planning permission. The road alignment also allows sufficient stand off and landscaping such that the amenity of occupiers would not be impacted upon to an unacceptable degree. To move the EWLR further to the north at this point would require an area of the Melbourne Industrial Estate to be purchased and would therefore impact upon an existing business. The impacts on the Haydock Grange development are therefore considered to be acceptable.

A landowner of a site on the eastern side of the PWD at its southern end has objected to the application on the basis that it does not provide for any access into this site and would therefore prevent it from being forward for development at a later



date. However, this site which is located off Dodney Drive, is not allocated to development in the local plan. The other issues raised by this landowner in relation to impact on agricultural activities have been addressed by resiting of a water treatment lagoon.

A number of small landowners in the Darkinson Lane area have objected on the basis that the new Darkinson Lane bridge will restrict access to their land in this area. The size of the new bridge would prevent through traffic on Darkinson Lane and therefore there would be some additional issues for landowners or users of Darkinson Lane. However, this road is only lightly trafficked and would remain open for equestrian users and other non motorised traffic.

The new highways (particularly the PWD) will cross farmland and the road will therefore have implications in terms of the loss of land and how severance can be managed. However, any routing of the road would give rise to similar issues as it has to cross existing farm land. The most significant impact is at Earl's Farm where a cattle creep and cattle track is proposed in order to maintain a connection between the farm complex and the primary grazing area. There are a number of other locations where the roads would cross farm holdings such that parts of the holding are no longer accessible. In such situations, there are provisions within the Compulsory Purchase procedures that would require any isolated plots to be purchased where access was no longer possible following construction of the road.

#### *Soils / Contamination*

The new highway would cross significant areas of agricultural land and would therefore prevent this land from being farmed. Policy 31 of the Central Lancashire Core Strategy states that best and most versatile agricultural land (grades 1, 2 and 3a) will be protected in order to avoid irreversible damage to soils.

The ES includes a desk top study of the land that would be affected in terms of agricultural land value. The agricultural assessment report concludes that the soils over the site area are of grade 3b quality and therefore are not of best and most versatile quality. Whilst the scheme would result in a loss of agricultural land, there would be no conflict with Policy 31 of the CS.

A preliminary ground investigation has been undertaken as part of the ES. This has found that made ground exists in several locations which may be indicative of previous landfill sites. The EA consider that further investigation of these sites should be made to fully assess the nature of any contamination and to develop a methodology for its management which would not impact upon the local environment or human health. Such a requirement can be the subject of a planning condition.

#### *Footpaths / Guild Wheel Cycle Route*

The new roads would require the diversion of a number of footpaths that cross the alignments of the roads. Proposals are made for the diversion of these routes. Whilst the diversions are sometimes less direct than the routes that they would be replaced and there would be some loss of footpath amenity due to the road, the paths would still be walkable as part of the wider network.

The Guild Wheel cycle route is crossed by the proposed highway at two locations; at the southern end of the PWD where the Guild Wheel runs adjacent to the Savick Brook and also on the EWLR where the Guild Wheel follows Sandyforth Lane.

At the first location, the cycle route would not be directly affected and it would continue on its existing route adjacent to the Savick Brook. However, there would be some impacts on the amenity value of the route both during construction and the operation of the route due to the construction of the viaduct over the Guild Wheel / Savick Brook. On Sandyforth Lane, the Guild Wheel would cross the EWLR using an at grade signalised Pegasus crossing point which would protect safety of Guildwheel users at this point. There would be some loss of existing rural character along this lane but such impacts are an inevitable consequence of the housing development that has already been approved on both sides of Sandyforth Lane close to the Guild Wheel / EWLR intersection.

Overall, the impacts on footpaths and the Guild Wheel are considered acceptable.

### *Human Rights Considerations*

The proposed highways would require the acquisition of land from a number of landowners. The proposal therefore raises Human Rights Act 1998 issues in relation to Article 1 of the 1<sup>st</sup> protocol (Protection of Property). Rights under Article 8 are also raised in terms of local residents and adjacent landusers.

The Rights affected by this development would include those whose land would need to be acquired to construct the road. The development would therefore deprive these owners of the opportunities to enjoy their property. However, the County Council has a duty to consider planning applications and to grant permission in appropriate circumstances. The proposed highways form part of the development plan for the area and are pieces of infrastructure that are integral to the supply of housing in order to meet Government policy as set out in the NPPF. Whilst the Rights of those whose land would be acquired would be detrimentally affected, it is considered that the interference in those rights is justified in terms of the rights and freedoms of others and improving the economic well being of the country and ensuring that everyone has access to housing. In addition it is considered that the interference is of a proportionate scale to the benefits that would flow from the development.

Article 8 provides that everyone has the right to respect for family and private life. Interference in this Right can only be justified where it is in accordance with the law and is necessary in a democratic society for the economic wellbeing of the country or for the protection of the rights and freedoms of others.

