

Development Control Committee
Meeting to be held on 21 April 2021

Electoral Divisions affected: Penwortham West, Preston City
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Preston City and South Ribble Boroughs: application number LCC/2021/0002
Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston

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Executive Summary

Application – Works associated with areas 1 and 2 of the Preston and South Ribble flood risk management scheme consisting of new and replacement flood defences along the north and south banks of the River Ribble and other ancillary flood works, including: land re-profiling, landscaping and habitat creation, works to tie-in to the grade II listed Penwortham Old Bridge and railway viaduct over River Ribble, a temporary remote construction compound and temporary site access at Broadgate, Riverside and Riverside Road, Preston.

Recommendation – Summary

That planning permission and Listed Building Consent be **granted** subject to conditions controlling commencement, working programme, building materials, construction working hours, Ribble Sidings landscaping plan, construction environmental management plan, sports pitches, United Utilities assets, surface water drainage, landscape and habitat establishment and management plans (on-site and off-site).

Applicant's Proposal

Planning permission is sought for development associated with a flood risk management scheme consisting of new and improved flood defences. The overall scheme includes a number of sections of the River Ribble and River Darwen but this application only relates to two sections of the River Ribble and neighbouring land.

Area 1 is located on the north bank of the River Ribble, to the south of Preston City centre. This area is approximately 1.2km long, extending from Liverpool Road Bridge upstream to the West Coast Mainline railway bridge (WCML). The proposed works in this area will consist of:

Area 1A

- Replacement of the existing riverside concrete wall (up to 1.2m high), with a 1.4m-1.5m high new concrete wall, between Liverpool Road bridge and Penwortham Old Bridge.

Area 1B

- Replacement of the existing concrete wall (up to 1m high), with a new concrete wall with glass panels on top up to 2m total height, along Riverside between Penwortham Old Bridge and Miller Gardens Apartments.
- A new 1.35m high steel flood gate located in front of Miller Gardens Apartments.
- A new 1.4m high concrete wall along the boundary of the BAC/EE Preston Social and Sports Association cricket pitch between Miller Gardens Apartments and Ribble Cottage;
- A new 1.35m high steel flood gate located adjacent to Ribble Cottage;
- Replacement of the existing concrete wall (1m high), with a new concrete wall with glass panels on top up to 2.3m high, running on the river side of the road between Ribble Cottage and the railway viaduct; and
- In addition, 3 lengths of the existing riverbank from just downstream of Old Penwortham Bridge to the WCML will be stabilised with a blockwork revetment. From the Penwortham Old Bridge to the WCML these lengths are approximately 68m, 230m, and 150m respectively.

Area 1C

- A concrete wall up to 1.9m high and two flood gates (1.4m high and 1.8m high) adjacent to the western end of the WCML railway bridge.

Area 1D

- New access gates, slipway, resurfacing works and footpath/cycleway realignment at the Sea Cadets.

Area 2

The proposed works in Area 2 are located on the south bank of the River Ribble, to the south of Preston city centre. This area is approximately 0.8km long, extending from Penwortham Methodist Church to Penwortham Old Bridge and along Riverside Road upstream to the WCML. Proposed defences include:

Area 2A

- A new concrete wall totalling 174m in length and up to 2.47m high to the west and south of the Penwortham Methodist Church running along the allotment boundary, tying into the old railway embankment;

- Inclusion of iron railings adjacent to allotment boundary to maintain 1.8m high security;
- Road raising at the entrance to Penwortham Methodist Church; and
- Ground raising along the footpath that cuts through the disused railway embankment into Penwortham Residential Park.

Area 2B

- Replacement of the existing concrete wall, with a new concrete wall with glass panels on top up to a total height of 2.2m high, along Riverside Road extending upstream from the Cadent Gas Pipe Bridge;
- New 1.5m high concrete wall along the river front linking Riverside Road to Ribble Sidings. A Redi-Rock retaining wall and inclined embankment would be constructed to stabilise the existing bank; and
- A 3.5m high earth embankment along the river front of Ribble Sidings, replacing the existing 1.7m high embankment.

Area 2C

- Filling in a culvert with concrete under the WCML, approximately 500m inland from the River Ribble.
- Ecological and landscape enhancements at Ribble Sidings;

Temporary construction compounds would be required for the duration of the construction period. The main works compound is proposed to be located at Portway Park and Ride Car Park, with smaller satellite compounds located at Broadgate Gardens and Preston Sports Club Car Park for the Area 1 works. For Area 2, lay down areas for the outlying works would include an area to the north west of the Golden Way adjacent to the footpath, amenity grassland of Ribble Sidings, and within the St Mary Magdalene Primary School adjacent to the WCML underpass.

Description and Location of Site

The application site includes a number of locations along both sides of the River Ribble at Preston between the Liverpool Road Bridge and the West Coast Mainline railway bridge. There would also be some minor ancillary works at the Sea Cadets site just beyond the Liverpool Road Bridge, at Penwortham Methodist Church/Penwortham Allotments, and a culvert infill under the west coast mainline at Crossley House Industrial Estate.

The route along the northern bank of the river is also used by the Preston Guild Wheel cycle way.

Part of the South Ribble channel side at Riverside Road, Penwortham Methodist Church and allotments and Ribble Sidings are in the Green Belt.

An existing concrete flood wall extends eastwards along both sides of the river, changing to a grass embankment between Miller Gardens Apartments and Ribble Cottage on the north bank, and to the east of Riverside Road on the south bank through Ribble Sidings.

Landmarks within the vicinity of the site include the Penwortham Old Bridge (Scheduled Monument, Grade II listed), which is a pedestrian bridge connecting Broadgate on the north bank to Riverside Road on the south bank; Liverpool Road bridge, the railway viaduct (Grade II Listed) carrying the WCML; and mature trees and ornamental features within Miller Park and Avenham Park which are both Grade II* listed and form part of Avenham Conservation Area.

A row of residential properties and a Public House on Broadgate are Grade II Listed.

The development site falls within Flood Zone 2 and 3.

The River Ribble is a Biological Heritage site.

Public Bridleway number 37 runs to the north of Ribble Sidings from Riverside Road and beyond the WCML bridge.

Background

There is no relevant planning background.

