

Development Control Committee

Meeting to be held on 22nd January 2020

Electoral Division affected: Preston Rural

Preston City: application number. LCC/2019/0046NM2

Non material amendment to condition 3b of planning permission LCC/2016/0046 for the relocation of Hodder Aqueduct Diversion as part of the development of the Preston Western Distributor Road.

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

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Executive Summary

Application - Non material amendment to condition 3b of planning permission LCC/2016/0046 for the relocation of Hodder Aqueduct Diversion as part of the development of the Preston Western Distributor Road.

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

Recommendation – Summary

That the proposed non material amendment to condition 3b of the planning permission LCC/2016/0046 be approved and that the drawing labelled 'Hodder LDTM Diversion Approved Route' be replaced by drawing ref CLM01-LCC-DR-4100-1999

Applicant's Proposal

The application is for a non material amendment to planning permission ref LCC/2016/0046 relating to the development of the Preston Western Distributor Road.

Condition 3b of the permission, which lists the approved plans and drawings, refers to a plan showing the proposed alignment of the Hodder Aqueduct diversion, the realignment of which is necessary to construct the new highway.

The proposal subject of the non material amendment application is to divert the aqueduct which is in the form of a pipeline, close to the toe of the embankments forming the M55 / proposed highway instead of across land to the south east of the M55 /Preston Western Distributor Road junction as was proposed in the original planning application.

Description and Location of Site

The Preston Western Distributor Road is a proposed new highway linking with the M55 via a new junction at the northern end and running in a north - south direction to the A583 Preston to Blackpool road at its southern end. Construction of the new highway commenced in November 2019.

The route is located to the west and north west of the main urban area of Preston and generally crosses open countryside along its whole length with new junctions or structures required to link with or cross existing highways.

The proposed non material amendment relates to an area at the northern end of the route close to the junction of the M55 with the proposed new highway where an existing water supply pipeline (the Hodder Aqueduct) would require diversion in order to construct the new road. The existing and proposed highways in this area are immediately adjacent to an existing Biological Heritage Site (Bartle Wetlands BHS) which is designated for its ponds / wetland habitat.

Background

History

Planning permission for the construction of the Preston Western Distributor road was granted on 19th November 2018 (planning application ref LCC/2016/0046)

Planning Policy

National Planning Policy Framework

Paragraphs 7 – 14, 127 and 175 are relevant with regards to the definition of sustainable development, the need for good design and impacts on ecology

Central Lancashire Core Strategy

Policy 22 Biodiversity and Geodiversity

Preston City Local Plan

Policy EN10 Biodiversity and Nature Conservation

Consultations

United Utilities: - No observations received.

Advice

This application is brought before Committee as the proposal is by the Head of Service for Planning and Environment who would also have responsibility for determining the application had it been dealt with under delegated powers.

Planning permission for the construction of the Preston Western Distributor Road was granted in November 2018 with construction of the road commencing in November 2019.

At the northern end of the route close to the junction of the proposed road with the M55, the new road will require the diversion of the Hodder Aqueduct, an existing water supply pipeline feeding an underground reservoir located west of Kirkham. The existing pipeline route cuts across land to the south east of the proposed junction. This land is designated as a Biological Heritage Site due to the presence of a number of ponds and wetland areas. During the original planning application, a scheme was developed for the diversion of the aqueduct with an ecological appraisal being carried out to assess the impacts on the Biological Heritage Site and adjacent habitats. Condition 3b of the permission, which lists the approved drawings, includes reference to a plan which shows the proposed diversion route of the aqueduct. The current proposal is for a non material amendment of condition 3b to substitute a new drawing showing an amended aqueduct diversion route.

As part of the scheme, the diverted route was to be directionally drilled under the Biological Heritage Site area but with significant surface excavations required at either end to make the connections with the existing pipeline. The amended route has been proposed following further discussions between United Utilities and Costain who are the County Council's appointed contractor for the construction of the road. The amended route would involve diverting the pipeline on an alignment close to the toe of the embankments to the M55 and proposed new highways. Whilst the new pipeline would be placed in an open cut trench, this land would in any event need to be disturbed to construct the new highways. The new proposal would therefore minimise any vegetation removal beyond that required to construct the road, would avoid any direct impacts on the Biological Heritage Site and would generally minimise the impacts of the road construction scheme on the environment.

The proposed non material amendment is therefore considered acceptable and complies with the National Planning Policy Framework and the policies of the Development Plan.

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

Recommendation

That the proposed non material amendment to condition 3b of the planning permission LCC/2016/0046 be approved and that the drawing labelled 'Hodder LDTM Diversion Approved Route' be replaced by drawing ref CLM01-LCC-DR-4100-1999

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

None

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