

**Development Control Committee**  
Meeting to be held on 7th October 2020

Electoral Division affected: Chorley Rural West
--

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

Contact for further information:  
Rob Jones, 01772 534128  
[DevCon@lancashire.gov.uk](mailto:DevCon@lancashire.gov.uk)

**Executive Summary**

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

**Recommendation – Summary**

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

**Applicant's Proposal**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The application site is in the Green Belt.

## **Background**

There is no relevant planning history.

## **Planning Policy**

### *National Planning Policy Framework*

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

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

### *National Planning Policy Framework Planning Practice Guidance*

### *National Planning Practice Guidance*

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

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

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

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

## **Consultations**

Chorley Borough Council - No objection.

Croston Parish Council – No observations received.

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

Environment Agency – No objection.

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

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

Lead Local Flood Authority – No objection.

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

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

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

#### *Existing field entrance*

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

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

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

### *Landscaping*

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

### *Flooding*

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

### *Maintenance*

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

Chorley Borough Councillor Paul Sloan – Provides the following comments:

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

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

## **Advice**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Recommendation**

That planning permission be **Granted** subject to the following conditions:

### **Time Limits**

1. The development shall commence not later than 3 years from the date of this permission.

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

### **Working Programme**

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

a) The Planning Application, received by the County Planning Authority on 10 June 2020, and the email and attached submitted plans and documents received by the County Planning Authority on 21 August 2020.

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

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

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

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

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

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

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

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

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

*Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with Policies NPPF 1 and DM2 of the Joint Lancashire Minerals and Waste Local Plan – Site Allocation and Development Management Policies – Part One, and Policies V1, ST1, BNE1, BNE6, BNE9 and BNE10 of the Chorley Local Plan 2012-2026 - Site Allocations and Development Management Policies Development Plan Document.*

### **Building Materials**

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

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

### **Hours of Working**

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

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

No construction development or delivery or removal of materials, including that associated with permitted development works, shall take place at any time on Sundays or Public Holidays.

This condition shall not, however, operate so as to prevent the use of pumping equipment and the carrying out, outside these hours of essential repairs to plant and machinery used on the site.

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

## **Highway Matters**

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Landscaping**

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

The plan shall include details of the following:

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

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

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

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

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

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

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

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

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

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

### **Floodlighting**

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

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

### **Control of Noise**

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

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

### **Dust**

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

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

### **Definitions**

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

### **Notes**

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

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

None

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