In relation to Article 8, the construction and operation of the highway would have the potential to affect landowners/land users in the vicinity through issues such as noise, air pollution, vehicle movements and visual intrusion. However, it is considered that the mitigation measures within the scheme and the imposition of planning conditions would reduce the potential impacts of the proposals so that infringement in the rights under these Article 8 would be minimised. If there were any interference in these

Rights, such interference would be justified as the development is necessary in order to deliver the development aspirations set out in the adopted Development Plan for the area. If the new highway infrastructure were not delivered, the full development of the NW Preston Strategic Location would not be achieved without having unacceptable impacts on existing highways. The development would therefore be in the public interest and justified in terms of the environmental well-being of the area. Moreover, any such interference would be proportionate to the benefits that would be derived from the development.

### *Conclusions*

The Government is placing considerable importance on increasing the level of housing supply in order to address its concerns about the operation of the housing market and to address issues of historic undersupply. Within the Preston City area, the adopted development plan proposes that the required housing provision in the period up until 2026 and beyond will be achieved mainly through growth within a strategic location in North West Preston. However, for this level of growth to be delivered, further investment in new highway infrastructure is required as the existing network does not have capacity to accommodate the additional level of traffic that would be generated without resulting in major congestion and associated environmental and economic impacts. The proposed new highways (PWD and EWLR) would provide the additional capacity that is necessary to allow this level of growth to be achieved and the proposed new roads are therefore vital to ensure that the growth proposals set out in the adopted development plan can be implemented. The need for the road is therefore supported both by central Government and local planning policy.

However, any new road across a predominately undeveloped area will result in some environmental impacts. In this case there will undoubtedly be some landscape impact particularly in terms of the PWD which will remain within a largely rural setting. There would also be some general loss of ecological value together with impacts on existing properties and landusers in terms of general amenity and outlook, noise and use of land. Some of these impacts could be partially mitigated through conditions or the mitigation measures that are embedded within the scheme but it is likely that some impacts would remain. However, a number of route options have been investigated and the proposed route is considered to be one that minimises such impacts. It will therefore be necessary to weigh the local impacts of the road against the need for the new highways to fulfil the growth requirements set out in the Development Plan. On balance, it is considered that the need to provide the new highway infrastructure outweighs any local impacts and that the development is therefore acceptable when taking into account the policies of the development plan as a whole.

### **Recommendation**

That, after first taking into consideration the environmental information, as defined in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and subject to the signing of a section 106 agreement relating to the provision and retention of off site bat mitigation measures, planning permission be **granted** subject to the following planning conditions:-

## Time Limits

1. The development shall commence not later than 5 years from the date of this permission.

*Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.*

2. Notice in writing of commencement of the authorised development of the Preston Western Distributor Road shall be given to the County Planning Authority not later than 7 days after the date on which the authorised development is commenced.

*Reason: To enable the County Planning Authority to monitor the development to ensure compliance with this permission and to conform with Policy 17 of the Preston Local Plan.*

## Working Programme

3. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
  - a) The Planning Application received by the County Planning Authority on 17th June 2016 as amended by the revised application details entitled 'February 2017 Revised Version' and the details and Ecological Assessment for the Hodder Water Main diversion dated 25th August 2017.
  - b) Submitted Plans:

Drawing CLM01-DEV-040-007 Rev A - Site Plan  
Drawing CLM01-DEV-040-008 Rev B - Location of typical cross section  
Drawing CLM01-DEV-040-009 1 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 2 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 3 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 4 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 5 of 8 Rev B - Typical Cross Sections  
Drawing CLM01- DEV-040-009 6 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 7 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-009 8 of 8 Rev B - Typical Cross Sections  
Drawing CLM01-DEV-040-010 1 of 1 Rev A - Location of Long sections  
Drawing CLM01-DEV-040-011 1 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 2 of 9 Rev A - Long Sections of route  
Drawing CLM01-DEV-040 -011 3 of 9 Rev A - Long Sections of route  
Drawing CLM01-DEV-040 -011 4 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 5 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 6 of 9 Rev A - Long sections of route  
Drawing CLM01-DEV-040-011 7 of 9 Rev A - Long sections of route