Planning Policy

National Planning Policy Framework

Central Lancashire Adopted Core Strategy

Policy 16	Heritage Assets
Policy 18	Green Infrastructure
Policy 22	Biodiversity and Geodiversity
Policy 29	Water Management

South Ribble Local Plan

Policy G1	Green Belt
Policy G13	Trees, Woodland and Development
Policy G16	Biodiversity and Nature Conservation
Policy G17	Design Criteria for New Development

Preston Local Plan

Policy V1	Model Policy
Policy AD1	Development within (or in close proximity to) the Existing Residential Area
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

Consultations

South Ribble Borough Council – No objection in principle to the scheme but request that there is a commitment to continued discussion with Penwortham Town Council and South Ribble Borough Council about the open space provision at Ribble Sidings, and that further consideration is given to the final design of the replacement flood defence wall at Riverside Road.

Preston City Council – No objection. Conditions are recommended in relation to replacement tree planting, protection for trees to be retained during construction, construction access details around South Meadow Street, landscaping details, flood defence measures to protect Avenham Park Pavilion, construction environmental management plan, flood gate construction against the west coast mainline bridge, and pre-construction otter survey.

Penwortham Town Council - Whilst the Town Council fully appreciate the needs for the flood risk management scheme there are some concerns regarding Penwortham Allotment site and the play area aside Margaret Road, Penwortham. Also, the wall to replace the fencing between Penwortham Methodist Church on Leyland Road and the Penwortham Town Council allotment site. Penwortham Town Council would like to ensure that:

- The allotment site is kept secure at all times during the building period.
- The finished wall is built in such a way as to ensure the security of the site on completion.
- Once complete the Penwortham Allotment site is, at very least, returned to the standard it was prior to building, but preferably enhanced with further plots being made available.
- That the contractors, LCC and the Environment Agency work closely with the Penwortham Allotments & Gardens Association (PAGA), who manage the site for Penwortham Town Council, during the building period.

Penwortham Town Council also have major concerns that this new flood risk wall will protect the Penwortham Methodist Church and not the allotment site. There is a fear that the allotment site will now become more prone to flooding. As such the Town Council would ask that the Fish House Brook, which runs around the allotment site, is cleared and dredged, and a maintenance programme put in place to ensure the brook is cleared and dredged on a regular basis. This will not save the allotment site from flooding but will help the site recover from food events more quickly.

The Town Council would like to see the play area adjacent to Margaret Road, Penwortham left with some open area to allow a “kick about” area to be retained. Whilst the planting of trees in that area is appreciated it is felt that the area should be left with some open space to allow for a free children’s play area.

The Town Council are aware of the surface water issues in the Middleforth area of town, and would like to see, LCC, the Environment Agency and the local borough council work together to help alleviate this issue for our residents at the lower end of Leyland Road in Penwortham. This area of Town is regularly prone to flooding and

any works to aid the movement of flood waters away from this area would be most appreciated.

Lancashire County Council Ecology Service – A range of detailed advice is provided in relation to ecological impacts, surveys and the need for ecological mitigation/compensation.

The proposed development would result in significant habitat loss, including loss of trees and woodland on a landscape scale as well as losses of other Habitats of Principal Importance (NERC Act, 2006), habitats associated with River Ribble Biological Heritage Sites, habitats of protected and priority species and habitats that may be used by SPA qualifying species. The NPPF states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing sites of biodiversity value.

The NPPF also states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. This 'mitigation hierarchy' and other requirements of the NPPF should be applied to the planning decision.

Therefore, the scheme should only be approved if Lancashire County Council is first satisfied that there is no satisfactory alternative design solution that would provide adequate flood protection whilst avoiding the proposed extent of habitat loss.

It is noted that Section 4 of the Biodiversity Net Gain report concludes that "There is still an overall loss in tree cover and additional sites are required to compensate for this habitat loss". Tree planting/habitat creation at Fishwick Bottoms and Golden Way are discussed within the submitted documents. However, it does not appear that any plans have been submitted to identify the location/extent/boundary of the proposed land. Also, no survey data seems to have been provided to confirm current conditions on these sites. It needs to be ensured that any habitat creation proposals on these sites would not be detrimental to any existing ecological interest. The feasibility of the proposed habitat creation also needs to be demonstrated. Additionally, it needs to be demonstrated that the proposed mitigation function will be achievable, including landscape scale compensation for impacts on habitat connectivity and the loss of bat commuting/foraging habitat. Details of the additional mitigation land should therefore be provided before the application is determined.

Subject to the above, should permission be granted it should be subject to a s.106 agreement or conditions relating to off-site mitigation, a construction environmental management plan/Environmental action plan, and detailed habitat creation proposals.

Environment Agency – No objection. The Environment Agency has reviewed the Flood Risk Assessment in so far as it relates to their remit and they are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. The proposed development must proceed in strict accordance with this Flood Risk Assessment and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved Flood Risk Assessment and / or the

mitigation measures identified will require the submission of a revised Flood Risk Assessment.

LCC Highways Development Control – Awaiting comments.

Natural England - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar has no objection.

To meet the requirements of the Habitats Regulations, it is advised that a decision can be recorded that a likely significant effect can be ruled out. The following may provide a suitable justification for that:

- The distance of Ribble and Alt Estuaries SPA / Ramsar and significant areas of functionally linked land mean that there is no likely significant effect for the project. There would be no likely significant effect in the HRA for the project alone, and in combination.
- The phasing and nature of the works will ensure that changes in the physical regime (e.g. flow velocity) will not be significant in relation to the SPA / Ramsar.

Network Rail - Before any works commence Network Rail will need to review and agree the proposal in detail, which may not be possible within the statutory timeframe of this consultation. The proposal must not impact the safe operation and integrity of railway infrastructure.

Lancashire County Archaeology Service - As the need for any recording will in this instance be decided by Historic England, it would be included in any scheduled monument consent if considered necessary. If Historic England are of the opinion that they don't consider any recording necessary, the Archaeology service would be happy with the approach.

Lancashire County Landscape Service – Concern over the extent of tree loss and lack of sufficient evidence to explain that tree loss was essential and unavoidable. Concern over the removal of riverside trees prior to planning approval being secured. Concern over the proposals for Ribble Sidings which involve the partial removal of an area of public open space. Proposals for this should be reconsidered bearing in mind that it should respect the informal public open space used by the local community for a variety of activities, the existing irreplaceable mature trees are retained or, if this is unavoidable, appropriate mitigation/compensation is provided, the 'engineered' flood embankment is sympathetically integrated into the landscape, views of open space enjoyed by residents are respected, and all unavoidable tree losses are clearly identified.

