

Planning Committee Late Observations

11 January 2023

Application no.	Location	Proposal
21/1110	LAND AT GREAT BIRCHWOOD EQUESTRIAN CENTRE AND COUNTRY PARK, LYTHAM ROAD, BRYNING WITH WARTON, PRESTON, PR4 1TE	OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 30 DWELLINGS (USE CLASS C3) FOLLOWING DEMOLITION OF EXISTING STRUCTURES, REMOVAL OF EXISTING HARD SURFACES AND REMOVAL OF ALL OTHER BUILDINGS, TOGETHER WITH ASSOCIATED INFRASTRUCTURE FOR ROADS AND FOOTWAYS AND THE CONSTRUCTION OF NATURAL HABITAT AREAS AND FORMAL PLAY SPACE (ACCESS, LAYOUT AND SCALE APPLIED FOR WITH ALL OTHER MATTERS RESERVED)

Additional consultee comments:

Natural England:

The Local Planning Authority received Natural England's comments on the applicant's updated shadow Habitat Regulations Assessment (sHRA) on 06.01.23. These state as follows:

"Our advice is we are satisfied in principle with the evidence within the sHRA, as it demonstrates there will be no adverse effects on site integrity, subject to appropriate mitigation being secured. However the current version of the HRA does not meet the sequential tests of Habitats Regulations (i.e. Assessment of likely significant effects, followed by an Appropriate Assessment) and draw clear conclusions at each stage.

We advise in this instance the best approach would be for your authority to undertake an AA in this instance, which should be informed by the sHRA, and include all mitigation measures suggested, including the ones for noise/visual disturbance, water pollution and recreational disturbance which are included within the LSE Stage of the sHRA. If this where to happen and it was ensured the updated HRA met the sequential tests, Natural England would have no objection to this proposal, subject to the appropriate mitigation being secured.

We further advise that the sHRA and the AA you undertake should be combined, to ensure all the relevant detail is within one document, this enables the HRA to act as a standalone document to support your decision audit trail.

We look forward to receiving the updated HRA and will provide our formal comments on the application once this has been received."

Local Highway Authority:

The Local Planning Authority received the Local Highway Authority's updated comments on the revised scheme on 09.01.23. In summary, these state as follows:

- **Summary** – The application is an outline application for residential development specifying access from Lytham Road, the internal layout and the scale of the development (all other

matters reserved). The plans submitted show that the site would create up to 30 dwellings. The layout plan indicates that access will be solely from the existing site access onto Lytham Road, and this is the only access that will be considered. LCC Highways does not have any objections regarding the proposed outline application for a residential development of up to 30 dwellings and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

