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**From:** Schools Planning Enquiries  
**To:** DCON  
**Subject:** 19/00654/OUTMAJ - Land between Pear Tree Lane and School Lane  
**Date:** 19 July 2019 12:54:47  
**Attachments:** image001.tif  
Education\_Assessment\_1811\_July\_2019.docx

Good afternoon,

**RE: 19/00654/OUTMAJ - Land between Pear Tree Lane and School Lane**

*This consultation response seeks to draw the Council's attention to impacts associated with the above development and propose mitigation for these impacts through a developer contribution.*

*The education contribution described in the attached document is directly linked to the development and would be used in order to provide education places within a reasonable distance of the development for the children expected to live on the development. If the education contribution assessment identifies the need for a contribution to be provided Lancashire County Council is, in effect, objecting to the application. A developer contribution will, in most cases, overcome the objection. If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's request on its behalf, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable. Furthermore, if the planning application is approved without the required education contribution LCC would request that the local planning authority confirm how the shortfall of school places, resulting from the development, will be addressed. (Please see page 10 of the Education Contribution Methodology).*

*This response is based on the latest information available at the time of writing. Circumstances may change over time as other applications come forward. Consequently this response may require re-evaluation.*

**Please could you provide us with feedback in terms of the decision, any S106 agreement and if refused, any subsequent appeals to: [Schools.Planning@Lancashire.gov.uk](mailto:Schools.Planning@Lancashire.gov.uk)**

Many thanks

**School Planning Team**  
Lancashire County Council, County Hall, Preston, PR1 0LD  
[Schools.Planning@Lancashire.gov.uk](mailto:Schools.Planning@Lancashire.gov.uk)  
[www.lancashire.gov.uk/schools](http://www.lancashire.gov.uk/schools)



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### Education Assessment 18<sup>th</sup> July 2019

Lancashire County Council is responsible for the provision of school places across the 12 county districts. The county has been facing significant increases in the birth rate at the same time as capital funding from the Department for Education has been significantly reduced.

In accordance with Lancashire County Council's 'School Place Provision Strategy', the following will apply:

Where the growth in pupil numbers is directly linked to housing development and existing school places are not sufficient to accommodate the potential additional pupils that the development may yield, Lancashire County Council would seek to secure developer contributions towards additional school places. Only by securing such contributions (which, depending upon the scale of development, may also include a contribution of a school site), can Lancashire County Council mitigate against the impact upon the education infrastructure which the development may have.

This assessment shows the level of impact relevant to the following development:

#### **Land between Pear Tree Lane and School Lane**

##### **Pupil Yield**

Through a detailed research project carried out during 2012 LCC have established a pupil yield to be applied for the bedroom mix within a development.

Using the Rightmove database (based on Land Registry information), a cross matching exercise was undertaken to match the first occupation of a house with the relevant School Census. The research enabled LCC to ascertain the likely impact of a dwelling with 1, 2, 3, 4, or 5+ bedrooms in terms of the child yield. This enabled LCC to project the pupil yield of new houses, based on the number of bedrooms per dwelling.

LCC will seek to apply these pupil yields to our assessment, however, if bedroom information has not been provided by the developer LCC will apply the 4 bedroom yield, to provide a medium to worst case scenario. Once bedroom information is available the impact of this development will be reassessed using the yield information provided in the 'Development details' section below.



## Education Contribution Assessment

Land between Pear Tree Lane and School Lane - 19/00654/OUTMAJ

*Chorley Borough Council*

18<sup>th</sup> July 2019

### Local primary schools within 2 miles of development

When assessing the need for an education contribution from this development Lancashire County Council considers primary school provision within a 2 mile radius of the proposed site. Details of the schools relevant to this site are provided below:

School Name	Latest Number on Roll *	Future Planned Net Capacity (Jan 2024) **	Projected Pupils by Jan 2024 ***
Euxton St Mary's Catholic Primary School	209	210	244
Euxton Church Of England Voluntary Aided Primary School	210	210	239
Euxton Primrose Hill Primary School	337	420	460
Balshaw Lane Community Primary School	301	420	428
Trinity Ce/Methodist Primary School	553	630	667
Buckshaw Primary School	212	210	215
St Mary's Catholic Primary School Chorley	211	210	213
Chorley The Parish Of St Laurence Church Of England Primary School	209	210	226
Lancaster Lane Community Primary School	206	210	217
Leyland Methodist Infant School & Leyland Methodist Junior School	489	453	485
Whittle-Le-Woods Church Of England Primary School	244	245	259
Gillibrand Primary School	210	210	219
St Joseph's Catholic Primary School Chorley	210	210	220
Leyland St Andrew's Church Of England Infant School & Woodlea Junior School	402	427	382
<b>Total</b>	<b>4003</b>	<b>4275</b>	<b>4474</b>

\* Latest Number on Roll (NOR) reflects the most up-to-date pupil numbers at the school. Assessments between 1<sup>st</sup> December and 3<sup>rd</sup> March will use October NOR, assessments between 1<sup>st</sup> April and 3<sup>rd</sup> July will use January NOR and assessments between 1<sup>st</sup> August and 30<sup>th</sup> November will use May NOR.

\*\* The net capacity figure is agreed via consultation with the schools, during September each year. The future net capacity includes any agreed capacity changes, which LCC have been informed about.

\*\*\* Based on the latest projections at the time of the assessment. Please note that the figures provided are based upon current circumstances and this position is subject to change in response to a number of factors that can affect parental preference. The figures take into account the latest available birth information, evidence of migration and also the projected pupil place demand in 5 years.

Projected places in 5 years: -199

Additional information which may provide context to the figures above has been included in the table below. This table provides year by year pupil projections for the schools affected by the development.

JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024
4088	4148	4205	4195	4212

The figures above show the forecast number on roll before housing and migration is applied. Using the appropriate district's 5 year Housing Land Supply documents (or equivalent) and migration figures in 5 years' time we forecast there will be **4474** pupils in these schools.

**Development details**

Number of bedrooms	Yield applied per dwelling	Number of dwellings	Primary yield for this development
1	0.01		
2	0.07		
3	0.16		
4	0.38	180	68.4
5	0.44		
<b>Totals</b>		<b>180</b>	<b>(68.4) 68 Places</b>

**Education requirement**

Latest projections for the local primary schools show there to be a shortfall of 199 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document (or equivalent), which already have planning permission.

With an expected yield of 68 places from this development the shortfall would increase to 267.

Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield of **this development**, i.e. 68 places.

**Local Secondary schools within 3 miles of the development**

When assessing the need for an education contribution from this development Lancashire County Council considers secondary school provision within a 3 mile radius of the proposed site. Details of the schools relevant to this site are provided below:

School Name	Latest Number on Roll *	Future Planned Net Capacity (Jan 2024) **	Projected Pupils by Jan 2024 ***
Parklands High School	1090	1116	1249
St Michael's Ce Academy	1129	1129	1275
Balshaw's Church Of England High School	919	925	983
St Mary's Catholic High School Leyland	644	849	736
Southlands High School	829	1168	955
Wellfield High School	317	830	349
Academy@Worden	512	590	575
Albany Academy	686	756	807
Holy Cross Catholic High School	869	975	1052
<b>Total</b>	<b>6995</b>	<b>8338</b>	<b>7981</b>

\* Latest Number on Roll (NOR) reflects the most up-to-date pupil numbers at the school. Assessments between 1<sup>st</sup> December and 31<sup>st</sup> March will use October NOR, assessments between 1<sup>st</sup> April and 31<sup>st</sup> July will use January NOR and assessments between 1<sup>st</sup> August and 30<sup>th</sup> November will use May NOR.

\*\* The net capacity figure is agreed via consultation with the schools, during September each year. The future net capacity includes any agreed capacity changes, which LCC have been informed about.

\*\*\* Based on the latest projections at the time of the assessment. Please note that the figures provided are based upon current circumstances and this position is subject to change in response to a number of factors that can affect parental preference. The figures take into account the latest available birth information, evidence of migration and planned housing development, to provide a 5 year projection.

Projected places in 5 years: 357

Additional information which may provide context to the figures above has been included in the table below. This table provides year by year pupil projections for the schools affected by the development.

JAN 2020	JAN 2021	JAN 2022	JAN 2023	JAN 2024
7251	7390	7521	7681	7793

The figures above show the forecast number on roll before housing and migration is applied. Using the appropriate districts 5 year Housing Land Supply documents (or

equivalent) and migration figures in 5 years' time we forecast there will be **7981** pupils in these schools.

#### Development details

Number of bedrooms	Yield applied per dwelling	Number of dwellings	Secondary yield for this development
1	0.00		
2	0.03		
3	0.09		
4	0.15	180	27
5	0.23		
<b>Totals</b>		<b>180</b>	<b>(27.0) 27 Places</b>

#### Education Requirement

The calculation below details the effect on pupil places,

8338	Net Cap
- 7981	Forecast
<u>357</u>	Projected places available in 5 years
- 23	Yield from approved applications
<u>334</u>	Places available in 5 years
- 27	Yield from this development
<u>307</u>	Places available in 5 years
- 188	Yield from pending applications
<u>119</u>	Places available in 5 years

Latest projections for the local secondary schools show there to be 357 places available in 5 years' time, with additional planning approvals expected to generate a demand for a further 23 school places. There are also pending applications expected to generate demand for a further 188 school places. With an expected pupil yield of 27 pupils from this development, we would not be seeking a contribution from the developer in respect of secondary places.

#### Summary and Final Calculations

The latest information available at this time was based upon the 2019 School Census and resulting projections.

Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 68 primary school places. However LCC will not be seeking a contribution for secondary school places.

Calculated at the current rates, this would result in a claim of:

Primary places:

$$(\pounds 12,257 \times 0.97) \times \text{BCIS All-in Tender Price (324 / 240)} (\text{Q1-2019/Q4-2008}) \\ = \pounds 16,050.54 \text{ per place} \\ \pounds 16,050.54 \times 68 \text{ places} = \pounds 1,091,436.72$$

*This assessment represents the current position on 18<sup>th</sup> July 2019. LCC reserve the right to reassess the education requirements taking into account the latest information available.*

#### Named Infrastructure Project

A specific infrastructure project where the secured education contribution will be spent to deliver additional school places will be provided at the point at which the application is considered for decision. The local planning authority will need to notify the School Planning Team that a school infrastructure project needs to be determined.

