

Development Control Committee – 26 April 2023

Update Sheet

Item 5 – Application LCC/2022/0060 – Land opposite Yew Tree Farm, Higgins Lane, Burscough

Background

The applicant has provided further information to clarify the need of the proposed development. They have confirmed that the Yew Tree Farm development has separate waste water and surface water systems, so that heavy rainfall events should not lead to additional flows in the waste water sewers from the site. However, the existing sewer downstream of the proposed tank is already at capacity during peak times of storm, therefore any additional foul flows from Yew Tree Farm into the combined system would cause it to be overloaded. The proposed development would provide additional storage capacity in the existing foul sewer network in order to mitigate this possibility.

Highways

The applicant has advised that the hours of delivery condition requested by Lancashire County Council (LCC) Highways (deliveries to the site to take place only between the hours of 9.30am and 2.30pm Monday – Friday) could potentially lead to an increase in the construction programme. Following careful consideration it is recommended that given the likely duration of the construction works (five weeks) and scale of the proposed development it is appropriate to delete the proposed Condition 4 which seeks to restrict the hours of deliveries to the site. In particular it is important to note that the works that require planning consent are limited to the two raised manholes and the vent stack and that the remainder of the works are permitted development.

Ecology

The applicant has advised that the trees adjacent to the site do not fall within the application boundary, therefore it would unfortunately not be possible to provide bat and bird boxes as set out in the proposed Condition 7. They also advised that they consider that the most effective and appropriate way would be to agree a suitable low maintenance wildflower grassland mix rather than requiring a landscape plan as set out in Condition 7.

The applicant considers that the application site is of low biodiversity value and would not be impacting on bat roosts, flight lines or nesting habitat (with the exception of some ground nesting habitat). The applicant therefore questions whether Condition 7 is necessary and appropriate.

Advice

The comments regarding the ability to provide bat and bird boxes are noted. As the land is outside of the control of the applicant this cannot be required. Regarding the remainder of the site the submitted plans note the following landscaping proposals:

- Proposed grass verge adjacent to the permanent access track: Germinal seeds A4
- Permanent grasscrete access track: John Chambers heritage flowering lawn
- Temporary access area: reinstated with stockpiled topsoil

The site is presently vacant agricultural land, with land beyond used for arable farming. Whilst it is always desirable to provide biodiversity net gain whenever possible, given the size and scale of the site and the existing use of the land, the applicant's landscaping proposals are considered acceptable.

Conditions

The applicant has confirmed that the proposed temporary site fencing adjacent to the existing trees and hedge along the western boundary of the site will be located in the position of the tree protection fencing as set out in the Arboricultural Impact assessment (plan ref. D9468.002). The plans have therefore been updated to reflect this and ensure that all plans are consistent with each other.

Condition 2 – 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 B Location Plan (received 24/04/2023)

Plan ref. 80061671-MISCE-DR-C-000102 Rev D Site layout Plan (received 24/04/2023)

Plan ref. 80061671-MISCE-DR-C-000103 Rev B Elevation details (received 18/11/2023)

Plan ref. 80061671-MISCE-DR-C-000104 Rev C Temporary site access Plan (received 24/04/2023)

Plan ref. 80061671-MISCE-DR-C-000105 Rev C Permanent site access Plan (received 24/04/2023)

Plan ref. 80061671-MISCE-DR-C-000107 Rev D Reinstatement Plan (received 24/04/2023)

AUTOTRACK 3.dwg Rev A (received 19/01/2023)

- 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 of the Lancashire Minerals and Waste Local Plan

It is recommended that Condition 3 (construction management plan) and Condition 5 are combined into a new Condition 3 (and Condition 5 therefore deleted):

Condition 3 – Highway Matters

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.
- e) Details of the highway works to facilitate construction access. This 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 all materials and plan can be stored off the highway.

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 and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

Conditions 4 and 5 – Highway Matters

To be deleted.

Condition 7 – Ecology

To be deleted.

Item 8 – Application LCC/2022/0046 – Balladen Primary School, Linden Lea, Rawtenstall

Advice

The applicant has provided details on the proposed drainage scheme for the multi-use games area (MUGA):

The proposed multi-use games area (MUGA) will not drain on to the playing fields, the build-up of the multi-use games area (MUGA) allows water to drain through into the sub stratas as the playing field does at present, the multi-use games area (MUGA) does not increase the amount of drainage within this area. To increase the speed of drainage it is proposed that under the multi-use games area (MUGA) two soakaways will be installed, the soakaways will be 1m x 1m x 1m each and filled with stone, this will allow water draining through to reach lower strata.

It is recommended that these details are secured by condition and that proposed Condition 6 is amended to reflect the submitted details.

Conditions

It is recommended that Condition 6 is amended to the following:

Condition 6: The drainage of the proposed development shall be carried out in accordance with the details as set out in the email dated 24 April 2023 from Sean Moore. The drainage measures shall be retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution