

Development Control Committee
Meeting to be held on 26 April 2023

Electoral Division affected:
Burscough and Rufford

West Lancashire Borough: application number: LCC/2022/0060

Hydrobrake chamber, return manhole and pressure relief column in association with proposed detention tank. Yew Tree Farm, Higgins Lane, Burscough

Contact for further information:
Helen Ashworth, 01772 530084, Senior Planning Officer
Devman@lancashire.gov.uk

Brief Summary

Application - Hydrobrake chamber, return manhole and pressure relief column in association with proposed detention tank. Yew Tree Farm, Higgins Lane, Burscough.

Recommendation – Summary

That planning permission be **Granted** subject to conditions controlling approved plans, ecological mitigation and highway safety.

Applicant's Proposal

The application is for the construction of a hydrobrake chamber, return manhole and pressure relief column.

The proposed hydrobrake chamber would measure 3m in diameter, with a depth below ground of 2.7m and a height above ground of 0.45m. The return manhole would measure 1.2m in diameter, have a depth of 2.2m below ground and a height above ground of 0.45m. Both the proposed hydrobrake chamber and return manhole would have the appearance of raised manhole covers. The pressure relief column would have a diameter of 0.15m and a height of 4m.

The proposal is part of a wider scheme of waste water infrastructure improvements much of which is permitted development under Part 13 of the Town and County Planning (General Permitted Development Order) 2015. The permitted development works include a 340 cubic metre below - ground detention tank to provide storage to the wastewater network, a diversion pipeline from the existing sewer via a chamber and a return pipeline for pumping flows from the tank back to the existing sewer network, a control kiosk, 1.4m high post and rail fencing and a grasscrete permanent access track (with 5m tarmac entrance strip) off the highway to deliver the works.

During the construction period there would be a number of temporary elements on site including a gravel access road, 2m high heras gates and 2m high close boarded timber site hoarding coloured dark green.

Description and Location of Site

The application site is an area of land approximately 0.66 hectares in area that is located on the north side of Higgin's Lane, Burscough, approximately 1 km from Burscough Town centre to the north east. The site is located between a small copse of trees to the east and a public right of way (FP108) to the west. There are a number of trees and shrubs along the boundary of the public footpath that would abut the western site boundary. To the north of the site lies open agricultural land and to the south of Higgins Lane is presently undeveloped land that forms part of a strategic development site known as Yew Tree Farm. The Yew Tree Farm development is presently under construction.

Yew Tree Farm is a 74-hectare site that lies to the south of Higgins Lane, between Burscough Industrial Estate to the west and Burscough to the east. The site was allocated in the adopted Local Plan and is expected to deliver at least 500 dwellings and 11 hectares of employment land, together with open space, community facilities and other infrastructure. Outline planning permission was granted for the site in 2017 (re. 2015/0171/OUT). A number of reserved matters applications have since been granted and construction is underway on site.

History

There is no planning history for the application site.

Planning Policy

National Planning Policy Framework (NPPF)

Paragraphs 7, 11-14, and 126-136, 179-182, 183-188 of the National Planning Policy Framework (NPPF) are relevant with regards to the definition of sustainable development, core planning principles, good design, habitats/biodiversity and ground conditions/pollution.

Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document (DPD) (JLMWDF)
Policy M2 – Mineral Safeguarding Areas

Joint Lancashire Minerals and Waste Local Plan - Site Allocations and Development Management Policies - Part One (JLMWLP)

Policy NPPF1 - Presumption in Favour of Sustainable Development

Policy DM1 - Management of Waste and Extraction of Minerals

Policy DM2 - Development Management

West Lancashire Local Plan 2012-2027 (adopted October 2013)



Policy SP1: A Sustainable Development Framework for West Lancashire
Policy SP3: Yew Tree Farm, Burscough
Policy GN1: Settlement Boundaries
Policy GN3: Criteria for Sustainable Development
Policy EN2: Preserving and Enhancing West Lancashire's Natural Environment
Policy IF3: Service Accessibility and Infrastructure for Growth

Emerging West Lancashire Local Plan 2033-2040
Consultation on 'Scope, Issues and Options November 2021-January 2022

Burscough Parish Neighbourhood Plan (made July 2019)

Policy BPI2: Surface Water Drainage
Policy BPI3: Foul Water Drainage
Policy BPD1: Design and Accessibility Principles

Consultations

West Lancashire Council: No comments have been received.