Drawing CLM01 - DEV-040-011 8 of 9 Rev A - Long sections of route  
 Drawing CLM01 - DEV040-011 9 of 9 Rev A - Long sections of route  
 Drawing CLM04 -DEV010 018 Revision J - Outline Drainage Strategy  
 Drawing CLM01 DEV 010 033 Revision L - Outline Drainage Strategy  
 Drawing CLM01 DEV 040 021 Revision B - Site compounds, Treatment and Storage Areas.  
 Drawing CLM01 DEV 040 66114B1/01 Revision 3 - Becconsall Bridge General Arrangement  
 Drawing CLM01 DEV 040 6617U1/01D - Bartle Underpass General Arrangement  
 Drawing CLM01 DEV 040 33821R1/01A - Bartle Hall Retaining Wall General Arrangement  
 Drawing CLM01 DEV 040 66113B1/01H - Bartle Lane Bridge General Arrangement  
 Drawing CLM01 DEV 040 6611B1/01 Revision 2 - Lea Viaduct General Arrangement  
 Drawing CLM01 DEV 040 6612B1/01F - Earles Farm Cattle Creep General Arrangement  
 Drawing CLM01 DEV 040 6610B1/01D - Darkinson Lane Underpass General Arrangement  
 Drawing CLM01 DEV 040 6609B1/01 - Revision 3 - Savick Brook Viaduct General Arrangement  
 Drawings CLM01-dev-040-014B 1B of 19 to 19A of 19 - Drawings showing new road lighting and illuminated traffic sign cabling works  
 Drawings CLM01-DEV-040-020 1 of 14 to 14 of 14 - Landscape Enhancement and Mitigation Scheme  
 Drawing PXXX/80043603/XX/XX2016 - Plan showing watermain diversions

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

*Reason : To minimise the impact of the development on the amenities of the area and to conform with Policies 16, 17, 21,22, 29, 30 and 31 of the Central Lancashire Core Strategy.*

4. No development of the Preston Western Distributor Road shall commence until details for the design and building materials to be used for the external elevations of all structures including viaducts, bridges and underpasses have been submitted to the County Planning Authority for approval in writing.

Thereafter all structures shall be constructed and use materials contained in the approved details.

*Reason: In the interests of visual amenity and to conform with Policy 17 of the Central Lancashire Core Strategy.*

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

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

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

*Reason: In order to prevent flooding and pollution and to conform with Policy 29 of the Central Lancashire Core Strategy.*

6. No development of the Preston Western Distributor Road shall commence until a scheme and programme of measures to address the flood risks arising from the construction of the Savick Brook Viaduct have been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain details of the following:

- a) the measures to be used for scour protection of the viaduct piers.
- b) the heights of the bridge soffit level which must be at least 600mm above the 1 in 100 year storm level plus 70% climate change allowance.
- c) details of the ground recontouring to be undertaken to provide replacement flood storage capacity for that lost by the construction of the viaduct.

The measures contained in the approved scheme shall be implemented in the construction of the viaduct.

*Reason: In the interests of flood prevention and to conform with Policy 29 of the Central Lancashire Core Strategy.*

7. No development of the Preston Western Distributor road shall take place until a scheme and programme of investigation and management of contaminated land has been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain provision for the following:

- a) further ground investigation over the area of land to be disturbed for the proposed Saddle Inn roundabout and land between the A583 and the Savick Brook viaduct to establish the nature, location and extent of any contaminated land in those areas.
- b) proposals for how any contaminated land identified under a) above will be managed during the highway construction.

The proposals in the approved scheme and programme shall be complied with at all times during the construction of the road.

*Reason: In the interest of preventing pollution and harm to human health and to conform with Policy 17 of the Central Lancashire Core Strategy.*

8. No clearance or soil stripping works shall take place until details of a written scheme of archaeological investigation including survey, recording, and analysis, have been submitted to and approved in writing by the County Planning Authority. Thereafter, the approved scheme of archaeological investigation shall be implemented during the soil stripping works required for the construction of the scheme.

*Reason: To ensure and safeguard the recording and inspection of matters of archaeological importance associated with the site and to confirm with Policy 16 of the Central Lancashire Core Strategy.*

### **Construction Activities**

9. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall contain details of the following:-
  - a) details for the construction of the temporary site compounds shown on drawing CLM01 DEV 040 021 Revision B. The details shall include information on the location and design of access from the public highway, the stripping and storage of soils to create the access and site compounds, the laying of surfacing materials and details of measures to protect existing trees and hedgerows within each compound site.
  - b) details for soil storage within the areas shown on drawing CLM01 DEV 040 021 Revision B including details of heights of storage and measures to be taken to protect existing trees and hedgerows on the boundaries of and within each storage area.
  - c) details for the restoration of site compound and soil storage areas including removal of all plant and equipment, surfacing materials and restoration works including spreading of stripped soils, drainage works, landscaping and removal of temporary access roads from the public highway.
  - d) details for the routing and management of construction traffic, signage to identify approved and prohibited routes and measures to be taken to inform hauliers of the approved and prohibited routes to the construction site.
  - e) details of any highway improvements that are necessary to the approved routes identified in d) above.

All construction compounds and soil storage areas shall be restored in accordance with the details approved under this condition by not later than one year from the Preston Western Distributor Road being opened to traffic.

*Reason: In the interests of the amenities of the area and highway safety and to conform with Policy 17 of the Central Lancashire Core Strategy.*

10. All mobile plant/vehicles retained on site to be used in connection with the construction phase of the development 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 conform with Policy 17 of the Central Lancashire Core Strategy.*

11. Any vehicles transporting excavated materials, soils and/or subsoils from the site shall have securely sheeted or enclosed loads.