#### Please Note

- LCC have assessed the viability of this development by assuming the 180 dwellings are all 4 bedroom houses. Should this not be the case a reassessment will be required once accurate bedroom information becomes available. This could result in a reduced pupil yield dependant on dwelling size.
- The cost per place used in this assessment is in line with the Education Methodology at the point of assessment. However, the cost per place to be used within the s106 agreement, if this is the district's chosen method of mitigation of the development impact on school places, will be that within the Education Methodology at the point of sealing.

**Further Information**

If the education contribution assessment identifies the need for a contribution to be provided Lancashire County Council is, in effect, objecting to the application. A developer contribution will, in most cases, overcome the objection. If a developer does not agree to payment of the requested education contribution or the local planning authority does not pursue Lancashire County Council's request on its behalf, Lancashire County Council cannot guarantee that children yielded by the development will be able to access a school place within reasonable distance from their home, so the development could be considered to be unsustainable. Furthermore, if the planning application is approved without the required education contribution LCC would request that the local planning authority confirm how the shortfall of school places, resulting from the development, will be addressed. (Please see page 10 of the Education Contribution Methodology).

If you require any further information about the assessment process (including the current rates), in the first instance, please refer to LCC's Planning Obligations Education Methodology and supporting information at: <http://www.lancashire.gov.uk/council/planning/planning-obligations-for-developers.aspx>

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OFFICIAL



Chorley Borough Council  
 Planning Department  
 Civic Offices  
 Union  
 Chorley  
 PR7 1AL

*Please ask for:* Sean Carlisle  
*Telephone:* 01772 556506  
*Email:* SeanCarlisle@lancashirefireandrescue.org.uk  
*Your Ref:*  
*Our Ref:*  
*Date:* 22 July 2019

Dear Sirs

**PROPOSED PLANNING APPLICATION CONSULTATION**

**Application No:** 19/00654/OUTMAJ  
**Proposal:** Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access.  
**Site Address:** Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton

The proposed Planning Application has been noted and the Fire Authority gives its advice in respect of access for fire appliances and water supplies for firefighting purposes to the site.

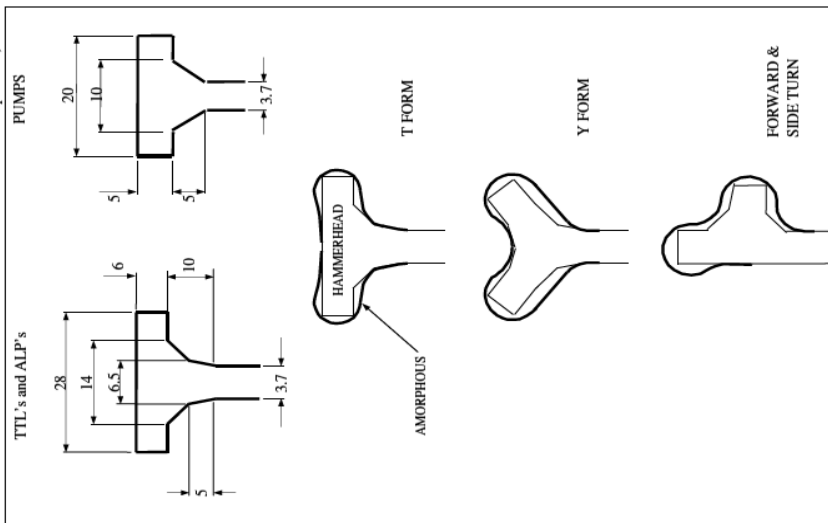
**ACCESS - DOCUMENT B, PART B5**

It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5 'Access and facilities for the Fire Service'.  
 If Document B, Part B5 cannot be fully complied with then, in certain circumstances, the installation of a residential sprinkler system may be used as a compensatory feature, but professional advice should be sought in such cases.

**LANCASHIRE FIRE AND RESCUE SERVICE  
 SAFETY SERVICES DEPARTMENT**

**NOTE FOR GUIDANCE N° 14  
 TURNING FACILITIES FOR FIRE SERVICE VEHICLES**

The following diagrams show typical turning heads in accordance with table 21, note 1 and paragraph 17.11 of Building Regulations approved document B, part B5 (as amended by Lancashire Fire and Rescue Service to accommodate for the aerial ladder platform).



**EXTRACT FROM BUILDING REGULATIONS APPROVED DOCUMENT B**  
(as amended by Lancashire Fire and Rescue Service to accommodate for the aerial ladder platform)

**Table 21 - Typical vehicle access route specification**

Appliance Type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum currying capacity (tonnes)
Pump	3.7	3.7	16.8	19.2	3.7	12.5
High Reach	3.7	3.7	29.0	29.0	4.0	26

**Notes:**

1. Fire appliances are not standardised. Some fire services have appliances of greater weight or different size. In consultation with the Fire Authority, Building Control Authorities and Approved Inspectors may adopt other dimensions in such circumstances.
2. Because the weight of high reach appliances is distributed over a number of axles, it is considered that their infrequent use of a carriageway or route designed to 12.5 tonnes should not cause damage. It would therefore be reasonable to design the roadbase to 12.5 tonnes, although structures such as bridges should have the full 26 tonnes capacity.

The Local Authority Building Control / Approved Inspector and Fire Service should be consulted at the earliest opportunity where more specific advice can be offered.