Burscough Town Council: Advise that they have a number of concerns with this application:

- It is not to resolve flooding issues in the area, it is about dealing with sewage from Yew Tree Farm.
- There is a lack of evidence about whether it needs to meet Yew Tree Farm conditions or West Lancashire Borough Council conditions.
- There has not been any consultation with Burscough Town Council.
- This proposal is to be located on Green Belt land currently used for agricultural purposes.
- It should be sited on Yew Tree Farm.
- There is no evidence that the current existing drainage infrastructure system downstream will cope with the additional load and having taking account of larger volumes of surface water in the system.
- Why was this proposal not included in the consultation on the original drainage and flooding strategy for the development of Yew Tree Farm?

Lancashire County Council (LCC) Landscape Service: No comments received.

Lancashire County Council (LCC) Highways: No objections in principle and they are of the opinion that the size and nature of the proposals at this location should have a negligible impact on highway safety and highway capacity in the immediate vicinity of the site. Amended information regarding the vehicle tracking for the proposed temporary access was requested and this was subsequently considered to be satisfactory. A number of planning conditions are recommended including that a construction traffic management plan should be submitted and approved in writing to the County Planning Authority, a wheel wash should be provided, timing of deliveries should be restricted, and the construction traffic access must be completed before development commences.



Natural England: Raise no objections to the proposals subject to appropriate mitigation measures being secured in order to avoid any adverse impacts on Martin Mere Special Protection Area, Martin Mere Ramsar Site and Martin Mere Site of Special Scientific Interest. Conditions are therefore recommended regarding timing restrictions of work and implementation of an ecology watching brief.

Atkins (Ecology and Arboriculture comments): In respect of ecology matters the following comments have been made: The stage 1 and stage 2 Appropriate Assessments submitted by the applicant that form part of the Habitats Regulations Assessments are satisfactory. Due to the required mitigation measures to protect the statutory designated sites for nature conservation, there is a requirement for a Habitats Regulations Appropriate Assessment to be carried out as part of this application by Lancashire County Council.

Provided the mitigation measures are enforced, no likely significant effects on the integrity of Martin Mere Special Protection Area or Ramsar site are anticipated as a result of the proposed works. All hedgerows and trees to be retained should be protected during construction. It is advised that measures to enhance biodiversity are secured as a condition of planning permission if granted.

In respect of arboricultural matters the following comments have been made: the report is appropriate for a proposed development of this scale. The proposed tree protection measures would ensure that there would be no direct impacts on the recorded trees and hedgerows at the site. Confirmation that the footings of any fencing will be located outside of the root protection areas of the trees, should be sought.

Representations – The application has been advertised by press and site notice, and neighbouring residents informed by individual letter.

Three representations objecting to the proposals have been received, and an objection on behalf of Burscough Flood Group has also been received. These representations are summarised as follows:

- There was a United Utilities (UU) application for a holding tank on Yew Tree Farm which was agreed some time ago. This was to help in accommodating the extra waste water heading towards the sewage works and stop it being overwhelmed. So does the appearance of this new application imply that that the holding tank is not adequate for the job?
- Is this entirely an issue of waste water capacity from the Yew Tree Farm site or also the impacts of surface water drainage on the sewage system?
- By holding back the flow, to what extent is it likely that the drainage system upstream could be adversely affected?
- Have United Utilities (UU) committed to running the management company responsibilities for Yew Tree Farm or aspects of them as they have been saying for several years now that they intended to do?
- None of the applications for the industrial elements of Yew Tree Farm site have dealt with sewage capacity, and yet the expansion of the industrial area is massive. United Utilities (UU) have never addressed such issues.