The pre-cast concrete walls would have a very simple almost 'brutalist' appearance which is not appropriate for the area's local landscape character. The dominant building material in the locality is brick and structures directly across or within the river channel are constructed of stone. No reference is made to these materials or local architectural features in the proposed flood wall. This in combination with the bland and monotonous single material/surface finish only broken by very widely spaced but matching pillars, would ensure that the new walls appeared as stark incongruous

structures especially once the concrete has become aged and weathered. The use of glass panels as proposed is a worthwhile attempt to minimise the visual effects of the flood walls but overall, these generic structures - a retrograde step in comparison to those currently in place which at least have some detailing reflecting local design elements - would detract from the local landscape character and affect the setting of the historic Penwortham Old Bridge (an effect magnified by the applicant's felling of all existing riverside trees in the vicinity) and Penwortham New Bridge. It is strongly recommended that the applicant re-design the proposed flood walls, select appropriate materials, surface finishes and detailing so that they create locally distinctive structures which contribute positively to maintaining and enhancing the local landscape character and heritage assets.

There are also concerns over the redi-rock revetment material, which may be an inappropriate artificial material at the proposed location and small recesses may not be sufficient to hold growth medium.

There is insufficient detail on the proposed mitigation/compensation for tree and habitat loss in terms of off-site locations and calculations for the extent of replacement planting needed.

Historic England – No concerns in relation to the proposal. Additionally, Scheduled Monument Consent will not be required.

Marine Management Organisation – A Marine Licence will be required to replace the revetments.

Lancashire Gardens Trust – No objection in principle. However, there is an inconsistency in the treatment of the flood walls in the Conservation Area, indicated as concrete on the General Arrangement Drawing of Area 1C. The Landscape Vision Document at Section 2 indicates in the Design Strategy Table that concrete floodwalls are intended for use outside Conservation Areas. This suggests that within the Conservation Areas there should be more sympathetic treatment with more appropriate natural materials. As the new walls will abut stone viaduct abutments a natural stone facing for walls and copings within the conservation area should be used. An amendment to the proposals is recommended.

The western side of the railway embankment is faced with massive rockwork and care will be required to avoid disturbance during construction working.

A further inconsistency arises in the treatment of the area in front of the flood wall, previously within the Council depot. On the General Arrangement this is indicated as topsoil, but on the Environmental Masterplan Sheet 5 is shown as tarmac. A more appropriate design is required which recognises the sensitivity of this area giving access to the Grade II* Miller Park and lying within the Conservation Area. The Environmental Masterplan Sheet 5 indicates an 'Opportunity to enhance park entrance. Proposals to be agreed with PCC and landowner'. The Trust looks forward to this dialogue securing an improvement to this area beneath the viaduct, to be coordinated with the redesign west of the viaduct described above.

Lead Local Flood Authority – The LLFA notes that the Jacobs Impacts on Flood Risk from Preston and South Ribble FRMS in Area 1 and 2 Project no.B550B008 dated 5th March 2021 states 'The impact on surface water (overland runoff), groundwater, sewer and water main sources of flood risk is negligible.'

Although detailed layout plans have been provided it was not known and remains unclear whether all the surface water outfalls into the River Ribble from Broadgate have been located and detailed on the plans. A 450 mm diameter surface water culvert outfall between River Parade and Winckley Road detailed on United Utilities apparatus plans has not been detailed. Potentially there are also other surface water outfalls from Broadgate that discharge highway surface water that have not been included. Therefore, the LPA is advised to require a condition to secure final detailed drainage designs once the applicant has progressed to detailed design stage.

The LLFA notes that there will be a small increase in impermeable area between Penwortham Old Bridge and Miller Gardens Apartments which is proposed will be captured by the new double gullies in the highway. It is unclear who the asset owner(s) will be for the additional footway area and proposed new surface water outfalls into the River Ribble. It is advised that this matter be reviewed appropriately by the Highway Authority and United Utilities to ensure there is clarification with regards to any communication with existing assets and future ownership and maintenance of such assets. It is also advised that the verification of new assets would be required by the intended asset owners.

The Lead Local Flood Authority recommends that the development is implemented in accordance with the submitted plans and has no objection to the proposed development subject to the inclusion of conditions relating to detailed surface water drainage design and a construction phase surface water management plan.

Ribble Steam Railway Ltd - No objection to the overall plan so long as the railway crossing area at Strand Rd is not affected.

Sport England – No objection subject to a pre-commencement condition relating to the provision of a mitigation strategy for the temporary loss of sports pitches during construction working and in relation to the safe operation of retained sporting facilities at the BAC/ EE Preston Social and Sports Association and Preston Sports Club.

United Utilities – United Utilities holds no objection in principle to the proposals, and is supportive of measures to reduce the impact of flooding across the region, however these proposals include significant engineering works either on or immediately adjacent to our public sewer network and water mains. Whilst UU have been in direct liaison with the applicant (the Environment Agency) to reach a suitable solution to ensure United Utilities' assets are protected, there are a number of areas of the proposed development site where UU still require further information to ensure that the public sewer network and public water supply are protected. On this basis, UU request that further information is submitted for their consideration prior to the determination of this application. Given the presence of water and wastewater infrastructure along the route of the proposed scheme, amendments to the proposed route of the flood defence scheme or the diversion of infrastructure may be required, UU request this is given further consideration prior to determination. Whilst it is noted

that the planning application makes reference to some mitigation measures, such as confirmation of the line and level of services to be carried out prior to construction and services to be protected, this does not take account of what mitigation measures will be proposed, where the route of the flood defences will need be amended to take account of the presence of water and wastewater infrastructure or where diversions are proposed. In addition, there is no assessment of the impact upon UU outfalls or any proposed mitigation measures.

Given the significance of the proposed scheme and that this is an application for full planning permission UU request the following information is submitted for their consideration prior to determination:

- Survey of existing infrastructure including water and wastewater infrastructure, manholes and outfalls – this will determine what water and wastewater infrastructure will be impacted and whether this will require diversion of the affected infrastructure or realignment of the proposed flood defences.
- Modelling information to determine the hydraulic effect of the new flood defences on the existing sewer network (including any assessment of tidal conditions) which might lead to surface waters being trapped behind the flood defences, or of river locking prevent the outfalls from discharging (causing sewer surcharging and flooding of land and properties).
- A clear schedule of proposed mitigation/protection measures to ensure the existing water and wastewater infrastructure is protected during construction and for the lifetime of the development.

In the event that the above information is not submitted for our consideration prior to determination, and whilst is not UU's recommended approach, conditions are recommended in relation to asset protection, protection of outfalls, and surface water drainage.

National Grid Gas and Electricity- Gas pipelines are located in the vicinity of the site. The developer must get in touch with the Cadent Pipelines Team.

Ancient Monuments Society – No comments received.

The Georgian Group – No comments received.

