

# 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

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## Part I – Particulars of application

Date of application: **15 January 2024**      Application No. **LCC/2024/0002**

Particulars and location of development:

**Construction of 2 No. proposed temporary accesses off Darkinson Lane, Preston**

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## 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.*

2. The access points onto Darkinson Lane shall be removed and the site restored by 31st December 2025 or within three months of the completion of the sewer construction works which ever is the earlier. The hedgerow reinstatement works shall thereafter be undertaken in accordance with condition 8 below in the first planting season following the restoration of the access points.

*Reason: In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

## Working Programme

3. 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:
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00054 Rev. A01 Construction Details
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00061 Rev. A01 Site Location Plan
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00062 Rev. A01 Existing Site Layout
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00063 Rev. A01 Proposed Site Layout
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00064 Rev. A01 Swept path analysis and visibility splays
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00065 Rev. A01 Existing and proposed levels
    - Dwg. No. 80061057-02-BET-MISCE-99-DR-W-00066 Rev. A01 Temporary Access Works
    - Dwg. No. 80061057-02-EMG-MISCE-99-DR04-00003 Rev. P03 Landscape reinstatement plan
    - Dwg. No. 80061057-02-EMG-MISCE-99-DR-04-00027 Rev. P03 Hedgerow reinstatement plan
  - 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.*

4. Prior to the construction of the access points from Darkinson Lane all subsoils and topsoils beneath the access points and temporary haul road shall be stripped and stored separately for use in the reinstatement of the site.

*Reason: In the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

5. Hedgerow removal to construct the access points onto Darkinson Lane shall be restricted to the areas shown edged red on drawing ref 80061057-02-BET-MISCE-99-DR-W-0066 Rev A01.

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

6. Prior to the haul road being brought into use, the access points onto Darkinson Lane shall be constructed and laid out according to the design shown on drawings

800061057-02-BET-MISCE-99-DR-W-0066 Rev A01 and 800061057-02-BET-MISCE-99-DR-W-0067 Rev A02.

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

7. Measures shall be taken at all times during the sewer construction works to ensure that no mud, dust or other deleterious materials are deposited on the carriageway of Darkinson Lane by HGVs leaving the haul road.

*Reason: In the interests of local amenity and highway safety and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

8. The access points from Dickinson Lane and associated haul road shall be restored in accordance with the following requirements:
  - a) all surfacing materials from the access points shall be broken out and removed from the site including sub base materials
  - b) all aggregate surfacing materials from the temporary haul road shall be removed from the site
  - c) the kerbline and pavement alongside Lea Lane shall be reinstated to its original design
  - d) following the completion of the works in a) and b) the subsoil surface shall be ripped to relieve compaction at the surface
  - e) the stripped subsoils and topsoils shall be respread to their original depths, cultivated and then seeded with the grass seed mix shown on drawing 80061057-02-EMG-MISCE-99-DR-04-00003 Rev PO3.
  - f) the hedgerows alongside Darkinson Lane shall be replanted in accordance with the details shown on Drawing 80061057-02-EMG-MISCE-99-DR-04-00027- Rev PO3

*Reason: To ensure the proper restoration of the site in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

9. Aftercare works shall be undertaken for a period of five years following the date when the hedge planting works required by condition 8 are completed.

The aftercare works shall comprise of the following: -

- a) mowing or weed control to control invasive weeds
- b) weed control around hedgerow plants
- c) replacement of failed or dying plants
- d) maintenance of protection measures.

*Reason: To ensure the proper restoration of the site in the interests of the visual amenities of the area and to conform with Policy DM2 of the Lancashire Minerals and Waste Local Plan.*

## Definitions

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

## Notes

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the 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. Before any works to the access commence you should contact the Area Manager (Public Realm) [North/South/East] [address and telephone number see below] quoting the planning permission reference.

Area Manager (Public Realm) North: Hampson Lane, Hampson Green, Galgate, Lancaster LA2 0H7 Tel:01524 752290

Area Surveyor (Public Realm) South: Cuerden Way, Bamber Bridge, Preston PR5 6BS Tel: 01772 658560

Area Surveyor (Public Realm) East: Riddings Lane, Whalley BB7 9RW  
Tel: 01254 823831

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*Heloise MacAndrew*

**Date: 21 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.

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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.