- There has been a lot more housing development in Burscough and Ormskirk over the last few years, the sewage from which all heads for New Lane. Can United Utilities (UU) assure the community that they have adequate capacity to deal with this at the sewage works and that sewage spills at New Lane will not be the outcome, in other words that the present application is not merely a sticking plaster when major new capacity at the pumping station is really needed?
- Has the tenant farmer been notified of the proposals?
- Pink footed geese feed on the land and workers visiting the site are highly likely to disturb these birds.
- United Utilities (UU) and Lancashire County Council (LCC) have intended to keep this application quiet and not adequately publicised it.
- Residents of Burscough are dismayed and sickened by the onslaught on greenbelt and open spaces.
- The development should be on Yew Tree Farm, and not Green Belt adjacent to Higgins Lane.
- It is not to resolve flooding issues in the area, it is about dealing with sewage from Yew Tree Farm.
- There has not been any consultation with Burscough Town Council.
- Does it take account of the original and subsequent applications for permission to build?
- It does not take into consideration the Burscough Neighbourhood Plan.
- There is no evidence the current existing drainage infrastructure will be able to contain the sewage under pressure.
- Why was this proposal not included in the consultation on the original drainage and flooding strategy of the development of Yew Tree Farm?
- The proposal is not in accordance with comments made by West Lancashire Council in respect of planning application 2021/0518/ARM.

The Burscough Flood Group object to the application. They make the following comments:

- Whilst Burscough Flood Group welcome improvements to the drainage system, they are also mindful that wherever possible it should be upgraded within a designated development area as opposed to Green Belt.
- The additional sewage that is created by the development on Yew Tree Farm is to be sent under pressure, through the existing system which is antiquated and subject to regular failure. Pressurisation of this aging pipe is only likely to increase the threat of flooding downstream.
- There have been blockages and collapse of the sewage pipe in Orrell Lane into which this pipe feeds. Further downstream as it crosses beneath the railway at New Lane there is regular surcharging.
- They would urge United Utilities (UU) to deal with this lack of capacity at this culvert as a matter of urgency before introducing any further volumes of sewage to the system.
- This proposal will take valuable farmland permanently out of production and further diminish the livelihood of a well-respected and valued member of the community.



County Councillor Eddie Pope: Requests that the application be determined by Lancashire County Council's Development Control Committee.

Advice

Background

The proposed development is required in order to provide increased capacity within the existing foul sewer network. The additional foul flow created by new development in the area cannot be accommodated with the sewer network. The proposal comprises a new detention tank to retain flows and then return them to the sewer network when capacity allows.

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 including the National Planning Policy Framework (NPPF) is a material consideration that should be given appropriate weight in the decision-making process.

The Development Plan for the site is comprised of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP), Site Allocation and Development Management Policies Part One (adopted September 2013); The Joint Lancashire Minerals and Waste Development Framework Core Strategy Development Plan Document (DPD) (adopted March 2009) and the West Lancashire Local Plan 2012-2027 (adopted October 2013).

The main issues in this planning application include the impacts on the Green Belt, highways, landscape and design, ecology and drainage/flooding. These issues are addressed below.

Principle of the development

The application site is located within the Green Belt, outside of the settlement boundary, as set out in the West Lancashire Local Plan. The settlement boundary is located to the south of Higgins Lane and forms the northernmost extent of the allocated strategic development site known as Yew Tree Farm. Outline planning permission and a number of reserved matters permissions have been granted for mixed residential and employment development on the strategic Yew Tree Farm development site and development is well underway.

The National Planning Policy Framework (NPPF) is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraphs 149–151 of the Framework set out the forms of development that may exceptionally be considered not inappropriate, subject to the criteria set out therein. Paragraph 150 states that engineering operations



and material changes in the use of land may not be inappropriate provided that they preserve its openness and do not conflict with the purposes of including land within it.