If you would like to discuss this or any other matter of fire safety, please call me on 01772556506/07920291872

Yours sincerely

*Sean Carlisle*

Fire Safety Inspector  
for Chief Fire Officer

**B5 WATER PROVISION**

It should be ensured that the proposal is provided with suitable provision of Fire Fighting water. Any provisions should comply with National Guidance, details of which can be found: <http://www.water.org.uk/publications/water-industry-guidance/%E2%80%A8national-guidance-document-provision-water-fire-fighting-3rd>

**Guidelines on flow requirements for firefighting (taken from the National Guidance document on the provision of water for firefighting):**

Type of building	Minimum main size (mm)	Minimum flow (litres per min)	Ideal flow (litres per min)	Maximum distances between hydrants (m)
Semi-detached house	90	480	1200	150
Detached house	90	480	1200	150
Mult occupied house	100	1200	2100	150
Transportation	100	1500	2100	90
Industry – Up to 2.5 Acres	150	2100	4500	70
Industry - 2.5 Acres to 5 Acres	150	3000	4500	70
Industry – Over 5 Acres	150	4500	4500	70
Shops/Offices/Recreation/Tourism	150	1200	4500	70
Village Halls	100	900	1200	100
Primary Schools	100	1200	2100	100
Secondary School/College	150	2100	4500	70
Hospitals	150	2100	4500	70

Lancashire Fire and Rescue Service  
Preston Fire Station  
Blackpool Road  
Preston  
PR1 6US

**From:** Hines, Rachel  
**To:** DCON  
**Subject:** RE: 19/00654/OUTMAJ Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton  
**Date:** 29 July 2019 13:48:13

Dear Planning Officer

**Proposal:** Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access  
**Location:** Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton  
**Reference:** 19/00654/OUTMAJ

Thank you for providing Lancashire Constabulary with the opportunity to comment on this Outline planning application consultation for 180 dwellings.

In order to keep people safe and feeling safe, it is recommended that the applicant develops these 180 new dwellings to achieve Secured by Design accreditation. Details regarding the Secured by Design New Homes 2019 scheme can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

In order to comply with the requirements of Building Regulation ADQ, doors and windows must be certified to a recognised security standard such as PAS 24/2016 or LPS 1175. By developing the scheme as a Secured by Design New Homes 2019 Silver award, the requirements of ADQ will be met as well as further security measures for the residents.

Should the applicant require further security advice please signpost them to the Lancashire Constabulary Designing Out Crime Officers at [ALO@lancashire.pnn.police.uk](mailto:ALO@lancashire.pnn.police.uk)

Many thanks  
Rachel Hines  
Designing Out Crime Officer  
Lancashire Constabulary

**From:** dcon@chorley.gov.uk <dcon@chorley.gov.uk>  
**Sent:** 18 July 2019 11:24  
**To:** Architectural Liaison Officers <ArchitecturalLiaisonOfficers@lancashire.pnn.police.uk>  
**Subject:** 19/00654/OUTMAJ - Consultation from Chorley Council - Lancashire Constabulary Architectural Liaison

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United Utilities Water Limited  
Developer Services & Metering  
2<sup>nd</sup> Floor, Garsmere House  
Lingley Mere Business Park  
Lingley Green Avenue  
Warrington  
WA5 3LP

Planning.liaison@uuplc.co.uk

Chorley BC  
Civic Offices Union Street  
Chorley  
PR7 1AL

Your ref: 19/00654/OUTMAJ  
Our ref: DC/19/3041  
Date: 02-AUG-19

*The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.*

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*

**Condition 2 – Foul water**

**Foul and surface water shall be drained on separate systems.**

**Reason: To secure proper drainage and to manage the risk of flooding and pollution.**

The applicant can discuss any of the above with Developer Engineer, **Graham Perry**, by email at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk).

Please note, United Utilities are not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

#### **Management and Maintenance of Sustainable Drainage Systems**

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

For schemes of 10 or more units and other major development, we recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Dear Sir/Madam,

**Location: Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton**  
**Proposal: Outline planning application for the erection of up to 180 dwellings including 30% affordable housing**

With regards to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments.

#### **Drainage**

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

We request the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above:

#### **Condition 1 – Surface water**

**No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:**

- (i) **An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;**
- (ii) **A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and**
- (iii) **A timetable for its implementation.**

**The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

*Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:*

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and*
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

*The development shall subsequently be completed, maintained and managed in accordance with the approved plan.*

*Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.*

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

**Water Supply**

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk).

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

**United Utilities' Property, Assets and Infrastructure**

**It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. We recommend the developer contacts United Utilities for advice on identifying the exact location of the water main.**

**Our water mains may need extending to serve any development on this site and the applicant may be required to pay a contribution.**

**Our standard conditions document includes details of trees and shrubbery suitable for planting in the vicinity of a water main. The applicant should consult this document to ensure their landscaping proposals meet with the advice provided in the document.**

**We also recommend the use of root barriers to afford additional protection to the water main.**

Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – [DeveloperServicesWater@uuplc.co.uk](mailto:DeveloperServicesWater@uuplc.co.uk)  
Wastewater assets – [WastewaterDeveloperServices@uuplc.co.uk](mailto:WastewaterDeveloperServices@uuplc.co.uk)

**It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.**

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring [0370 751 0101](tel:03707510101) to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Yours faithfully

Emma Hitchmough  
United Utilities  
Developer Services and Metering

# Standard Conditions for Works Adjacent to Pipelines

Document Ref. 90048

Issue 3.1 July 2015

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## AMENDMENT SUMMARY

Amendment No. Date	Brief Description and Amending Action	Owner	Verifier
3.1 July 2015	'Easement Area' defined and legal clarifications made.	Neil Sixsmith	Jim Tresnan
3.0 March 2015	Full review and update	Neil Sixsmith	Jim Tresnan
2.0 May 2014	Full review and update. Appendix 1 incorporated to provide guidance on tree roots and planting. Improvements to document around vibration monitoring and discolouration	Peter Tucker	Nick Preston
1.2 October 2007	Alterations into Distribution Manual	Richard Duckett	
1.1 August 2007	Alteration to Guideline number 12	Paul Gough	Tony Conway
1 July 2003	First issue in standard format	Phil Hayden / Ian Skilling	Peter Womersley

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**HISTORY OF THE DOCUMENT**

The following table details the task team involved in the full review of the Standard Conditions:

Date and Issue Number	Task Team members
3.0 March 2015	Peter Tucker – UU Engineering Nick Preston – UU Engineering Jim Tresnan – UU Engineering Neil Sixsmith – UU Water Services (Network) Owen Newton - UU Engineering Mike Taylor – UU Water Services (Network)

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**1. SCOPE**

This document sets out United Utilities Ltd (UU) standard conditions for work carried out over, under or adjacent to a UU Pipeline which can include multiple UU Pipelines laid adjacent to each other.

It is UU company policy not to allow any building over UU Pipelines or water mains. Any such building /structure would compromise UU's obligation to maintain a constant water supply and, in particular, would obstruct UU's ability to respond in the event of a failure of the Pipeline. Building over mains also has potential risks to the health and safety of anyone who might be affected by a failure, including the occupants of the building.

**2. DEFINITIONS**

<b>Term</b>	<b>Definition</b>
<b>Pipeline</b>	Means any aqueduct, trunk main, water distribution main, multiple pipes laid adjacent to each other or non-potable main vested in UU as water undertaker.
<b>Easement Area</b>	Means the easement specified in any relevant document, e.g. conveyance, transfer or deed of grant with such widths as specified therein.

**Easement Width**

Means the Easement Width for any Pipeline laid under statutory powers. For large diameter Pipelines, unless otherwise specified, the Easement Width shall extend 5 metres to each side of the Pipeline from its centreline (10 metres total width).

For small single Pipelines of up to and including 300mm diameter, unless otherwise specified, the Easement Width shall extend 3 metres to each side of the Pipeline from its centreline (6 metres total width)

Contact UU for specific Easement Width limits and conditions.

**Street**

The whole or part of any highway, any road, lane, footway, alley or passage, square or court, whether or not a thoroughfare. A Street can therefore be a footpath, cycle track, bridleway or full vehicular highway. Where a Street passes over a bridge or through a tunnel these are included as part of the Street.

**PPV**

Peak Particle Velocity

**Shall or Must**

Mandatory requirements are adopted through the use of 'shall' or 'must' or are otherwise specifically stated. The document also contains information and guidance that is not mandatory but is provided for consideration.

**Stopping up Order** An order authorising the stopping up (removal of public rights of way) of any highway, if the Secretary of State is satisfied to do so, to allow development to be carried out in accordance to a valid and relevant planning permission granted under the Town and Country Planning Act 2008 as amended or re-enacted from time to time.

**Promoter**

Any utility company, self-lay organisation, developer, Highway Authority, Local Authority or any other organisation wishing to work adjacent to or cross over or under a UU Pipeline.

**3. GUIDELINES**

**3.1. General Guidelines**

The Standard Conditions are issued for the guidance of Promoters and others to reduce the risk of damage to the Pipeline and the consequent liability for such damage. They do not replace or alter any powers or rights exercisable by, or protection afforded to UU by virtue of: -

- a) Its ownership of the Pipeline or any rights or privileges in relation thereto;
- b) Any conveyance, lease, deed or grant, easement (see Figure 1 Easement Widths), licence, wayleave or other legal document relating to the Pipeline;
- c) Any statutory provision (including any provision in subordinate legislation) including but not limited to: -
  - i. The Water Industry Act 1991 as amended or re-enacted from time to time, will also apply.
  - ii. Any local statutory provision relating to a Pipeline and to any work of any other body or person which regulate, either generally or in relation to any specific crossing or work, the relations between UU and such other body or person, including any agreement or other document referred to in or incorporated with any such statutory provision.

In the event of any inconsistency between the provisions of these Standard Conditions and those of any document or statutory provision mentioned above, the latter shall prevail unless capable of variation by agreement and the substitution of the relevant provisions of these Standard Conditions is expressly agreed.

**3.1.2.** The Standard Conditions apply to all Pipeline(s). In the case of Pipeline(s) located in streets, the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, as amended or re-enacted from time to time, will also apply.

**3.1.3.** No work of any description shall take place on or within the Easement Area or Easement Width before full agreement has been reached with UU regarding the manner in which the work shall be carried out and consent to the same has been given in writing. At least 28 days' notice shall be given of any intention to carry out works in the Easement Area or Easement Width.