Victorian Society - No comments received.

The Twentieth Century Society - No comments received.

Society for Protection of Ancient Build - No comments received.

Council for British Archaeology - No comments received.

Canal and Rivers Trust – No requirement to consult.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. 14 representations have been received with the following summarised comments:

- Penwortham Methodist Church raise no objection but suggest conditions for further details of materials and colours for the walls and fences.
- Concern over the impact of flooding on Penwortham Allotments and Leyland Road in terms of the proposed scheme and also from Fish House Brook. The proposed flood wall should be extended downstream of Penwortham Old Bridge on the Leyland Road bank.
- Concern over construction working impacts on Penwortham Allotments and the need for new walls and footpath amendments adjacent to Penwortham Methodist Church.
- The colour of the wall should be reviewed as the colour on the visualisations is not appropriate.
- Car parking is currently a problem near the entrance to Miller Park and adjacent to the Continental Pub.
- An additional access to Miller Park should be provided via the hockey pitch car park.
- A diagonal path should be provided under the WCML bridge.
- Tree planting and wildflower seeding should be provided at the BAC Sports ground.
- What is being done to prevent riverbank erosion?
- The river also needs dredging.
- Riverside Road should be reinstated with pedestrian routes and tree planters to minimise the impact of the wall and reduce conflict walkers, cyclists and motorists.
- Concern over anti-social behaviour associated with proposed seating on Riverside.
- Concern over availability of space for the proposed footpath/cycleway, existing road and tree planters etc.
- Concern over the nature and operation of the floodgates.
- Noise and vibration concerns during construction and the need for re-housing.
- Fully support the plans for bank stabilisation.
- There will be a need for cycleway/ road segregation markings.
- Concern over increased flood risk in Samlesbury following completion of this scheme.

Advice

This application is part of a wide-ranging Preston and South Ribble Flood Risk Management Scheme consisting of new and improved flood defences to better manage flood risk along the River Ribble and River Darwen to provide greater flood protection to approximately 4,800 properties across Preston and South Ribble.

Preston and South Ribble have a history of flooding, the most significant of which was Storm Eva in 2015. There are extensive lengths of existing flood defences along both watercourses, however they do not provide a high Standard of Protection and this is predicted to worsen with climate change.

This first planning application relates to Areas 1 and 2 as outlined in the applicant's proposal's above and would seek to reduce the high level of flood risk to properties,

businesses and infrastructure along the River Ribble. This will mainly be achieved through a combination of new and replacement concrete walls and earth embankments to increase the height of existing defences. Planning applications are programmed in future for area 3: Frenchwood and Walton-le-Dale along the Ribble; Area 4: Walton-le-Dale along the Darwen; and Area 5: Higher Walton.

Options appraisal

The applicant has performed an appraisal to consider the options that are available to a flood risk management scheme. A list of options was developed ranging from doing nothing, to linear defences, to flood storage options. The latter option was rejected due to a lack of suitable candidate areas, high costs of construction, high operation and maintenance demands, and the major negative environmental impact of large storage structures. A riverside structural defence option was ultimately selected to improve the standard of flood protection incorporating year 2080 climate change predictions.

Flood Risk

In accordance with Paragraph 163 of the National Planning Policy Framework, a Flood Risk Assessment (FRA) accompanies this application to demonstrate that the proposed works would improve the integrity, function and standard of protection afforded by existing flood defences.

Clearly the development must be located in an area of high flood risk, and by its very nature, is designed to reduce the overall level of flood risk. The proposed scheme is classified as “water-compatible” and therefore, is considered appropriate development within Flood Zone 3 and 3b in accordance with the NPPF.

Concern has been raised that the scheme would increase the likelihood of flooding at the Penwortham allotments and properties on Leyland Road given that there would be no new flood defences along the River Ribble downstream of the Old Penwortham Bridge within South Ribble. However, hydraulic modelling has confirmed that there would be no change to the risk of flooding when comparing the current risk with post defences construction. Properties on Leyland Road and land at the Penwortham Allotments are in Flood Zone 3 and are currently at risk of flooding particularly from tidal influences. However, the Environment Agency have advised that no additional funding is available for flood defences at this location and state that targeted strategies to protect low sensitivity land and the limited number of properties and businesses at this location are preferable. Given that the modelling suggests that there would be no change in flood risk with the proposed scheme compared to the current situation then the planning authority can only assess the proposed development on its merits and cannot reasonably require that flood defences be extended. It is predicted that there will be an increase in flood risk in these areas as a result of future climate change predictions but not as a result of the scheme.

There is also concern that increased river flow would impact on the flows of surface water from Fish House Brook thus indirectly increasing flood risk at the allotments. The modelling indicates that the proposed scheme would result in a negligible increase in water levels within the River Ribble and therefore the impact on the flapped outfall

from Fish House Brook would be negligible. With an outfall invert of 3.56 m AOD, the flap valve would already be tide locked during normal high tides so high-water levels within the Ribble Estuary would be prevented from flowing upstream along this watercourse.

The Environment Agency has raised no objection.

The Lead Local Flood Authority raise no objection in principle but recommend that conditions be imposed for the detailed surface water drainage design to ensure that all surface water features discharging to the River Ribble be accounted for, and for surface water drainage and water pollution controls to be incorporated within a construction phase management plan. Conditions are recommended accordingly.

Preston City Council raise no objection but recommend a condition for flood defence measures to protect the Avenham Park Pavilion. Avenham Park is recognised as an existing area of river floodplain, which periodically floods. This application does not extend to the Avenham Park area and the proposed scheme would not increase the likelihood of flood events affecting the pavilion. A condition to provide flood defence works would therefore not be reasonable. Nevertheless, the Environment Agency has committed to assist Preston City Council in providing property level flood mitigation measures, which could be achieved outside the planning control process.

United Utilities has no objection in principle but is of the view that further information is required to assess the impact of the proposal on public sewer network infrastructure and water mains. United Utilities request that this information be provided prior to the determination of the application or failing that, the less preferred option of imposing conditions for the protection of assets and outfalls during construction working and in relation to potential river hydraulic changes, and also in relation to surface water. Given the applicant's desire to secure funding and commence the project later this year it is considered reasonable to address United Utilities' comments through conditions rather than delay determination.

On other matters, a resident has suggested that dredging may be a better solution. However, the Environment Agency have commented that dredging at the River Ribble is very complex and the Environment Agency has never dredged the tidal river for a number of reasons primarily as the lower estuary is subject to significant natural processes and tide levels are subject to levels in the Irish Sea. The bed of the river between Lower Penwortham and Broadgate is exposed bedrock, which makes dredging ineffectual in this location. Furthermore, a dredging regime would damage the important riverine ecosystem.