*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 17 of the Central Lancashire Core Strategy.*

12. Wheel cleaning facilities shall be made available at all access points from the construction site to the public highway to ensure that no debris from the site is deposited by vehicle wheels upon the public highway.

*Reason: In the interest of highway safety and to safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy 17 of the Central Lancashire Core Strategy.*

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

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy 17 of the Central Lancashire Core Strategy.*

14. Measures shall be taken to prevent dust or wind blown material being carried on to adjacent property and in particular shall include the watering of all haul and access roads and the spraying of storage heaps or areas as necessary during dry weather conditions, at all times during construction development.

*Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to comply with Policy 30 of the Central Lancashire Core Strategy.*



15. All available topsoil and subsoil shall be stripped from any part of the site before that part is excavated or is traversed by heavy vehicles, plant or machinery. All stripped topsoil and subsoil shall be stored in separate mounds for use in the final landscaping of the site.

*Reason: To ensure the proper removal and storage of soils to ensure satisfactory restoration and to comply with Policy 31 of the Central Lancashire Core Strategy.*

16. No construction working, importation of materials or removal of materials off-site shall take place outside the hours of:

0730 to 1800 hours, Mondays to Fridays (except Public Holidays)  
0800 to 1300 hours on Saturdays

No construction development, importation of materials or removal of materials off 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 conform with Policy 17 of the Central Lancashire Core Strategy.*

17. No development shall commence until a scheme and programme of noise attenuation measures for existing residential properties has been submitted to and approved in writing by the County Planning Authority.

The scheme and programme shall contain details for the implementation of noise mitigation measures within the road design in the locations shown on drawing B2237808 to reduce the impacts of highway noise of existing residential properties. The measures shall include additional bunding or noise attenuation fencing including location and design of measures to be implemented.

The noise mitigation measures contained in the approved scheme and programme shall be installed prior to the highway being brought into use and shall be retained and maintained thereafter.

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy.*

18. No development of the Preston Western Distributor Road shall commence until details for the replacement of the existing United Utilities observational borehole identified in the letter from United Utilities dated 12th July 2017 has been submitted to and approved in writing by the County Planning Authority.

The submitted details shall contain information on the location of the replacement borehole, details of construction including depth and means of access.

The replacement borehole shall be installed in accordance with the approved details prior to any development taking place of the Preston Western Distributor Road.

*Reason: In order to provide for adequate replacement of an existing water monitoring borehole and to conform with Policy 17 of the Central Lancashire Core Strategy.*

19. No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority. The CEMP (Biodiversity) shall include the following:-
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) or method statements to avoid or reduce impacts on biodiversity during construction.
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - i) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

*Reason: In the interests of biodiversity and to comply with Policy 22 of the Central Lancashire Core Strategy.*

### **Traffic Management**

20. Prior to the Preston Western Distributor road being opened to traffic, details of a highway monitoring and management strategy shall be submitted to and approved in writing by the County Planning Authority. The strategy shall include details for a programme of surveys, observations and defined targets, and a mechanism where targets are not achieved, to deliver further highway change. The approved highway monitoring and management strategy shall be employed for a period of three years commencing on the 1st anniversary of the scheme opening.

*Reason: In the interest of highway safety, the satisfactory operation of the highway network, to safeguard the amenity of local residents and adjacent properties/landowners and land users, and to comply with Policy 3 of the Central Lancashire Core Strategy.*

21. Within two years of the Preston Western Distributor Road being opened to traffic, a report shall be submitted to the County Planning Authority detailing sustainable transport improvements to be implemented along the B5411 Tag Lane / Woodplumpton Road and the A583 Riversway corridors. The report shall contain details of a package of public transport and sustainable transport improvements to be implemented to include improvements to bus services, cycling and pedestrian improvements including a timescale for the implementation of the proposed improvements.

*Reason: In the interests of promoting sustainable transport and to conform with Policy 3 of the Central Lancashire Core Strategy and Policy IN1 of the Preston Local Plan.*

22. No development of the junction of the East West Link Road with Tabley Lane shall take place until a scheme and programme for the design of the junction has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:
- a) details of a gateway feature to be constructed at the junction of the East West Link Road and Tabley Lane including details of carriageway treatments and other highway infrastructure.

b) proposals for the implementation of a weight restriction along Tabley Lane south of the East West Link Road in order to control the use of the road by HGV's.

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

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy and the North West Preston Masterplan SPD.*

23. Within two years of the junction of the East West Link Road and Tabley Lane being opened for traffic, a report relating to monitoring and mitigation of traffic levels on Tabley Lane shall be submitted to the County Planning Authority for approval in writing.