**3.1.4.** No vehicle, plant or machinery is to stand, operate or travel within the Easement Area or Easement Width of the Pipeline except as agreed by United Utilities.

**3.1.5.** UU reserves the right to supervise any work carried out on or within the Easement Area or Easement Width and to recover the costs incurred.

**3.1.6.** No buildings / structures of any description shall be erected within the Easement Area or the Easement Width.

**3.1.7.** No service shall cross the Pipeline at less than 1 metre in front of a socket face or at less than 300mm behind it. (See Figure 2)

**3.1.8.** No materials including spoil shall be placed on or stored within the Easement Area or Easement Width.

**3.1.9.** Access to and along the Easement Area or Easement Width shall be kept clear and unrestricted at all times. See Section 7, 'Easement Infringements'.



3.1.10. Sanitary arrangements approved by UU shall be provided for persons working on or within the Easement Area or Easement Width. Precautions shall be taken to avoid spillage of fuels, oils, paints, solvents or any other substance, which may damage the Pipeline or its protection.

3.1.11. Where construction of a new structure / building is proposed within 1m of the edge of the Easement Area or Easement Width, its foundations shall be designed to ensure that load from the structure / building is not transferred onto the Pipeline. The design shall also ensure that UU has full access to the lowest point of the bedding of the Pipeline for maintenance or construction purposes

3.1.12. No alteration to the existing ground levels or surface use of the Easement Area or Easement Width shall be made without prior written consent from UU. At least 28 days notice shall also be given of any proposal to alter ground levels or the surface of land adjoining the Easement Area or Easement Width. This includes increasing the ground level above the Pipeline by placing material to form a landscaping bund or road (or other) embankment, as this has the potential to cause settlement to the Pipeline that could damage it.

3.1.13. Persons or their Promoters working on or within the Easement Area or Easement Width shall be required to indemnify UU for the full cost of any damage caused to its Pipelines and for any costs, charges and expenses resulting from these operations.

3.1.14. In an emergency, contact shall be made immediately using the following telephone number:

The UU Response Manager is available on-  
**07713887302 and this number shall be used for EMERGENCIES ONLY**  
 e.g. if the UU Pipeline is damaged / burst the UU response Manager must be contacted immediately.

Please supply the UU Response Manager with the following information:

Who you are (name and company)?

What is your contact number?

Exactly where you are (in order to quickly identify which main is damaged and potential risks to UU)?

What is the damage?

Is it causing flooding?

Is flood water entering a watercourse?

#### 4 ISSUES AFFECTING A PIPELINE DURING CONSTRUCTION ACTIVITIES

##### 4.1. Temporary Access

4.1.1. Movement of vehicles and plant with a total weight exceeding 6 tonnes across the unprotected Pipeline is forbidden. The repetitive movement of vehicles or plant of any weight over the unprotected Pipeline in the same position is forbidden. Where temporary or permanent access is required, the Promoter must consult with UU prior to gaining access.

4.1.2. Each proposed temporary crossing point of a Pipeline shall be considered on an individual basis. The Promoter shall submit the design of the proposed crossing point

to UU for acceptance. Work to construct the temporary crossing point shall not commence without prior written consent from UU.

4.1.3. The Promoter shall design any temporary crossing point such that the load from any vehicle or any item of construction plant that will use the crossing point creates a suitably factored bearing pressure of not more than 8.5kN/m<sup>2</sup> at the crown of the UU Pipeline. (N.B. This load is approximately equivalent to the loading on a Pipeline with 900mm of cover when a 6 tonne excavator crosses above it.) In order to achieve this, the Promoter may use substantial timber baulks, reinforced concrete slabs or proprietary ground protection systems (e.g. Eve Trakway). Where it is not possible to distribute the surcharge load from the plant to less than 8.5kN/m<sup>2</sup> at the crown of the Pipeline, then the design of the temporary crossing point shall consist of a suspended crossing which bridges over the Pipeline.

4.1.4. Temporary crossing points shall only be used to allow vehicles and plant to traverse across a Pipeline. Temporary crossing points are not to be used as working platforms for construction plant. Plant shall not be allowed to operate above a UU Pipeline unless specific written consent is given by UU. Any request by a Promoter for them to site working plant above a UU Pipeline must demonstrate that the platform which their plant is to be sited on has been designed as a working platform and will ensure that the maximum surcharge load from that plant is distributed to less than 8.5kN/m<sup>2</sup> at the crown of the Pipeline, or bridges over the Pipeline.

4.1.5. All parts of a temporary crossing point must be removed when the work is complete, unless written consent is obtained from UU for the crossing to be left in place. The design and construction of the temporary crossing point shall be such that it permits for its removal (and the reinstatement of the ground beneath it) without exposing the Pipeline to undue loading, vibration or risk.

##### 4.2. Temporary Fencing

4.2.1. Fencing shall be erected by the Promoter when they are working in and around the Easement Area or the Easement Width to demarcate its location, to regulate vehicle movements and to confine the crossing of the Pipeline only to approved crossing points. The fencing shall be of substantial construction. It shall be adequately maintained at all times to the satisfaction of United Utilities.

##### 4.3. Excavations within an Easement Area or Easement Width

4.3.1. Prior to general excavation, trial holes shall be dug by hand to determine the precise location of the Pipeline. UU reserves the right to carry out such excavations. The cost of all such excavations shall be borne by the Promoter.