The purposes of the Green Belt are explained in Paragraph 138 of the National Planning Policy Framework (NPPF) which are a) to check the unrestricted sprawl of large built-up areas, b) to prevent neighbouring towns merging into one another, c) to assist in safeguarding the countryside from encroachment, d) to preserve the setting and special character of historic towns and e) to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) supports development for minerals or waste management operations including for waste water where it can be demonstrated that all material, social, economic or environmental impacts that would cause demonstrable harm can be eliminated or reduced to acceptable levels. In assessing proposals, account should be taken of the proposal's setting, baseline environmental conditions and neighbouring land uses, together with the extent to which its impacts could be controlled in accordance with current best practice and recognised standards.

Policy GN1 of the West Lancashire Local Plan states that development proposals within Green Belt will be assessed against national policy and any relevant Local Plan Policies.

The applicant has provided the following information in support of the proposals and to address the concerns raised in the objections to the proposals:

- Additional foul flow created by the mixed-use development at Yew Tree Farm cannot be accommodated within the existing sewer network and so to address this, a new detention tank to retain flows and then return them to the sewer network when capacity allows is required.
- There has not been any other holding tank built in the Yew Tree Farm area to address impacts from the development on the sewer network.
- The detention tank volume and operation have been designed to ensure the additional foul flows from the development cause no detriment in the upstream or downstream network.
- The proposed detention tank volume does take account of the additional foul flows from the industrial elements within the Yew Tree Farm development site. The proposed detention tank will address flooding detriment in the network in the locality of Yew Tree Farm. Growth and development are looked at regionally across the whole United Utilities (UU) area and investment is prioritised accordingly to those areas most impacted.
- The application site has been chosen as it is the nearest connection point outside the development area in relation to the proposed 300mm foul sewer. The tank needs to be located close to the existing sewer that runs south to north through the Yew Tree Farm development.
- The scope of works is not intended to resolve existing surface water flooding issues in the catchment.



- The developer of the Yew Tree Farm site is implementing a surface water strategy as part of the approved planning application to manage surface water flows resulting from the development.

The applicant has also confirmed that prior to confirming the location for the proposed development a number of other options were explored, including the site within the Yew Tree Farm development. It was found that would not be possible to site the proposals within the Yew Tree Farm development boundaries as the development for the site has already been approved and works have commenced. There is insufficient land available within Yew Tree Farm to accommodate the proposal. United Utilities (UU) do own a small parcel of land on the southern side of Higgins Lane. However, this land is too small to accommodate the proposed tank. It is also important to note that the proposed storage tank needs to be located north of the connection of the new foul sewer from the Yew Tree Farm development, and adjacent to the existing sewer.

As set out above, engineering operations can be considered to be appropriate development within the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. It is important to note that only the hydrobrake chamber, return manhole and pressure relief column require planning permission and can be considered as part of this application. Given the size and scale of these elements it is considered that they would have a very limited impact on the openness of the Green Belt. The proposed hydrobrake chamber and return manhole cover in particular would have both a very limited and spatial impact, having the outward appearance of a raised manhole cover, with only 0.45m height visible above ground. Visibility from outside of the application site would be very limited and they would not appear as significant elements of built form within the open countryside. It is acknowledged that the pressure relief column would have a greater visual and spatial impact, albeit still limited. It is not uncommon to have similar structures in rural areas, such as telegraph poles, lighting columns and mobile phone masts all of which would be larger than the proposed pressure relief column and therefore likely to have a greater impact on the openness and rural character of the area. It is therefore considered that the proposal does not conflict with the purposes of including land within the Green Belt.

It is acknowledged that concerns have been raised about the encroachment of development into the Green Belt, however the scale of the proposals is such that this is considered to be minimal. Furthermore, given the technical reasons put forward by the applicant as to the need for the infrastructure and the particular siting chosen it is considered that very special circumstances for the development have in any case been demonstrated.

Ecology

The application site is approximately 2.1km south of Martin Mere Special Protection Area (SPA), Ramsar site and Martin Mere Burscough Site of Special Scientific Interest (SSSI). Special Protection Areas (SPAs) are designated for rare and vulnerable birds and Ramsar sites are wetlands of international importance.

