

DEVELOPMENT MANAGEMENT APPLICATION FOR THE APPROVAL OF DETAILS RESERVED BY CONDITION

APPLICATION REF: LCC/2021/0002/1&2

APPLICATION FOR THE APPROVAL OF DETAILS RESERVED BY CONDITION 3 (BUILDING MATERIALS), 4 (SURFACING DETAILS), 5 (SPORTS PITCH MITIGATION STRATEGY), 6 (SURFACE WATER DRAINAGE), 7 & 8 (UU ASSET PROTECTION MEASURES), 9 (RIBBLE SIDINGS REVISED LANDSCAPING), 10 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN), 12 (ON SITE LANDSCAPE AND HABITAT ESTABLISHMENT AND MANAGEMENT PLAN) AND 13 (OFF SITE LANDSCAPE AND HABITAT ESTABLISHMENT AND MANAGEMENT PLAN FOR LAND AT FISHWICK BOTTOMS) OF PERMISSION LCC/2021/0002

LOCATION: BROADGATE, RIVERSIDE AND RIVERSIDE ROAD PRESTON

Planning permission was granted on 21 April 2021 for 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 (ref. LCC/2021/0002) subject to conditions.

Applications have been submitted for the approval of details reserved by the following conditions:

- 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. ENV000009C-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.

- 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.

Applicant's Proposal

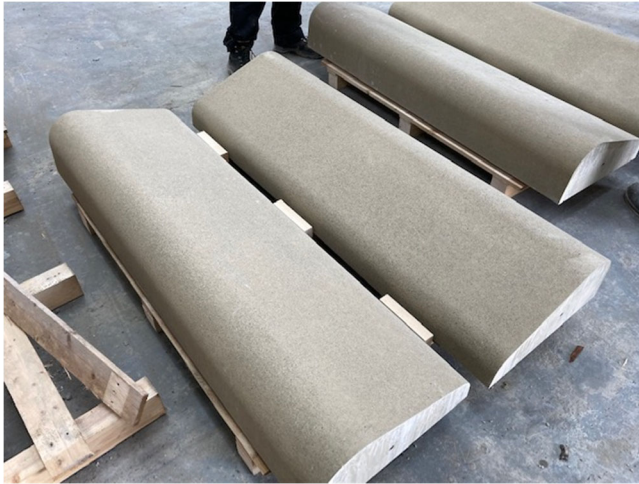
Two applications have been submitted for the approval of details reserved by conditions 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13 of permission LCC/2021/0002. However, it should be noted that following the submission of the applications for approval of details reserved by condition the applicant has submitted an application for non-material amendment to condition 7. Consequently, condition 7 is now excluded here and is dealt with under application ref LCC/2021/0002NM1. The applications for approval of details reserved by conditions include the following details:

Condition 3 and 4

Document entitled 'Discharge of Planning Conditions 3 & 4 – Scheme Finishes, July 2021'. This includes details and photomontages of concrete wall finishes, confirmation that there will be a combined wall and fence height of up to 2m high adjacent to BAC sports pitches.

Sample concrete wall panels, coping stones and pillars have been manufactured including a number of iterations to seek to achieve a desirable finish while retaining the necessary level of durability and strength. Final finishes as follows:





Condition 5

- Sports Pitch Mitigation Strategy, July 2021
- Drawing no ENV0000009C-JAC-ZZ-41X-DR-C-0001, rev C02 - Site location plan and location of existing playing fields
- Drawing no ENV0000009C-JAC-ZZ-ZZ-DR-L0022, rec C03 - Appendix 2: Detailed design and proposed location of permanent flood defences and reinstatement
- Appendix 3: PSD Report: Specification of Works for Drainage and Improvements to Natural Grass Sports Pitches
- Appendix 4: PSD Report: Agronomic Appraisal and Feasibility Study
- Appendix 5: ECB/GMA Performance Quality Standards Cricket Square – Playing Season

Condition 6

- Drawing no. ENV0000009C-JAC-ZZ-41A-DR-C-0001, rev C04 - Area 1A GA Plan 1 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41A-DR-C-0002, rev C04 - Area 1A GA Plan 2 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41A-DR-C-0003, rev C04 - Area 1A GA Plan 3 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41B-DR-C-0001, rec C04 - Area 1B GA Plan Sheet 1 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41B-DR-C-0002, rev C02 - Area 1B GA Plan Sheet 2 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41B-DR-C-0003, rec C04 - Area 1B GA Plan Sheet 3 of 3
- Drawing no. ENV0000009C-JAC-ZZ-41D-DR-C-0001, C04 - Area 1D General Arrangement Plan Sheet 1 of 1
- Appendix 1: 2021-08-17 PCC Outfall Review

Condition 7

Now refer to planning application LCC/2021/000NM1.

Condition 8

Submitted strategy for the purposes of condition 8:

In the same way that the EA undertook its own study for LCC outfalls, the EA completed the same process for UU outfalls. The EA completed hydraulic modelling, published a flood risk assessment and completed drawings as part of planning submission to incorporate UU assets. UU were able to provide the EA with a full asset register meaning no further surveys were required and that all assets were taken into account.

The EA hydraulic model concluded no quantifiable detriment to UU outfalls as a result of the of the new flood defences and no mitigation required as a result. River levels in these areas will increase over time due to climate change with or without the new flood defences. Some of the UU outfalls are also not currently flapped and there is unlikely to be enough storage in the UU system currently for future climate change predictions (increased water levels), therefore the scheme does not cause any further quantifiable detriment. The EA hydraulic model was given to UU during 2021 which they ran with their own asset data.

The EA and UU teams continue to meet on a frequent basis with both sets of modelling teams and will do so as any further queries arise. During September 2021 UU asked to re-run the model to include multi-peaked events (fluvial and tidal). They had identified 2 nodes (2 locations) within the scheme boundary which they want to investigate further. These are outfalls in the Avenham Park and Penwortham Holme areas. Both these areas are part of the existing flood plain and will remain so, there are no works in these areas. UU also want to investigate the impacts further upstream in areas 3-5. These are part of a future planning application (expected during 2022) and not part of the scheme boundary, discussions will however continue with UU in advance of this.

The EA have therefore located all UU outfalls and concluded that there is no quantifiable detriment to the UU outfalls as a result of the scheme. The next steps are to go through the model outputs and resolve any further queries that UU have with regard to their own 'hotspots', this will continue be done through joint technical meetings. To support this, the EA also has a duty under the Water Resources Act 1991, (Schedule 22 of the Act) which contains special rules for undertaking flood risk management works which may affect the interests of a protected undertaking, such as UU. Both parties are covered by the Act.

- Drawing no. ENV0000009C-JAC-ZZ-42B-DR-C-0013, rev C02 – Area 2B Proposed Service Diversion and Modification Works. Sheet 1 of 2
- Drawing no. ENV0000009C-JAC-ZZ-42B-DR-C-0014, rev C02 - Area 2B Proposed Service Diversion and Modification Works. Sheet 2 of 2
- Drawing no. ENV0000009C-JAC-ZZ-42A-DR-C-0011, rev C02 - Area 2A Service Diversion. Protection and Modification Requirements. Sheet 1 of 1.

Condition 9

- Drawing no. ENV0000009C-JAC-42X-DR-L-0002, rev C05 - Landscape Detailed Design - Ribble Sidings.

- Drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0003, rev C05 - Landscape Detailed Design - Ribble Sidings.

Condition 10

Drawings/documents:

- ENV0000009C-JAC-XX-ZZ-RP-EN-0001, rev P01 - CEMP
- ENV0000009C-JAC-ZZ-ZZ-DR-EN-0004, rev 4 - Environmental Constraints Plan
- ENV0000009C-JAC-ZZ-41A-DR-EN-0001, rev C02.1 - Area 1A Tree Protection Measures Sheet 1 of 3
- ENV0000009C-JAC-ZZ-41A-DR-EN-0002, rev C02.1 - Area 1A Tree Protection Measures Sheet 2 of 3
- ENV0000009C-JAC-ZZ-41A-DR-EN-0003, rev C02.1 - Area 1A Tree Protection Measures Sheet 3 of 3
- ENV0000009C-JAC-ZZ-41B-DR-EN-0001, rev C01 - Area 1B Tree Protection Measures Sheet 1 of 4
- ENV0000009C-JAC-ZZ-41B-DR-EN-0002, rev C01 - Area 1B Tree Protection Measures Sheet 2 of 4
- ENV0000009C-JAC-ZZ-41B-DR-EN-0003, rev C01 - Area 1B Tree Protection Measures Sheet 3 of 4
- ENV0000009C-JAC-ZZ-41B-DR-EN-0004, rev C01 - Area 1B Tree Protection Measures Sheet 4 of 4
- ENV0000009C-JAC-ZZ-41C-DR-EN-0001, rev C01 - Area 1C Tree Protection Measures Sheet 1 of 1
- ENV0000009C-JAC-ZZ-42A-DR-EN-0001, rev C01 - Area 2A Tree Protection Measures Sheet 1 of 2
- ENV0000009C-JAC-ZZ-42A-DR-EN-0002, rev C01 - Area 2A Tree Protection Measures Sheet 2 of 2
- ENV0000009C-JAC-ZZ-42B-DR-EN-0001, rev C01 - Area 2B Tree Protection Measures Sheet 1 of 5
- ENV0000009C-JAC-ZZ-42B-DR-EN-0002, rev C01 - Area 2B Tree Protection Measures Sheet 2 of 5
- ENV0000009C-JAC-ZZ-42B-DR-EN-0003, rev C01 - Area 2B Tree Protection Measures Sheet 3 of 5
- ENV0000009C-JAC-ZZ-42B-DR-EN-0004, rev C01 - Area 2B Tree Protection Measures Sheet 4 of 5
- ENV0000009C-JAC-ZZ-42B-DR-EN-0005, rev C01 - Area 2B Tree Protection Measures Sheet 5 of 5
- ENV0000009C-JAC-ZZ-42C-DR-EN-0001, rev C01 - Area 2C Tree Protection Measures Sheet 1 of 1
- ENV0000009C-JAC-ZZ-00-RP-EN-0006 - Environmental Action Plan (version 4)