4.3.2. Excavations shall be fully supported and shall be backfilled to the satisfaction of UU. All work shall be carried out during normal working hours, which shall have been previously agreed with UU. UU reserves the right to stop all work on or within the Easement Area or Easement Width which, in the opinion of its officers, places the Pipeline at risk. As a consequence of such action, UU shall not accept any claims for financial loss.

4.3.3. All excavations within the Easement Area or Easement Width shall be carried out by hand or may be carried out by mechanical excavator if under the supervision of UU personnel. Excavation within 1 metre of the Pipeline(s) must be carried out by hand and great care must be exercised to ensure that any protective wrapping is not damaged.

4.3.4. If a thrust block is discovered within any excavation adjacent to a Pipeline(s), then work shall be stopped and the excavation backfilled as soon as possible.

#### 4.4. Ground Vibration

4.4.1. No blasting shall be carried out within 300 metres of the Pipeline(s) without prior written consent from UU, unless it can be demonstrated that ground vibration from such activities shall not exceed a peak particle velocity (PPV) of 5mm/s in any plane at the closest point of the Pipeline(s) to the blast.

4.4.2. Demolition, piling, tunneling or any other construction technique which induces significant vibration (not exceeding a peak particle velocity of 5mm/s) shall be permitted up to 10 metres away from the Pipeline(s). Permission will be granted by UU provided that the Promoter has accurately established the position of the Pipeline(s) and this has been verified by UU and a written statement of the precautions to be taken to ensure the safety of the Pipeline(s) has been submitted by the Promoter and received and consented to by UU prior to works being undertaken.

4.4.3. Should demolition, piling, tunneling or any other construction technique which induces significant vibration be proposed within 3.5 - 10 metres of the Pipeline(s) this shall be subject to seismic monitoring in order to prevent damage to the Pipeline(s). The Promoter shall accurately establish the position of the Pipeline(s). Seismograph readings shall be taken by the Promoter's specialist organisation on the line of the Pipeline at locations to be agreed with UU. Vibration monitoring shall be done under the supervision of a specialist organisation which has significant experience of similar monitoring work. The identity of the specialist organisation shall be proposed by the Promoter and approved by UU. This approval should not be unreasonably withheld or delayed. The cost of the seismic monitoring shall be borne by the Promoter. Vibration shall be measured in terms of peak particle velocity (PPV) and the Promoter shall employ suitable methods of construction in carrying out its works such that the PPV does not exceed 5mm/s. If the measured PPV does exceed 5mm/s then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works. A written statement of the precautions to be taken to ensure the safety of the Pipeline(s) shall be submitted by the Promoter and received and approved by UU prior to works being undertaken.

4.4.4. If UU identify that there is a risk of discolouration of the potable water supply the Promoter shall not excavate within 1m of the Pipeline(s) in any plane. Given the fact that there shall be significant excavation by hand, it may be more economical for the Promoter to consider directional drilling or another form of trenchless technique. UU would prefer this as an alternative construction technique.

4.4.5. Where practical, and when requested by UU due to the risk of discolouration, downstream turbidity monitoring should be undertaken for potable water Pipelines irrespective of Pipeline diameter. If UU reports to the Promoter that the turbidity levels measured in the main are very close to or exceeding the regulatory standards then work shall cease immediately and a review of the monitoring data shall be undertaken between the Promoter and UU Engineering staff. If necessary UU shall notify the Promoter of any reasonable mitigation measures to protect the Pipeline(s) that it requires the Promoter to carry out. The Promoter shall comply with these reasonable mitigation measures in carrying out its works.

## 5 ISSUES PERMANENTLY AFFECTING A PIPELINE OR EASEMENT

### 5.1. Permanent Access

5.1.1. Any proposed crossing of the Pipeline shall be considered on an individual basis. Any permanent access crossing the Easement Area or Easement Width shall be designed

and constructed by the Promoter to prevent any damage to the Pipeline. This may typically consist of mass concrete filled trenches constructed on either side of the Pipeline(s) with reinforced concrete slabs spanning between them. The Promoter shall submit the design of the proposed crossing point to UU for acceptance. Work to construct the permanent crossing point shall not commence without prior express written consent from UU.

### 5.2. Permanent Fences and Boundaries

5.2.1. Fences or other boundaries structures crossing the Easement Area or Easement Width shall be as near as possible perpendicular to the line of Pipeline and in no case shall be made at an angle of less than 45 degrees. Proposals for any new fences or other boundary structures shall be submitted to UU for approval. Where necessary a lockable gate shall be provided for UU for their sole use.

### 5.3. Installation of New Services within the Easement

5.3.1. Any pipes, drains, electricity cables or sewers crossing unmade ground over or under the Pipeline shall be laid in steel conduit or ductile iron pipe ideally unjointed (or similar UU approved material) and adequately supported so as to be self-supporting over any subsequent excavation which may have to be carried out i.e. they should extend well into the undisturbed ground at each side of the Pipeline trench and shall cross as near as possible to 90 degrees to the Pipeline.

