

PLANNING PERMISSION

Name and address of Applicant

United Utilities
Lingley Mere Business Park
Lingley Green Avenue
Great Sankey
Warrington
WA5 3LP

Name and address of Agent (if any)

Miss Katie Eyres
Thirlmere House
Lingley Mere Business Park
Lingley Green Avenue
Warrington
WA5 3LP

Part I – Particulars of application

Date of application: **15 January 2024** Application No. **LCC/2024/0001**

Particulars and location of development:

Construction of 1 No. proposed temporary access off Riversway, Lea, Preston

Part II – Particulars of Decision

The **Lancashire County Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:

Time Limits

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

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

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:
 - a) The Planning Application and supporting statement received by the County Planning Authority on 21st December 2023.
 - b) Submitted Plans and documents:

Drawing No. 80061057-02-BET-MISCE-99-DR-W-00067 Rev. A01 Site Location Plan

Drawing No. 80061057-02-BET-MISCE-99-DR-W-00068 Rev. A01 Existing Site Layout
Drawing No. 80061057-02-BET-MISCE-99-DR-W-00069 Rev. A01 Proposed Site
Layout
Drawing No. 80061057-02-BET-MISCE-99-DR-W-00070 Rev. A01 SWEPT PATH
ANALYSIS & VISIBILITY SPLAYS
Drawing No. 80061057-02-BET-MISCE-99-DR-W-00071 Rev. A01 Existing and
Proposed Levels
Drawing No. 80061057-02-BET-MISCE-99-DR-W-00072 Rev. A01 Temporary Access
Works
Drawing No. 80061057-02-EMG-MISCE-99-DR-04-00004 Ref. P03 Landscape
Reinstatement Plan
Construction Traffic Management Plan dated 17/11/2023
Environmental Control Plan v1.2 dated 8th December 2023
Assessment of Likely Significant Effect Doc. No. 80061057-02-EMG-MISCE-99-RP-04-
00006 rev P01 Date: November 2023
Shadow Habitats Regulations Assessment Doc. No. 80061057-02-EMG-MISCE-99-
RP-04-00007 rev P01 Date: November 2023
Arboricultural Impact Assessment Doc. No. 80061057-02-EMG-MISCE-99-RP-04-
00008 rev P03 Date: December 2023
Preliminary Ecological Appraisal Report Doc. No. 80061057-02-EMG-MISCE-99-RP-
04-00009 rev P02 Date: December 2023
Environmental DNA (eDNA) & Habitat Doc. No. 80061057-02-EMG-MISCE-99-RP-04-
00012 rev P01 Date May 2023
ARCHAEOLOGICAL AND HERITAGE DESK BASED ASSESSMENT December 2023

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 Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and policies ST2, EN1, EN9 and EN10 of the Preston Local Plan.

Ecology

3. If, at any point, before or during development work, the presence of a protected species that could be adversely affected by the development works is detected or suspected, then works must stop and advice must be sought on the need for a licence from Natural England and necessary species protection measures.

Reason: In the interests of ecology and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.

4. All works must be undertaken in line with the species avoidance/mitigation measures put forward in table 5 of the Preliminary Ecological Assessment (Ref: 23036) which include:

A pre-commencement survey for badger, to be undertaken immediately prior to the start of works on site.

Protection of ground nesting birds in line with measures put forward in section 5.54 and 5.55 of the report.

Adherence to best practice measures in relation to otter as set out in section 5.57 of the report.

Adherence to best practice measures in relation to hedgehog as set out in section 5.65 of the report.

Production of a method statement to prevent the spread of Himalayan balsam and Japanese Rose during construction.

Reason: In order to avoid any potential impact on protected species and in accordance with Policy EN10 of the Preston Local Plan.

5. All works must be undertaken in line with the proposed mitigation and monitoring measures put forward in the Shadow HRA where relevant to this planning application (ref: Ref: 80061057-02-EMG-MISCE-99-RP-04-00007).

Reason: in the interests of protected species and in accordance with Policy EN10 of the Preston Local Plan.

Highway Matters

6. The traffic management measures contained in drawing no. KHW131123GHv2, dated 14/06/24 shall be implemented and adhered to at all times for the duration of the use of the access.

Reason: In the interests of highway safety and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and Policy ST2 of the Preston Local Plan.

7. All traffic movements out of the proposed access shall turn left only. During operating hours a gateman shall be employed to control the routing of traffic leaving the site and signage shall also be erected informing traffic leaving the site of the approved routing.

Reason: In the interest of highway safety and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and policy ST2 of the Preston Local Plan.

8. Before the widened access is used for vehicular purposes that part of the access extending from the highway boundary for a minimum distance of 10 metres into the site shall be appropriately paved in tarmacadam, concrete, or other hard material.

Reason: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to road users and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and policy ST2 of the Preston Local Plan.

9. Measures shall be taken during the duration of the development to ensure that no mud, dust or other debris is deposited on the surface of the public highway by vehicles leaving the site.

Reason: To prevent stones, mud and debris being carried onto the public highway to the detriment of road safety and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and policy ST2 of the Preston Local Plan.

10. Within six months of cessation of use of the access hereby permitted the site shall be re-instated in accordance with details provided in plan ref. 80061057-02-EMG-MISCE-99-DR-04-00004 P03 Landscape re-instatement plan.

Reason: In the interests of visual amenity and highway safety and in accordance with Policy DM2 of the Joint Lancashire Minerals and Waste Local Plan, Site Allocation and Development Management Policies Part One and policies ST2 and EN9 of the Preston Local Plan.

Notes

Licences from Natural England are likely to be required if protected species or their habitat would be affected.

This consent requires the construction, improvement, or alteration of an access to the public highway. Under the Highways Act 1980 Section 171 (Vehicle crossings over footways and verges) Lancashire County Council as Highway Authority must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Therefore, before any works can start, the applicant must complete the online quotation form found on Lancashire County Council's website using the A-Z search facility for vehicular crossings at <http://www.lancashire.gov.uk/roadsparking-andtravel/roads/vehicle-crossings.aspx>

Heloise MacAndrew

Date: 14 June 2024

**Heloise MacAndrew
LANCASHIRE COUNTY COUNCIL
DIRECTOR OF LAW AND
GOVERNANCE**

Note: This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

NOTE:

1. Appeals to the Secretary of State

- You can appeal a planning decision if any of the following apply.
 - You were refused planning permission
 - You were granted planning permission but subject to conditions that you object to

Details of the planning appeals service can be found at the following address

<https://www.gov.uk/appeal-planning-decision>

- If you want to appeal, then you must do so within 6 months of the date of this notice, using a form which you can get from the Planning Inspectorate, Registry/Scanning Room, 3/01B Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

- If either the local planning authority or the Secretary of State for Communities and Local Government and the Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the District/Borough Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 3.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for Communities, Local Government and the Regions on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.