- **Traffic generation** – LCC Highways have previously considered the trip rates for up to 62 dwellings as part of our response dated 12 August 2022. As such LCC Highways do not have any objection to the newly proposed trip rates due to the reduction in the proposed number of dwellings.
- **Internal highway layout** – The internal highway layout as proposed in the amended plan "Proposed site layout" (Dwg No: 2110-KTA-ZZ-XX-DR-A-SK1003) would meet LCC Highways adoption requirements. It has not been indicated by the applicant whether the internal highway would be offered for adoption.
- **Site access** – The proposed site access is an existing priority junction from the A584 with some minor modifications, there is an existing dedicated right turn lane on the A584. Given the scale of development and the existing highway conditions a priority junction with a Ghost Island is appropriate for this junction. Due to the existing bus stop on the southern side of the A584 a pedestrian refuge would need to be provided. This would be to facilitate pedestrian movements across the A584 generated by the proposed development, this would also help to "protect" right turning vehicles. The proposed off site highway works as shown in Appendix D "Site Access and Tracking" of the submitted transport statement will need to be constructed via a S278 agreement. The associated off-site works will need to be constructed under a section 278 agreement of the 1980 Highways Act.
- **Sustainable transport** – Fronting the proposed development site is an existing unsegregated shared use footway. Just to the east of the existing site access is an existing bus stop with a bench but no shelter or quality bus stop kerbing. On the opposite side of the A584 to the west of the existing site access is another bus stop without any seating, shelter or quality bus stop kerbing. There is no clear crossing point to the bus stop on the opposite side of the A584. Also, no refuge is provided for pedestrians originating from the proposed development who may need to make the crossing in two phases due to the width of the A584 and its high-speed nature. There are several junctions on the northern shared use of the A584 to the west and east of the proposed development. None of these junctions have any tactile paving provision. This could make sustainable transport via walking or cycling unattractive to users generated by the proposed development.
- As promoting sustainable development is a requirement on all developments as set out by the National Planning Policy Framework (2021). It is required that the applicant funded or provided works to enhance the existing sustainable transport infrastructure to make sustainable transport attractive to users caused by the proposed development. The enhancements necessary are upgrades to the existing bus stops closest to the development, tactile paving provision across the junctions to the west and east of the site on the northern shared use of the A584 and an uncontrolled crossing with refuge island complete with tactile paving provision across the A584. The bus stops would need to be made Equality Act 2010 compliant via quality bus stop kerbs and would require an appropriate bus shelter for each bus stop. A suitable crossing location would be needed along with a pedestrian refuge in the middle of the carriageway, both the crossing point and pedestrian refuge would need pedestrian tactile provision. The junctions on the northern side of the A584 would need suitable tactile paving provision for shared use from the junction of Lodge Lane to the west and West End Lane to the east.
- **Construction traffic** – Given the nature of the A584 the proposed development will be needed regarding the planning and management of construction were the proposals to go ahead. Due

to the A584 being a high-speed road and being single lane, it would cause highway safety concerns if vehicles had to queue outside of the dedicated right turn lane to access the site. A Traffic Management Plan would need to be prepared that considers these points.

- **Conclusion** – Changes to the existing highway are proposed as part of the development to promote pedestrian access to the site and by improving existing public transport infrastructure. A Section 278 agreement will be required to carry out the works within the adopted highway. Provided these works are carried out LCC Highways can support this application.
- **Conditions** – Are recommended relating to: i) a scheme for the construction of the modified site access and the off-site works of highway improvement; ii) the construction specification of car parking and manoeuvring areas; and iii) the submission of a traffic management plan.

Officer response:

The updated response from the Local Highway Authority (LHA) largely repeats the comments made in their response of 12.08.22 in relation to the previous (up to 62 dwelling) scheme (as set out on p. 20-22 of the agenda papers). The LHA's latest response confirms that the changes to the internal highway layout proposed by the revised scheme are acceptable and reiterates their comments of 12.08.22 concerning the suitability of the proposed access arrangements and off-site highway works shown within the revised Transport Statement (which are unchanged) and raises no further issues with estimated trip rates in terms of network capacity. Moreover, no additional (or different) conditions are recommended in comparison to those in their response of 12.08.22. Accordingly, there are no changes to the recommendation or suggested conditions required as a result of the LHA's updated comments dated 09.01.23.

The latest comments from Natural England confirm that the updated sHRA is, in principle, sufficient to demonstrate that with mitigation in place there will be no adverse effects on the integrity of the Ribble and Alt Estuaries Ramsar/SPA/SSSI. However, the sHRA only includes recommendations as to what these mitigation measures should include and does not set this out in the format of an 'Appropriate Assessment'. Therefore, there remains a need to prepare an Appropriate Assessment to incorporate the mitigation measures identified in the sHRA in order to ensure this is robust, and for Natural England to approve this prior to its adoption by the Local Planning Authority as part of its decision. Accordingly, stipulation 2 of the resolution remains applicable and no modifications to the recommendation or suggested conditions are required as a result of the additional comments received from Natural England at this stage (though further modifications to conditions may be required following the completion of the Appropriate Assessment as provided for in stipulations 2 and 3 of the resolution).