

# PLANNING PERMISSION AND LISTED BUILDING CONSENT

**Name and address of Applicant**

ENVIRONMENT AGENCY  
AND LANCASHIRE COUNTY  
COUNCIL

**Name and address of Agent (if any)**

JACOBS  
304 Bridgewater Place  
Birchwood Park  
Birchwood  
Warrington  
WA3 6XG

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## Part I – Particulars of application

Date of application: **13 January 2021** Application No. **LCC/2021/0002**

Particulars and location of development:

**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 reprofiling, 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. Broadgate, Riverside and Riverside Road 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.*

### 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	Site Layout Plan
Rev				
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 Long Sections 2 of 5	Rev P01	Area 1A -
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0007 Long Sections 3 of 5	Rev P01	Area 1A -
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0008 Long Sections 4 of 5	Rev P01	Area 1A -
Drawing no. ENV0000009C-JAC-DZ-41A-DR-PL-0009 Long Sections 5 of 5	Rev P01	Area 1A -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0001 Sections and Details 1 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0002 Sections and Details 2 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0003 Sections and Details 3 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0004 Sections and Details 4 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0005 Sections and Details 5 of 7	Rev P02	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0006 Sections and Details 6 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0007 Sections and Details 7 of 7	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0008 Long Sections 1 of 6	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0009 Long Sections 2 of 6	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0010 Long Sections 3 of 6	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0011 Long Sections 4 of 6	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0012 Long Sections 5 of 6	Rev P01	Area 1B -
Drawing no. ENV0000009C-JAC-DZ-41B-DR-PL-0013 Long Sections 6 of 6	Rev P01	Area 1B -

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

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

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.*

3. 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 post construction 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.*

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**Date: 21 April 2021**



**Laura Sales  
LANCASHIRE COUNTY COUNCIL  
DIRECTOR OF CORPORATE  
SERVICES**

*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**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Communities and Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
- 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.