The report shall contain details of the following:-

- a) monitoring information to assess traffic levels on Tabley Lane in terms of peak hour flows, annual average daily traffic flows and levels of congestion.

b) the setting of traffic trigger levels to be used to indicate the requirement to undertake traffic calming or other works to control the level of traffic using Tabley Lane.

c) details of traffic calming measures, traffic regulation orders or other traffic control proposals to reduce impacts on Tabley Lane having regard to the monitoring information collected in a) above compared to the trigger levels in b) above.

d) a timescale for the implementation of any works or promotion of Orders identified in c) above.

Thereafter, subsequent reports addressing the requirements of a) - d) above shall be submitted at two yearly intervals commencing on the second anniversary of the submission of the initial report until 2030 or until the completion of the development of the North West Preston Masterplan area whichever is the later.

*Reason: In the interests of local amenity and to control the use of the public highway and to conform with Policy 3 of the Central Lancashire Core Strategy*

### **Landscaping and Ecology**

24. No site clearance works or soil stripping works shall take place where there may be an impact on nesting birds during the bird-breeding season between 1st March and 31st July inclusive. If areas cannot be cleared outside this time, they should be checked for breeding birds in accordance with Natural England's Guidance, and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependant young have vacated the area.

*Reason: To protect nesting birds and to conform with Policy 22 of the Central Lancashire Core Strategy.*

25. No development shall take place until a scheme of landscaping of the proposed highway has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon the landscaping proposals shown on drawings CLM01-DEV-040-020 1 of 14 to 14 of 14 (Landscape Enhancement and Mitigation Scheme) and shall include details of the following:-

a) details of gradients and contours of embankments and cutting slopes

b) details for the soiling or all embankment and cutting slopes, highway verges and other landscaping areas including depth of soils to be placed and cultivation measures.

c) details for the seeding of all landscaping areas including seed mixes to be used and rates of application.

d) details for the planting of trees and shrubs including definition of areas to be planted, layout of planting, numbers and sizes of species to be planted, planting techniques and protection measures.

e) details for the creation of the new ponds to replace those lost including details of location and design and landscaping.

The landscaping proposals for the East West Link Road shall take into account the landscape guidance contained in the North West Preston Masterplan Supplementary Planning Document together with any approved landscape schemes for development located adjacent to the East West Link Road.

The landscaping measures contained in the approved scheme and programme shall be carried out not later than the first planting season following the proposed highway being brought into use.

*Reason : In the interests of the visual amenities of the area and to ensure the proper landscaping of the road and to conform with Policies 17 and 21 of the Central Lancashire Core Strategy.*

26. No development shall commence until a tree and hedgerow protection scheme has been submitted to and approved in writing by the County Planning Authority.

The scheme shall contain details of the following

- a) identification of the trees and hedgerows that are required to be removed to construct the road.
- b) details of the protection measures that will be employed to ensure that no trees or hedgerows other than those identified in the approved scheme are removed or damaged by construction works.

The measures approved under b) above shall be installed prior to any construction operations commencing and retained throughout the duration of highway construction operations.

*Reason: In the interests of visual amenity and ecology and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy.*

27. No development of the Preston Western Distributor road shall take place until a scheme and programme for the diversion of the Hodder Aqueduct has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:

- a) details of the location and extent of surface works
- b) the lengths of pipeline that are to be installed by underground boring techniques and those to be installed by surface cut.

- c) identification of any trees and hedges to be removed
- d) details for the replacement of any habitat features that would be lost or affected by the diversion work including restoration of any surface excavation, reseeding or planting.

The diversion works shall be carried out in accordance with the approved scheme and programme and the land required for the diversion restored in accordance with d) by not later than one year from the completion of the diversion of the Aqueduct.

*Reason: In the interests of visual amenity and ecology and to conform with Policies 17 and 22 of the Central Lancashire Core Strategy.*

28. No development shall commence until a scheme and programme of ecological mitigation, compensation and enhancement measures has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall be based upon the details shown on drawings CLM01 -DEV-040-020 1 of 14 to 14 of 14 (Landscape Enhancement and Mitigation Scheme) and shall contain details of the following:-
- a) the measures to be implemented to mitigate the impacts on the Bartle Wetlands BHS and other areas of wetland between the highway and the BHS boundary including measures to avoid and minimise physical disturbance and details for the creation and landscaping of new ponds and wetland features to be constructed and details of enhancement works to marginal areas.
  - b) the measures to be taken to address ecological impacts on the Savick Brook and Lancaster Canal including pollution prevention, avoidance of light pollution and compensation for shading effects.
  - c) identification of lengths of hedgerow to be translocated including techniques to be used and identification of receptor locations.
  - d) details including location, design and landscaping of new ponds to mitigate for the loss of existing ponds to the new highway.
  - e) details of mitigation measures for european protected species (bats and great crested newts) including updating of the outlining mitigation strategies for bats and GCN's contained in the environmental statement and details for the implementation of the proposed mitigation measures.
  - f) mitigation measures and details of habitat creation for other protected and priority species (as listed in section 41 of the NERC Act 2006)
  - g) a methodology for the management of veteran and mature trees that require to be felled during road construction operations.