There are concerns that the proposed development at Area 1 and 2 would affect flood risk upstream at Samlesbury. However, this is not the case.

Heritage

The proposed works are located within proximity to fifteen heritage assets, including Avenham Conservation Area; Penwortham Old Bridge (Scheduled monument and Grade II Listed Building); Miller Park Grade II* Registered Park and Garden; Avenham Park Grade II* Registered Park and Garden; nine individually Grade II Listed Buildings

within Miller Park; and two further Grade II Listed Buildings associated with the railway embankment between Miller Park and Avenham Park. A Heritage Statement accompanies this application and assesses the proposed Scheme's impact on these heritage assets. Additionally, no. 1, 3-8, and 9-18 Broadgate are Grade II listed mid-19th century terraced houses along with a Public House.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a statutory duty for the decision maker in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard for the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This statutory duty needs to be given considerable importance and weight in the decision making process.

Paragraph 193 of the National Planning Policy Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of the level of harm judged to be caused.

Paragraph 196 of the National Planning Policy Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In summarising the overall impact of the proposed scheme on the identified heritage assets, the Heritage Statement concludes that negligible to minor temporary and negligible to minor permanent impacts are assessed on two medium value assets; the neighbouring Avenham Conservation Area and the viaduct over River Ribble and on two high value assets; Miller Park (RPG1) and Penwortham Old Bridge. The significance of effect of these impacts (both temporary and permanent) is assessed to be slight to neutral. As such, these are not considered significant and equate to less than substantial harm. Once the proposed scheme is completed, no significant permanent adverse effects on the special architectural and historical interest of any of the designated assets discussed in the Heritage Statement are predicted. The new replacement flood wall at Broadgate has the potential to be incongruous adjacent to the Grade II listed properties at Broadgate. However, sensitive final design of the wall combined with its separation across the Broadgate public highway and pavements should ensure that the setting of the listed buildings is not harmed. Historic England has no objection and have confirmed that scheduled monument consent would not be required in relation to the interaction between the new flood defence walls and the infrastructure of Penwortham Old Bridge.

Green Belt

Part of the planning application area at the river channel side of Riverside Road, Penwortham Methodist Church and allotments, and Ribble Sidings are located in the Green Belt. Paragraph 133 of the NPPF states that the Government attaches great

importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 of the NPPF explains that the purposes of including land in Green Belt include checking the unrestricted sprawl of large built up areas, preventing towns merging into one another, assisting in safeguarding the countryside from encroachment, preserving the setting and special character of historic towns, and assisting in urban regeneration.

A 3.5m high earth embankment along the river front of Ribble Sidings would replace an existing 1.7m high embankment. As set out in paragraph 146 of the NPPF, this type of development is recognised as not inappropriate in Green Belt provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt. It is considered that is the case here particularly taking into account the existing arrangement.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Reference to buildings usually includes structures and erections. However, exceptions to this include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces

The replacement flood wall along Riverside Road and walls and fencing adjacent to Penwortham Methodist Church would involve replacement larger structures and new build. Taking a precautionary approach it could be argued that this constitutes inappropriate development and very special circumstances must be demonstrated. In this instance there would be limited additional impact on the Green Belt and any inappropriateness is clearly outweighed by other considerations relating to the benefits of flood protection. On this basis it is considered that very special circumstances exist to justify the location of these elements of the proposal within the Green belt.

Landscape, design and visual impact.

In determining planning applications, paragraph 127 of the National Planning Policy Framework requires the decision maker to ensure that developments are sympathetic to local character, including the surrounding built environment and landscape setting while not preventing appropriate innovation or change. Developments should function well and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Policy EN9 of the Preston Local Plan refers to the design of new development and states that opportunity should be taken to make a positive contribution to the character and local distinctiveness of the area through high quality new design that responds to its context. Policy G17 of the South Ribble Plan promotes similar themes and advises that a proposal should not have a detrimental impact on neighbouring buildings or on the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, or use of materials.

The proposed works include the loss of the following landscape elements:

Area 1

- Sea Cadets – 3 young trees are to be removed adjacent to roadside footpath;
- Broadgate Gardens – 10 mature trees along the landward side of the flood wall are to be removed
- Broadgate, between Liverpool Road Bridge and Penwortham Old Bridge – 540m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between Penwortham Old Bridge and the Cadent Gas Pipe Bridge – 28m of self-seeded trees are to be removed from riverward side of flood wall;
- Riverside, between the Cadent Gas Pipe Bridge and Miller Gardens apartments – approximately 10 trees are to be removed from riverward side of flood wall;
- Removal of garden vegetation from within Miller Gardens apartment grounds;
- Riverside, along the boundary of the cricket ground – 150m of hedgerow is to be removed; and Riverside, between Ribble Cottage and WCML Viaduct – approximately 10 trees are to be removed from riverward side of flood wall.
- Temporary closure of the Preston Guild Wheel, NCR 62 and the Ribble Way;
- Temporary loss of amenity grass areas along the length of the new replacement flood wall

Area 2

- Ribble Sidings – approximately 170 trees including 34 mature trees are to be removed along the existing flood embankment;
- Ribble Sidings – trees along the riverfront are to be retained;
- Ribble Sidings, Hawkhurst Road frontage – approximately 40 trees including 20 mature trees are to be removed;
- Riverside Road – approximately 13 trees are to be removed from the riverward side of flood wall.
- Penwortham Methodist Church – 1 mature tree protected by a TPO and vegetation within the grounds;
- Tie-in to old railway embankment – the footpath raising is likely to require some tree works along the toe of the embankment. All these trees are protected by a woodland TPO;
- Penwortham Residential Park – works to trees may also be required along the old railway embankment, which fall under the same TPO;
- WCML underpass – some minor clearance of scrub required;

Following completion of construction activities, any disturbed ground would be seeded to establish amenity grass or species-rich grassland where appropriate. All lost habitat would be replanted, including the replanting of trees at a 5:1 ratio. However, due to limited space for mitigation tree planting within the immediate vicinity of the scheme a number of nearby locations such as Fishwick Bottoms have been identified through discussions with Preston City Council and South Ribble Borough Council. This is discussed further in the ecology section below.

Broadgate Gardens would be reinstated with shrub planting, wildflower meadow and a seating area. The layout of the existing viewing platform has been incorporated into the proposed design.