Birds for which the above sites are designated may also rely on areas outside of the designated sites including areas of existing agricultural land such as the application site. As the proposals have the potential to impact on the Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) qualifying and supporting features, a Habitats Regulations Assessment (HRA) is required to be undertaken to assess the impacts on the above designated sites. It is the responsibility of Lancashire County Council (LCC) to carry out the Habitats Regulations Assessment (HRA). However, the applicant has provided a number of reports in order to assist the Council in discharging its duties under the Habitats Regulations.

The applicant has provided the following documents in support of the application:

- Extended phase I habitat survey
- Shadow Habitats Regulations Assessment (HRA) (which includes a stage 1 screening and stage 2 Appropriate Assessment Habitats Regulations Assessment)
- Arboricultural impact assessment
- Winter birds habitat assessment
- Great Crested Newt environmental DNA

The stage 1 Habitats Regulations Assessment (HRA) screened the proposals to check if they are likely to have a significant effect on the site's conservation objectives. It concluded that as significant effects on the Martin Mere Special Protection Area (SPA) and Ramsar site could not be screened out from the proposals the Habitat Regulations Assessment (HRA) must proceed to an Appropriate Assessment (stage 2) in order to determine if there could be an adverse effect on the integrity of the protected sites.

Informed by a winter bird habitat assessment the Appropriate Assessment concluded that it was considered unlikely that pink-footed goose and whooper swan would be present in the area during the winter period. It also states that pink-footed goose and whooper swan are unlikely to use the application site itself due to the proximity of a woodland block and a road. However, as the possibility remains, mitigation measures are proposed in order to reduce potential impacts. The following mitigation measures are proposed:

- Installation of screen fencing at least 1.8m high if construction works take place during the winter period (October to March). This would ensure that there are no noise and visual disturbance impacts on the qualifying species of Martin Mere Special Protection Area (SPA)/Ramsar site.
- Implementation of an ecology watching brief and ecological clerk of works to undertake monitoring surveys.

Both Natural England and Atkins have advised that the conclusions of the Appropriate Assessment that the proposal would not result in adverse effects on the integrity of the sites are acceptable and that the proposed mitigation measures are satisfactory. These should be secured by condition.

In respect of other ecology matters Atkins have advised that measures to improve biodiversity on site should be secured by condition.



No hedgerow or tree removal would be required in order to facilitate the works. Atkins have advised that all hedgerows and trees to be retained should be protected during construction, in line with standard arboricultural best practice. The applicant has advised that there would be one line of fencing which will be the site temporary fencing which would follow the line of the tree protection fencing in the arboricultural impact assessment.

Landscape impact

At present the site forms part of a larger, open field with a flat topography comprising agricultural pasture. It is bounded to the west by hedgerows and trees.

The most visible element of the proposals would be the 4m high pressure relief column. During construction works the site would be enclosed by 2m high boarding. It is estimated that the construction works would take approximately five weeks. Following completion of the development a post and rail fence 1.4m high is proposed to enclose the vehicular access area. The hard surfacing proposed for the access area would be grasscrete, apart from the first 5m from the highway.

Paragraph 130 of the National Planning Policy Framework (NPPF) requires that development should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and effective landscaping, should be sympathetic to local character and history including the landscape setting.

Policy GN3 of the West Lancashire Local Plan states that proposals for development should have regard to the historic character of the local landscape, have regard to visual amenity and complement or enhance any attractive attributes and local distinctiveness within its surroundings.

The existing landscape around the application site is relatively open, with existing trees immediately adjacent to the western boundary with the public footpath. These are to be retained and protected during construction. The pressure relief column would be largely viewed against the backdrop of these trees and would be coloured dark green. The proposed manhole and above ground elements of the hydrobrake chamber would largely not be visible from outside of the site.