- h) the design of the underpass shown on drawing CLM01 - DEV-040-020 1 of 14 including dimensions, surfacing of the right of way and materials for external elevations.
- i) the location and design of all dry tunnels and culverts running under the proposed highway.
- j) the landscaping measures to be implemented on the Bartle Lane bridge to mitigate for impacts on bats.

The scheme and programme shall contain a timescale for the implementation of each of the mitigation measures.

Thereafter the mitigation measures contained in the approved scheme and programme shall be implemented in the construction and landscaping of the new highway and thereafter managed in accordance with the requirements of condition 29.

*Reason: In order to ensure that the ecological impacts of the development are adequately mitigated and to conform with Policy 22 of the Central Lancashire Core Strategy.*

29. Within one year of the proposed highway opening to traffic, an Environmental Management Plan for all landscaping and ecological mitigation works shall be submitted to the County Planning Authority for approval in writing. The Environmental Management Plan shall set out the management works that shall be undertaken to all landscaping and ecological mitigation works for a period of 20 years following the implementation of the landscaping and ecological mitigation works approved under the requirements of conditions 25 and 28 above and shall contain details of the following:-
- a) the management works to all grassland areas including mowing or grazing regimes to be followed. The mowing or grazing regimes proposed for all wildflower or species rich grassland areas shall be designed to enhance the ecological value of such areas.
  - b) measures to control invasive weeds
  - c) management of all planting works including replacement of failed planting, weed control, maintenance of protection measures and cutting / hedgerow laying measures to be implemented.
  - d) the maintenance and management of all wetland features including replacement field ponds, realigned water courses and attenuation ponds.
  - e) management and maintenance works to ecological mitigation measures including bat boxes, barn owl nest / roost boxes, underpasses, dry tunnels and amphibian hibernacular.

f) provision for monitoring to evaluate the effectiveness of the ecological mitigation measures. The monitoring proposals shall contain details for the reporting of monitoring results to the County Planning Authority and proposals for the modification of mitigation measures if demonstrated to be necessary as a result of the monitoring including a timescale for the implementation of any works. The monitoring scheme shall provide for the monitoring of impacts on bats, barn owls, amphibians and breeding and wintering birds.

*Reason : In order to ensure the success of the landscape and ecological mitigation measures and to conform with Policies 21 and 22 of the Central Lancashire Core Strategy.*

## **Definitions**

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

## **Notes**

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

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

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

Paper	Date	Contact/Directorate/Ext
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LCC/2016/0046		
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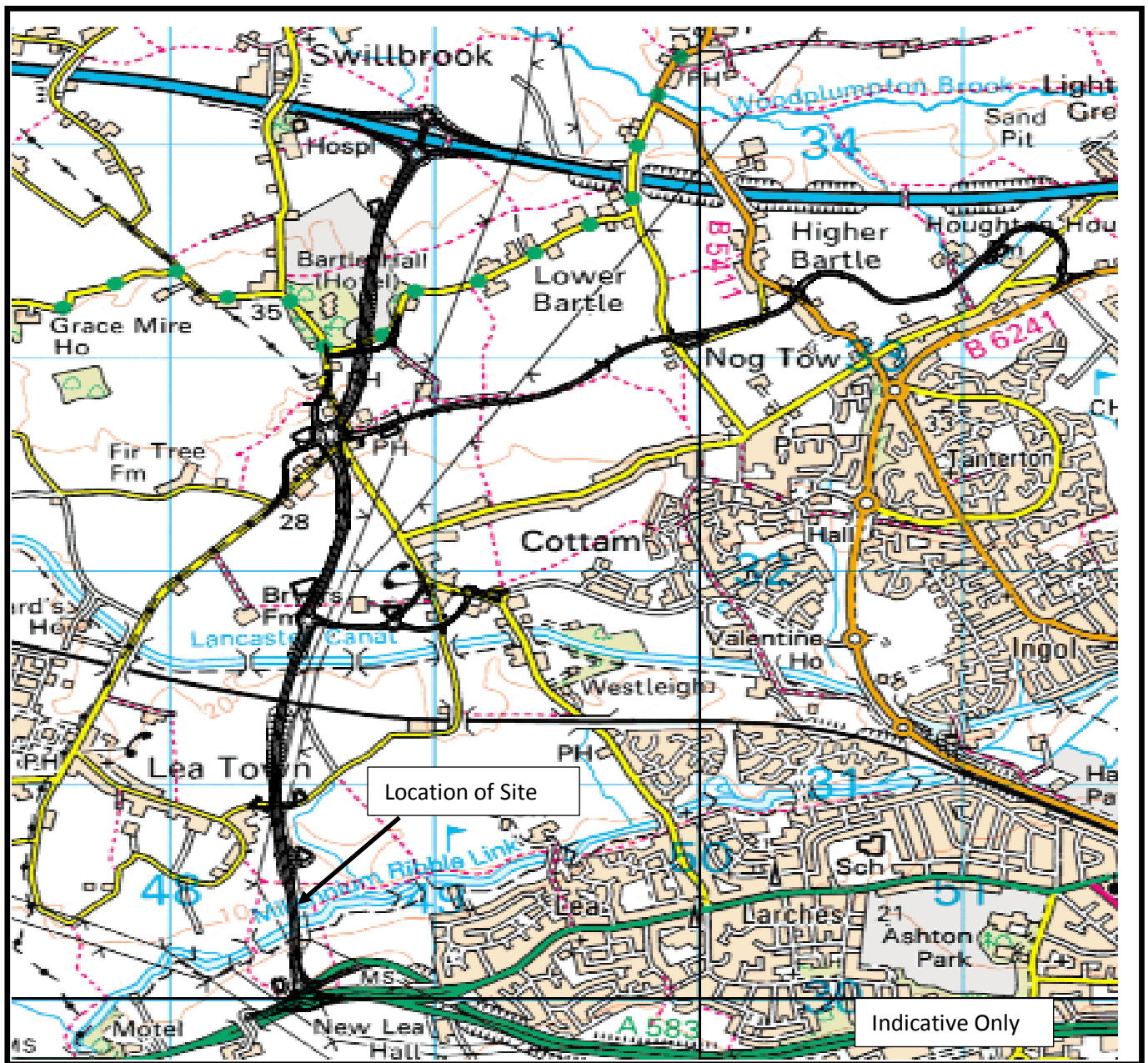
Jonathan Haine Planning and Environment 53410		
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Reason for Inclusion in Part II, if appropriate