The route of the Preston Guild Wheel cycle/footpath would be widened along the sections of revetment works from the Cadent Gas Pipe Bridge to Miller Gardens apartments, and from Ribble Cottage to the WCML viaduct. New tree planters would be located on these wider areas to enhance the existing streetscene and complement existing landscape character.

A new wetland is proposed on the dry side of the new flood defence embankment at Ribble Sidings, which would provide new habitat. The new flood embankment would be sown with species-rich grassland.

The replacement flood walls would represent a significant change to the visual appearance of the river bank especially given the tree loss that would accompany the development. The existing concrete flood walls have become a part of the fabric of the area and are well weathered but are not especially attractive or of architectural merit. The proposed new buff coloured pre-cast concrete walls and walls with glass panels would present a stark new visual feature and care would be required to ensure that the final colour and surface texture and design is suitable. Over time the impact of the walls should diminish as a result of weathering and the regrowth of vegetation. Overall, it is accepted that the pre-cast concrete walls would be an acceptable solution but a condition is recommended to ensure that finer details are agreed should permission be granted.

It should be noted that all the self-seeded trees from the riverbank side of Broadgate have now been removed.

Ecology

Paragraph 175 of the National Planning Policy Framework advises that when determining planning applications, local planning authorities should apply a number of principles. Of relevance, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Secondly, development on land within or outside a Site of Special Scientific Interest, which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest. Thirdly, opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The applicant has undertaken an ecology and nature conservation assessment, which includes ecological survey data to investigate the effects on habitats and species.

The proposed development would result in significant habitat loss, including loss of trees and woodland on a landscape scale as well as losses of other Habitats of Principal Importance (NERC Act, 2006), habitats associated with River Ribble

Biological Heritage Sites, habitats of protected and priority species and habitats that may be used by SPA qualifying species.

On the basis of the requirements of the NPPF the County Council must first be satisfied that there is no satisfactory alternative design solution that would provide adequate flood protection whilst avoiding the proposed extent of habitat loss. Given the options appraisal assessment that has been undertaken it appears that on balance of social, economic and environmental considerations, the chosen option provides the best solution. However, this being the case the applicant's Biodiversity Net Gain report concludes that there is still an overall loss in tree cover and additional sites are required to compensate for this habitat loss.

Lancashire County Council's ecological and landscape advisors have both noted that mitigation/compensation tree planting/habitat creation at Fishwick Bottoms and Golden Way are discussed within the submitted documents but no further information has been provided. More recently the applicant has provided proposed masterplan details of a mitigation/compensation planting area at Fishwick Bottoms close to the River Ribble and supporting correspondence from the landowner, Preston City Council. This provides enough evidence that a satisfactory off-site scheme could be provided and delivered. On this basis a condition is recommended to require details for the establishment and management of off-site habitat and landscaping covering a period of 15 years. A condition is also recommended in relation to establishment and management of on-site habitat and landscaping covering a period of 15 years, and in relation to a construction environmental management plan/Environmental action plan.

The application site is upstream of European protected sites listed as the Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar. The applicant has provided a Habitat Regulations Assessment and Marine Conservation Zone Assessment. Natural England has reviewed the submissions and have concluded that the proposed development would not have likely significant effects on the Ribble and Alt Estuaries SPA and Ribble and Alt Estuaries Ramsar and has no objection to the proposed development. The distance of Ribble and Alt Estuaries SPA / Ramsar and significant areas of functionally linked land mean that there is no likely significant effect from the project. On this basis it is considered that the County Council can reasonably conclude that likely significant effects on European protected sites can be ruled out.

It should be noted that all the self-seeded trees from the riverbank side of Broadgate have now been removed.

Highway Matters/construction working

The proposed development would not in itself generate traffic once completed. However, construction working would generate traffic and disruption and require a number of temporary diversions for vehicles, cyclists and pedestrians.

A number of local residents have raised concerns in relation to diversions and temporary access restrictions. During construction working access through to Miller Park from Riverside and South Meadow Street would be closed and a diversion route would be in place using the park entrance off West Cliff. Further details of proposed

access arrangements and diversion routes are the subject of a recommended construction and environmental management plan.

Concerns have also been raised in relation to existing parking arrangements and traffic issues at Riverside Road, Riverside and South Meadow Street particularly in relation to park visitors. Given that the proposed development raises no traffic issues beyond those associated with construction working, it would be unreasonable to require any form of traffic controlling conditions. However, there is some uncertainty around how the widened footway/cycleway arrangement would interface with the public highway at Riverside and therefore a condition is recommended for further details.

There is also concern from Sport England that insufficient information has been provided to demonstrate how alternative sports provision would be provided during construction working when there would be an impact on the use of sporting facilities at the BAC/ EE Preston Social and Sports Association and Preston Sports Club and in relation to the safe operation of sporting facilities that can be retained. However, Sport England would accept the imposition of a planning condition to require the submission of further details of how this matter would be managed prior to the commencement of development. A condition is recommended accordingly.

Construction noise

Although the proposed development would not generate any noise, construction activities could do. The applicant has provided a construction noise assessment that identifies potential noise sources and includes predicted noise calculations based on British Standard guidance. Construction activities would be likely to include demolition of existing flood walls; piling; concrete pouring; installation of new flood walls; excavation/compaction work; Redi-Rock installation; and road/footpath construction & surfacing. The noise assessment concludes that some activities may result in construction noise and vibration levels in excess of the construction noise trigger levels at nearby residential receptors. However, the assessment states that the short term nature of various noise events would not be likely to exceed noise insulation or temporary re-housing thresholds. Nonetheless, noise mitigation in order to minimise noise and vibration impacts would be required in order to reduce the impacts of the construction works as much as possible.

A range of methods and practices are available to minimise construction noise and it is recommended that a condition be imposed requiring further details of construction noise specific to the development and chosen contractor within a requirement for an overarching construction and environmental management plan. Additionally, one of the most effective ways to minimise construction noise disturbance particularly in close proximity to housing is through restrictions on working hours. Therefore, a condition is also recommended such that all construction working, importation of construction materials or removal of waste materials off-site shall only take place between the hours of 08.00 – 18.00 Monday to Friday and 09.00 – 14.00 on Saturdays and at no time on Sundays, public or bank holidays.

Human Rights

In view of the scale, location and nature of the proposed development, and the requirement for the developer to comply with other statutory controls, it is considered that no Convention Rights as set out in the Human Rights Act 1998 would be affected.