The site is not within any specially designated landscape area and there are many other prominent man-made features commonly in the immediate local area. It is therefore considered that the visual and landscape impacts of the proposal would not be sufficient to warrant refusal of the application.

Highway Safety

Lancashire County Council (LCC) Highways advised that whilst no concerns were raised with the construction of a temporary access, concerns were initially raised with the swept path analysis that was submitted in support of the application. This indicated that vehicles would overrun the proposed access which would cause damage to the highway verges/kerbs. Following the receipt of an amended plan and swept path analysis this objection was withdrawn.

The proposal would give rise to a number of vehicle movements during the construction period, which would be around five weeks. It is estimated that there would be approximately 20 daily vehicle movements of cars and vans for site personnel. There would be in the order of approximately 80 vehicle movements of 8-wheel tipper trucks, approximately 50 vehicle movements of concrete wagons and excavators, crane and dumpers that would visit the site over the five-week construction period.

The construction period is for a relatively short period of time, and any impact on the road network would be temporary. The National Planning Policy Framework (NPPF) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The impact on the road network would be localised, and temporary over a short timescale.

Lancashire County Council (LCC) Highways have recommended the imposition of a number of planning conditions. It is recommended that the conditions relating to the need for a construction management plan, including provision for a wheel wash facility (in the interests of the safe use of the highway during the construction period); specified delivery times (in order to avoid peak times) and a condition regarding the timing of the construction access are imposed as recommended.

Flood risk

Policy GN3 of the West Lancashire Local Plan states that development should not result in unacceptable flood risk or drainage problems. The purpose of the proposal is to address the need for increased capacity for foul drainage within the local area as a result of new development. Whilst the concerns of local residents as regards surface water drainage problems within the wider area are noted, it is not the purpose of this proposal to address them. The applicant has provided evidence to demonstrate the need for the current proposals and the very limited scale of the proposals is such that the structures proposed are in themselves unlikely to cause any increase in surface water runoff.

The surface water strategy for the Yew Tree Farm development is not a matter for consideration in this application.

Other matters

The nearest residential property to the proposed development is presently Nettle Barn which is 165m to the east. It is considered that there would be some minor disruption during the construction phase of the proposals particularly in relation to the traffic impacts described above.

Planning permission has also been recently granted (in April 2022) for the erection of 169 dwellings on land south of Higgins Lane, to the south east of the application site (application ref. 2021/0518/ARM). At present these properties are not yet under construction. Immediately opposite the site to the south of Higgins Lane permission has also been granted for 17 employment buildings (use classes E, B2 and B8) in September 2021 (ref. LCC/0113/ARM). These are presently under construction. It is anticipated that land between these two sites, also opposite the current application site will also be developed for residential use.

These future development are potentially impacted by the current application but due to the scale, temporary nature of construction activities and location of the proposals it is considered that there would be no unacceptable harm to the amenities of the existing and future occupants of the residential properties close to the site.

Conclusion

In conclusion the proposals involve relatively minor development that would have a very limited impact on the openness of the Green Belt. The applicant has sufficiently demonstrated reasons for the need for the development to be located within this particular location and the proposals would meet an important infrastructure need. There would be very limited visual and landscape impact from the elements of the proposed development that require planning permission. The proposal is accordingly recommended for approval subject to conditions controlling ecological mitigation measures and highway safety.

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

Recommendation

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

Time Limits

1. The development shall commence not later than three 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 and supporting statement received by the County Planning Authority on 27 October 2022.
 - b) Submitted Plans and documents:
 - Plan ref. 80061671-MISCE-DR-C-0000101 Rev A Location Plan
 - Plan ref. 80061671-MISCE-DR-C-000102 Rev C Site layout Plan
 - Plan ref. 80061671-MISCE-DR-C-000103 Rev B Elevation details
 - Plan ref. 80061671-MISCE-DR-C-000104 Rev B Temporary site access plan
 - Plan ref. 80061671-MISCE-DR-C-000105 Rev B Permanent site access plan
 - Plan ref. 80061671-MISCE-DR-C-000107 Rev C Reinstatement Plan
 - AUTOTRACK 3.dwg Rev A
 - c) All schemes and programmes approved in accordance with this permission.

Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan.

Highway Matters

3. No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the County Planning Authority. The approved plan / statement shall provide:
 - a) Details of the parking of vehicles of site operatives and visitors.
 - b) Details of loading and unloading of plant and materials.
 - c) Measures to prevent mud and other deleterious materials being deposited on the public highway by vehicles leaving the site.
 - d) Delivery and construction working hours.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of the safe operation of the adopted highway during the demolition and construction phases.

4. Deliveries to the approved development shall only be accepted between the hours of (9.30am) and (2.30pm) Monday – Friday, to avoid peak traffic on the surrounding highway network.



Reason: In the interest of highway safety and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

5. The development hereby permitted shall not commence unless and until all of the highway works to facilitate construction traffic access to the development site have been constructed in accordance with a scheme and programme which shall be first submitted to and approved by the County Planning Authority.

The scheme and programme shall provide for the layout of the access and internal manoeuvring areas to ensure that all vehicles can unload off the public highway, that vehicles can turn within the site and that all materials and plant can be stored off the public highway.

Reason: To enable all construction traffic to enter and leave the development site in a safe manner without causing a hazard to other road users and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Ecology

6. The proposed mitigation measures as set out in the document: Yew Tree Farm Stage 1 and Stage 2 Habitats Regulations Assessment (HRA) ref. 9320.004 section 10 pages 14-15 shall be implemented in full throughout the construction period of the development hereby permitted.

Reason: To prevent any noise impacts to Special Protection Area (SPA)/Ramsar species as a result of the works undertaken and to protect the integrity of Martin Mere Special Protection Area (SPA) and Ramsar site in accordance with Policy EN2 of the West Lancashire Local Plan 2012-2027.

7. Within three months of the date of this planning permission, a scheme of habitat enhancement works shall be submitted to the County Planning Authority for approval in writing.

The habitat enhancement scheme should provide details of the following:

- a) Details for the erection of bat and bird boxes on the site including location and design.
- b) Details for landscaping including tree and hedge planting including details of areas to be planted, layout and sizes of species to be planted, planting techniques, and protection measures.

The habitat enhancement measures contained in the approved scheme shall be implemented in the first planting season following the completion of the development and thereafter maintained for a period of five years including replacement of failed plants, maintenance of protection measures and weed control.



Reason: In the interests of ecology and to conform with Policy EN2 of the West Lancashire Local Plan

8. All hedges and trees forming part of the site boundaries or to be retained within the site as shown on Drawing 80061671-MISCE-DR-C-000102 Rev C and as set out in the Arboricultural Impact Assessment dated August 2022 shall be protected from any damage and maintained throughout the development as set out in the approved Arboricultural Impact Assessment.

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 (JLMWLP) - Site Allocations and Development Management Policies and Policy EN2 of the West Lancashire Local Plan 2012-2027.

Notes

Highways Informative Notes

1. The grant of planning permission will require the developer to obtain the appropriate permits to work on, or immediately adjacent to, the adopted highway network. The applicant should be advised to contact Lancashire County Council's (LCC) Highways Regulation Team, who would need a minimum of 12 weeks' notice to arrange the necessary permits. They can be contacted on lhsstreetworks@lancashire.gov.uk or on 01772 533433.
2. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's (LCC) Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number, to discuss their proposal before any development works begin.
3. A licence to erect hoardings adjacent to the highway (should they be proposed) may be required. If necessary, this can be obtained via the county council (as the Highway Authority) by contacting the Council by telephoning 01772 533433 or e-mailing lhsstreetworks@lancashire.gov.uk.
4. This consent does not give approval to a connection being made to Lancashire County Council's (LCC) highway drainage system.



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

Paper	Date	Contact/Directorate/Ext
LCC/2022/0060	April 2023	Helen Ashworth Planning and Environment 01772 540083

Reason for Inclusion in Part II, if appropriate

N/A