N/A



**APPLICATION LCC/2016/0046 DEVELOPMENT OF NEW HIGHWAYS INCLUDING PRESTON WESTERN DISTRIBUTOR, COTTAM LINK ROAD AND EAST WEST LINK ROAD. THE DEVELOPMENT INCLUDES A NEW MOTORWAY JUNCTION TO THE M55 TOGETHER WITH TEMPORARY SOIL STORAGE AND CONTRACTOR AREAS, CYCLE TRACK ALONGSIDE ALL HIGHWAYS, WATER ATTENUATION PONDS, DIVERSION/STOPPING UP OF PUBLIC RIGHTS OF WAY, LANDSCAPING AND ECOLOGY MITIGATION AREAS, CONSTRUCTION OF TWO BRIDGES, TWO VIADUCTS, TWO UNDERPASSES AND A CATTLE CREEP. LAND IN LEA, COTTAM AND BARTLE AND TO THE WEST AND NORTH OF THE EXISTING BUILT UP AREA OF PRESTON.**



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# Agenda Item 5

## Development Control Committee

Meeting to be held on 3<sup>rd</sup> October 2018

Electoral Division affected: Lancaster South East
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### **Lancaster City: Application Number. LCC/2018/0040**

**Change of use of land to educational use comprising of school playing area outdoor amenity and play space.**

**Recreational land to the east of Barton Road Lancaster.**

### **Lancaster City: Application Number. LCC/2018/0041**

**Erection of 2.6m security mesh fencing and gates and provision of two wooden pedestrian footbridges for safe crossing over Burrow Beck.**

**Recreational land to the east of Barton Road Lancaster.**

Contact for further information:

Faiyaz Laly, 01772 538810

[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

### **Executive Summary**

Application - Change of use of land to educational use comprising of school playing area outdoor amenity and play space.

Application - Erection of 2.6m security mesh fencing and gates and provision of two wooden pedestrian footbridges for safe crossing over Burrow Beck.

Recreational land to the east of Barton Road, Lancaster.

### **Recommendation - Summary**

That the Development Control Committee visit the site before determining the applications.

### **Applicant's Proposal**

Two planning applications have been submitted in relation to an area of existing open space located off Barton Road, Lancaster. The applications are for:-

- A change of use of the field to a designated school playing field for Moorside Primary School, St Bernadette's and St Pauls Primary Schools.
- The erection of 2.6m security mesh fencing and gates and provision of two wooden pedestrian footbridges for safe crossing over Burrow Beck for access purposes.

The field subject to these planning applications measures approximately 280m x 145m and covers a total area of 3.2ha. The site is owned and maintained by Lancashire County Council.

### **Description and Location of Site**

The application site is located on the east side of Barton Road in a residential area approximately 2km to the south of the centre of Lancaster. The field is bordered to the north-east by Barton Community Centre and Moorside Primary and St Bernadette's Primary Schools. To the east and south of the site adjacent to the school buildings are fields which are expected to be registered as town green space. To the west and north of the site is further housing and St Pauls Primary School.