Condition 12 and 13

Drawings:

- Drawing no. ENV0000009C-JAC-42X-DR-L-0002, rev C05 - Landscape Detailed Design - Ribble Sidings.
- Drawing no. ENV0000009C-JAC-ZZ-42X-DR-L-0003, rev C05 - Landscape Detailed Design - Ribble Sidings
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0015, rev C06 - Landscape Detailed Design Sheet 3.0
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0021, rev C07 - Landscape Detailed Design Sheet 9.0
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0022, rev C06 - Landscape Detailed Design Sheet 10.0
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0024, rev C06 - Landscape Detailed Design Sheet 12.0
- ENV0000009C-JAC-ZZ-ZZ-DR-L-0025, rev C06 - Landscape Detailed Design Sheet 13.0
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0031, rev C05 - Landscape Detailed Design Sheet 19.0
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L-0032, rev C06 - Landscape Detailed Design Sheet 20.0 Notes & Schedules
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-RP-EN-0002, rev P06 – LHEMP
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0013, rev C04 - SHEET 1 LANDSCAPE PROPOSALS - OVERVIEW PLAN
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0014, rev C04 - SHEET 2 LANDSCAPE PROPOSALS - SEA CADETS
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0016, rev C04 - SHEET 4 LANDSCAPE PROPOSALS – BROADGATE
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0017, rev C04 - SHEET 5 LANDSCAPE PROPOSALS – BROADGATE
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0018, rev C05 - SHEET 6 LANDSCAPE PROPOSALS – BROADGATE
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0019, rev. C04 - SHEET 7 LANDSCAPE PROPOSALS – RIVERSIDE
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0020, rev C06 - SHEET 8 LANDSCAPE PROPOSALS – RIVERSIDE
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0023, rev C03 - SHEET 11 LANDSCAPE PROPOSALS - MILLER PARK
- ENV0000009C-JAC-ZZ-ZZ-DR-L0026, rev C05 - SHEET 14 LANDSCAPE PROPOSALS - RIBBLE SIDINGS
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0027, rev C02 - SHEET 15 LANDSCAPE PROPOSALS - RIVERSIDE ROAD
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0028, rev C03 - SHEET 16 LANDSCAPE PROPOSALS - PENWORTHAM METHODIST CHURCH
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0029, rev C03 - SHEET 17 LANDSCAPE PROPOSALS - GOLDEN WAY
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0030, rev C04 - SHEET 18 LANDSCAPE PROPOSALS - MILLER PARK
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-DR-L0033, rev C06 - SHEET 21 LANDSCAPE PROPOSALS - OVERALL PLANT SCHEDULES
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-RP-EN-0002, rev P05 – LHEMP

- Drawing no. ENV0000009C-JAC-ZZ-ZZ-RP-EN-0003, rev P06 - Fishwick Bottoms LHEMP
- Drawing no. ENV0000009C-JAC-ZZ-ZZ-SP-L-0001, rev C04 - Preston and South Ribble FRMS Landscape Specification

Consultations

Preston City Council – No objection.

South Ribble Council – No comments received.

Lead Local Flood Authority – No objection.

United Utilities – Further information set out within Condition 7 should be submitted for consideration prior to development commencing. Should the EA wish to identify areas/phases of development whereby there would be no impact on UU assets then UU would be happy to work with the EA to establish whether the condition could be discharged in part solely for areas where UU assets are not impacted. However, UU would need to be satisfied that there would be no impact on the water and wastewater infrastructure in these areas. For the avoidance of doubt, in any areas where there is a potential for impact on water and wastewater infrastructure then the full requirements of Condition 7 would need to be satisfied.

Lancashire County Council Ecology – Extensive comments provided in relation to nature and scope of ecological mitigation, management and monitoring. Applicant subsequently provided revised information to address the concerns.

Lancashire County Council Landscape – Extensive comments provided with advice on type and nature of landscaping and establishment and management methods. Applicant subsequently provided revised information to address the concerns.

Sport England – No objection.

Assessment of application

The applicant has submitted a range of detailed drawings and documents to meet the requirements reserved by conditions. Following review by consultees and request for the submission of revised and additional information where considered necessary, the application for approval of details is considered acceptable.

Recommendation:

That the application for the approval of details reserved by conditions 3, 4, 5, 6, 8, 9, 10, 12 and 13 of permission LCC/2021/0002 be approved.

	<i>Cleared by</i>	<i>Date cleared</i>	<i>Date Forwarded</i>
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<i>Case Officer</i>	RH	4.11.22	
<i>Signed off by Director of Environment and Planning</i>	<i>A Mullaney</i>		<i>Date</i>