Conclusion

This application is for a flood risk management scheme consisting of new and improved flood defences in and around the River Ribble. The aim of the scheme is to reduce the likelihood of future storm events and high tides causing flooding at local residential properties and businesses. The proposal covers a wide area and raises many issues including hydrological changes, disturbance from demolition and construction working, design of the flood defences, impacts on ecology, landscape, Green Belt, and heritage assets. The applicant has provided a substantial volume of supporting documentation and environmental assessments to seek to demonstrate that the proposal would deliver long-term improvements in flood protection for large areas of at risk sensitive properties, while generating no measurable increased risk of flooding elsewhere. On balance the benefits of the scheme would outweigh the impacts that would occur particularly in relation to temporary construction working, loss of existing trees and habitat and the visual impact of a new flood wall structures that should diminish over time. The proposal is considered to comply with the policies of the National Planning Policy Framework and the policies of the development plan subject to recommended planning conditions.

Recommendation

That planning permission and listed building consent 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) Submitted Plans and documents:

Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-PL-0002	Rev	P02
Site Location Plan		
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-PL-0001	Rev	P03
Layout Plan		Site

Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0001	Rev	P01
Area 1A - General Arrangement 1 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0002	Rev	P02
Area 1A - General Arrangement 2 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41A-DR-PL-0003	Rev	P02
Area 1A - General Arrangement 3 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0001	Rev	P01
Area 1B - General Arrangement 1 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0002	Rev	P01
Area 1B - General Arrangement 2 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0003	Rev	P01
Area 1B - General Arrangement 3 of 3		
Drawing no. ENV0000009C-JAC-DZ-41C-DR-PL-0001	Rev	P01
Area 1C - General Arrangement 1 of 1		
Drawing no. ENV0000009C-JAC-ZZ-41D-DR-PL-0001	Rev	P01
Area 1D - General Arrangement 1 of 1		
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0001	Rev	P01
Area 1 - Typical Wall Details		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0001	Rev	P01
Area 1A - Wall Sections and Details 1 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0002	Rev	P01
Area 1A - Wall Sections and Details 2 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0003	Rev	P01
Area 1A - Wall Sections and Details 3 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0004	Rev	P01
Area 1A - Wall Sections and Details 4 of 4		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0005	Rev	P01
Area 1A - Long Sections 1 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0006	Rev	P01
Area 1A - Long Sections 2 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0007	Rev	P01
Area 1A - Long Sections 3 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0008	Rev	P01
Area 1A - Long Sections 4 of 5		
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0009	Rev	P01
Area 1A - Long Sections 5 of 5		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0001	Rev	P01
Area 1B - Sections and Details 1 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0002	Rev	P01
Area 1B - Sections and Details 2 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0003	Rev	P01
Area 1B - Sections and Details 3 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0004	Rev	P01
Area 1B - Sections and Details 4 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0005	Rev	P02
Area 1B - Sections and Details 5 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0006	Rev	P01
Area 1B - Sections and Details 6 of 7		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0007	Rev	P01
Area 1B - Sections and Details 7 of 7		

Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0008	Rev	P01
Area 1B - Long Sections 1 of 6		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0009	Rev	P01
Area 1B - Long Sections 2 of 6		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0010	Rev	P01
Area 1B - Long Sections 3 of 6		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0011	Rev	P01
Area 1B - Long Sections 4 of 6		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0012	Rev	P01
Area 1B - Long Sections 5 of 6		
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0013	Rev	P01
Area 1B - Long Sections 6 of 6		
Drawing no. ENV0000009C-JAC-DZ-41C-DR-PL-0001	Rev	P01
Area 1C - Sections and Details		
Drawing no. ENV0000009C-JAC-DF-41B-DR-PL-0001	Rev	P01
Area 1B - Flood Gate 1 Miller Gardens Apartments		
Drawing no. ENV0000009C-JAC-DF-41B-DR-PL-0002	Rev	P01
Area 1B - Flood Gate 2 Ribble Cottage		
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0003	Rev	P01
Area 1 - Tie-in Details 2 of 3		
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0002	Rev	P01
Area 1 - Tie-in Details 1 of 3		
Drawing no. ENV0000009C-JAC-DW-41X-DR-PL-0004	Rev	P01
Area 1 - Tie-in Details 3 of 3		
Drawing no. ENV0000009C-JAC-ZZ-42A-DR-PL-0001	Rev	P01
Area 2A - General Arrangement 1 of 2		
Drawing no. ENV0000009C-JAC-ZZ-42A-DR-PL-0002	Rev	P01
Area 2A - General Arrangement 2 of 2		
Drawing no. ENV0000009C-JAC-ZZ-42B-DR-PL-0001	Rev	P01
Area 2B - General Arrangement 1 of 3		
Drawing no. ENV0000009C-JAC-ZZ-41B-DR-PL-0002	Rev	P02
Area 2B - General Arrangement 2 of 3		
Drawing no. ENV0000009C-JAC-ZZ-42B-DR-PL-0003	Rev	P01
Area 2B - General Arrangement 3 of 3		
Drawing no. ENV0000009C-JAC-ZZ-42C-DR-PL-0001	Rev	P01
Area 2C - Network Rail Underpass GA & Sections		
Drawing no. ENV0000009C-JAC-DW-42X-DR-PL-0001	Rev	P01
Area 2 - Wall Typical Details		
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0001	Rev	P02
Area 2A - Sections and Details 1 of 3		
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0002	Rev	P02
Area 2A - Sections and Details 2 of 3		
Drawing no. ENV0000009C-JAC-DZ-42A-DR-PL-0003	Rev	P01
Area 2A - Sections and Details 3 of 3		
Drawing no. ENV0000009C-JAC-DG-42B-DR-PL-0001	Rev	P02
Area 2B - Gas Pipe Bridge Sections & Details		
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0001	Rev	P01
Area 2B - Sections and Details 1 of 4		
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0002	Rev	P01
Area 2B - Sections and Details 2 of 4		

Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0003	Rev	P01	
Area 2B - Sections and Details 3 of 4			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0004	Rev	P01	
Area 2B - Sections and Details 4 of 4			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0005	Rev	P01	
Area 2B - Longitudinal Section 1 of 3			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0006	Rev	P01	
Area 2B - Longitudinal Section 2 of 3			
Drawing no. ENV0000009C-JAC-DZ-42B-DR-PL-0007	Rev	P01	
Area 2B - Longitudinal Section 3 of 3			
Drawing no. ENV0000009C-JAC-ZZ-00-DR-PL-0001	Rev	P01	Highway
Typical Details 1 of 2			
Drawing no. ENV0000009C-JAC-ZZ-00-DR-PL-0002	Rev	P01	Highway
Typical Details 2 of 2			
Drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0001	Rev	P03	Ribble
Sidings Draft Landscape Sketch			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0002	Rev	P04	
Environmental Masterplan Sheet 1 of 8 - Overview			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0003	Rev	P04	
Environmental Masterplan Sheet 2 of 8 - Broadgate			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0004	Rev	P04	
Environmental Masterplan Sheet 3 of 8 - Broadgate			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0005	Rev	P05	
Environmental Masterplan Sheet 4 of 8 - Riverside			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0006	Rev	P04	
Environmental Masterplan Sheet 5 of 8 - Riverside			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0007	Rev	P04	
Environmental Masterplan Sheet 6 of 8 - Ribble Sidings			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0008	Rev	P04	
Environmental Masterplan Sheet 7 of 8 - Riverside Rd and Penwortham Methodist Church			
Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0009	Rev	P04	
Environmental Masterplan Sheet 8 of 8 - Penwortham Residential Park			

b) All 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 Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

- No development shall take place until samples of the building materials to be used for the flood protection walls and any fencing/gates have been submitted to the County Planning Authority and approved in writing. Thereafter, only those materials approved by the County Planning Authority shall be used.

Reason: To protect the visual amenities of the area and to preserve the setting of the Listed Buildings and to conform with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

4. No development shall commence until details of the final surfacing and interface of the new footpath/cycleway with the public highway at Riverside have been submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of users of the public highway and in the interests of local amenity and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

5. No development shall commence (including construction working) until details of a mitigation and continuity strategy for the temporary loss of sports pitches during construction working, and in relation to the safe operation of retained sporting facilities at the BAC BAC/ EE Preston Social and Sports Association and Preston Sports Club, have been submitted to and approved in writing by the County Planning Authority following consultation with Sport England. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring the continuity of sports provision and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

6. No development shall commence until detailed surface water drainage design plans showing all the outfalls into the River Ribble for the site have been submitted to and approved in writing by the County Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of flood risk management and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

7. No development shall commence (including any earthworks) until details of the means of ensuring the water and wastewater infrastructure, including associated easements and access areas, laid within the site boundary are protected from damage as a result of the development, have been submitted to and approved in writing by the County Planning Authority. The details shall include a survey of the exact location of the water and wastewater infrastructure and outline the potential impacts on the infrastructure from construction activities (including the construction compound and temporary parking areas) and the impacts post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any detrimental impact to the infrastructure and its operation both during construction and post completion of the development.

The details shall include a pre and postconstruction condition survey. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

In the event that a diversion/diversions of the infrastructure is required, the developer shall submit evidence to the County Planning Authority that a diversion has been agreed with the relevant statutory undertaker and that the approved works have been undertaken prior to the commencement of development.

Reason: In the interest of public health and to ensure protection of the water and wastewater infrastructure laid within the site and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

8. No development shall commence (including any earthworks) until an assessment of impact of any raised river levels on existing outfalls has been submitted to and approved in writing by the County Planning Authority. The details shall include a survey of the affected outfalls and outline the potential impacts both during construction and post completion of the development and identify mitigation measures, including a timetable for implementation, to protect and prevent any detrimental impact to the outfalls and their operation both during construction and post completion of the development. Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.

Reason: In the interest of public health and to ensure protection of the water and wastewater infrastructure laid within the site and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

9. Notwithstanding the details shown on drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0001, rev P3 - 'Draft Landscape Sketch', no landscaping works shall be undertaken at Ribble Sidings until a revised layout incorporating more open space and peripheral planting has been submitted to and approved in writing by the County Planning Authority. Thereafter the landscaping shall be carried out in accordance with the approved details within 12 months of the completion of development.

Reason: To ensure satisfactory landscaping of the site, and retention of recreational provision, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

10. No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include details of the following:
 - a) Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction.
 - b) Control of noise from construction operations in relation to residential and ecological receptors, and neighbouring businesses.
 - c) Control of Vibration from the site.
 - d) Control of dust from the site.

- e) Control of mud (including wheel cleaning arrangements) to ensure no mud is tracked onto the public highway.
- f) surface water drainage and water pollution control measures.
- g) Any artificial site illumination (including proposed hours of use).
- h) Protection of trees and vegetation to be retained.
- i) Pre-works precautionary surveys/inspections for protected and priority species, including (but not limited to) bats, otter and badger.
- j) Protection measures for wildlife features that may be encountered on site.
- k) Management of construction waste.

The Construction Environmental Management Plan shall be implemented in accordance with the approved details and applied throughout the construction phase of the development.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of local amenity and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

11. All construction working, importation of construction materials or removal of waste materials off-site shall only take place between 08.00 – 18.00 Monday to Friday and 09.00 – 14.00 on Saturdays and at no time on Sundays, public or bank holidays.

Reason: As a precautionary measure 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 and Policy EN9 of the Preston Local Plan.

12. No development shall commence until a landscaping and habitat establishment and management plan for land within the application site, has been submitted to and approved in writing by the County Planning Authority.

The plan shall include the following:

- a) The nature and depth of any soil making materials.
- b) The design, construction and planting of waterbodies.
- c) Locally native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of the type, number and location of bird and bat boxes.
- f) Details of the ongoing maintenance and management of the landscaping and habitats at the site for a period of 15 years.

Thereafter, the approved landscaping and habitat establishment and management plan shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) following completion of the development.

Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

13. No development shall commence until a landscaping and habitat establishment and management plan for land shown on drawing number no. ENV0000009C-JAC-ZZ-ZZ-DR-L0010, Rev P03 - 'Environmental Masterplan, Sheet 9 of 9 - Fishwick Bottoms', has been submitted to and approved in writing by the County Planning Authority.

The plan shall include the following details:

- a) The nature and depth of any soil making materials.
- b) The design, construction and planting of waterbodies.
- c) Locally native tree/shrub planting and seed specification.
- d) Detail of habitat establishment (including seasonal timing), management, monitoring, and review and reporting methods.
- e) Details of the type, number and location of bird and bat boxes.
- f) The ongoing maintenance and management of the landscaping and habitats at the site for a period of 15 years.

Thereafter, the approved landscaping and habitat establishment and management plan shall be implemented within 12 months of the completion of the development and managed and maintained in accordance with the approved plan for a period of 15 years.

Reason: To ensure satisfactory landscaping of the site, to provide biodiversity interests and mitigation, and to comply with Policy G17 of the South Ribble Local Plan and Policy EN9 of the Preston Local Plan.

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

Paper	Date	Contact/Ext
LCC/2021/0002	March 2021	R Hope/34159

Reason for Inclusion in Part II, if appropriate

N/A