Part of the application site is located within a flood zone 2 and 3 area. Burrow Beck, a designated main river, is located to the east of the field. A public right of way which is subject to a Definitive Map Modification Order runs across the field and leads onto Bowerham Road.

### **Advice**

The proposals are to enclose an area of open space by fencing to form a school playing field. The proposal has attracted a large number of representations from local residents. The main issues raised are the principle of the development, why the whole field is needed for educational use, the visual and residential amenity impacts of the proposed fencing surrounding the field and the possible flooding impacts of the fencing and two footbridges would have in the surrounding area. Due to the number of representations that have been received it is considered that the Development Control Committee may wish to visit the site before determining the applications.

### **Recommendation**

That the Development Control Committee visit the site before determining the applications.

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

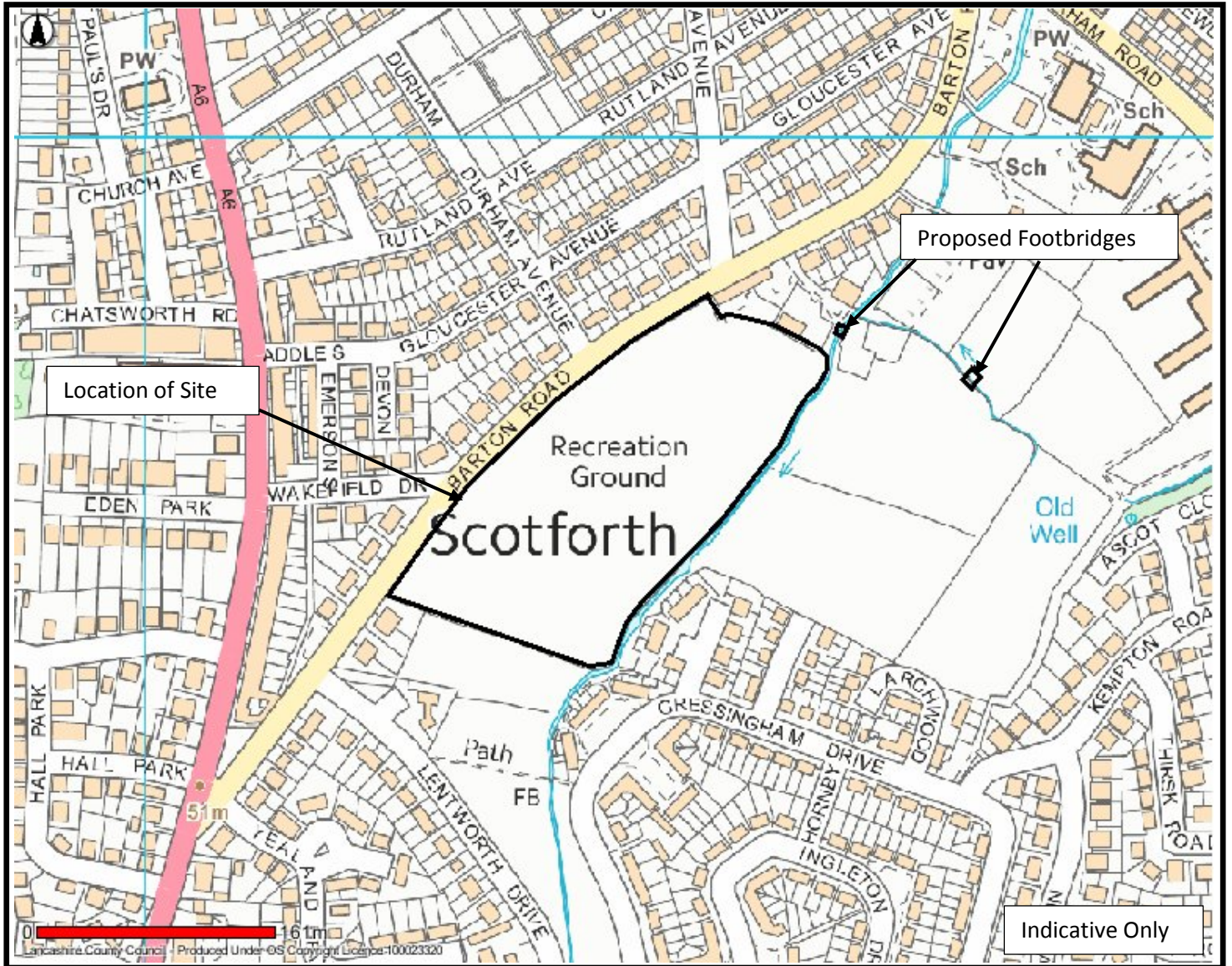
#### **List of Background Papers**

None

Reason for Inclusion in Part II, if appropriate

N/A

**APPLICATIONS LCC/2018/0040 & LCC/2018/0041 COMMITTEE SITE VISIT.  
RECREATIONAL LAND TO THE EAST OF BARTON ROAD LANCASTER**



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