5.3.2. In no case shall any crossing be made at an angle of less than 45 degrees.

5.3.3. Provided that ground conditions are suitable, pipes crossing below the Pipeline shall be constructed by an approved tunneling method, and agreed by UU. The Promoter shall demonstrate that the predicted - and actual - ground settlement at the level of the invert of the Pipeline as a result of their pipes crossing below the Pipeline is not more than 20mm.

5.3.4. For UU Pipelines up to and including 300mm diameter, any pipes drains, electricity cables or sewers laid adjacent to the Pipeline must have a minimum clearance of 300mm from it. For UU potable water Pipelines over 300mm diameter (or for smaller diameter Pipelines where UU network operations have highlighted a risk of discolouration), there shall be a clearance between the pipes, drains, electricity cables or sewers and the Pipeline that is greater than or equal to the diameter of the Pipeline (ideally at least 1m clearance if possible to reduce the risk of discolouration). These clearances shall apply to crossings above or below the Pipeline, and include pipes, drains, electricity cables or sewers laid adjacent to the Pipeline.

5.3.5. The Promoter shall exercise suitable care when selecting and placing backfill material for any excavation dug within the Pipeline Easement to ensure that it is adequately compacted, provides sufficient support to the Pipeline and will not cause damage to the Pipeline. Reference should be made to the current version of 'Civil Engineering Specification for the Water Industry (CESWI).

### 5.4. Cathodic Protection of Pipelines

5.4.1. Where cathodic protection is proposed for the Promoter's works, or where it exists in connection with UU's Pipeline, the Promoter shall take all necessary steps to ensure that the integrity of the system is maintained during the construction of the works. Where cathodic protection exists on UU's Pipeline, or is to be installed by the Promoter on his apparatus, interference tests shall be carried out on completion of the works at the Promoter's expense. Where such tests indicate that UU's Pipeline may be at risk, then the Promoter, at his own expense, must install suitable remedial measures, to be agreed by UU. UU must be consulted in the case of installation of electric tramways over Pipelines.

**5.5 Mains Adjacent to Buildings in Streets**

5.5.1 Water mains may be laid in a Street or an Easement Area. Sometimes this is immediately adjacent to a building. In the case of an Easement Area, new buildings and their foundations may not be built within 2.5m of an existing water main (5m for mains > 300mm). This is to facilitate repair and maintenance.

**5.6. New Roads, Communal Parking and Driveways**

No alteration to the surface use of the Easement Area or Easement Width for the purpose of constructing a road, communal parking or private driveways (except for vehicular crossings at >45degrees) shall be made without prior written consent being obtained from UU.

**6 PLANTING NEAR TO PIPELINES**

6.1 Written consent must be obtained from UU before any tree or shrub planting is carried out. Any consent is subject to UU retaining the right to remove, at any time, all trees or shrubs that in its opinion becomes a danger or nuisance to the pipeline or asset.

6.2 Selection and planting of tree species should be in accordance with BS8545:2014 Trees: from nursery to independence in the landscape. Recommendation.

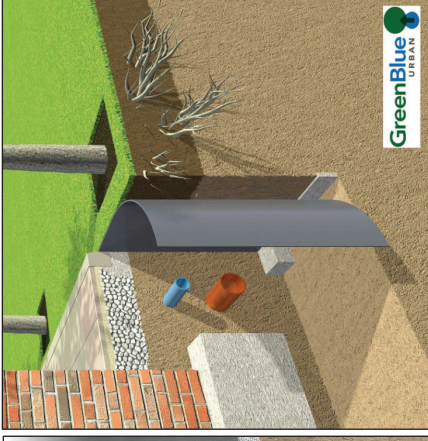
6.3 Planting of shallow rooted hedge plants, domestic soft fruiting bushes and ornamental shrubs shall be permitted however these shall not be permitted to develop as shrub trees and shall be maintained by the Promoter / Owner to a maximum height of 1.5m.

6.4 There shall be strictly no planting of Populus ssp. or Salix ssp. within 10 metres of a Pipeline.

6.5 Restrictions apply to all Easement Areas and Easement Widths see Appendix 1 for details. This includes a non-exhaustive list of trees and recommended planting distances.



6.6 United Utilities will consider the provision of specific tree root barriers where there is a need to establish trees closer to Pipeline(s) than would normally be acceptable best practice. Vertical or horizontal barriers can be effective and acceptable so long as they are professionally specified and installed following manufacturer's instructions and a suitable distance from the tree trunk to ensure tree stability at maturity. See the figures below for typical examples of these methods. These barriers shall be 1 – 2mm thick semi rigid type and be fitted by either a specialist installer or by very closely following the manufacturer's guidance. Further advice about root barriers can be found in BS8545.



Images supplied by GreenBlue Urban

6.7 A useful publication that can assist with planting near to utilities is "NJUG Guidelines for the Planting, Installation and Maintenance of Utility Apparatus in Proximity to Trees"

**7 EASEMENT INFRINGEMENTS**

7.1 UU acknowledges that there are situations where structures have been erected either directly above the Pipeline, or within an Easement Area or Easement Width. These encroachments should be assessed and recorded and appropriate actions taken. The assessment shall consider the potential risks to both UU's asset and the structure upon it.

7.2 The options available to UU are:-

- a) Notify owner of risks
- b) Notify owner and consider mains diversion at owners cost with any required legal documentation to entered into
- c) UU may take legal action to obtain a court order to instruct removal of the structure at the owners cost.

The key factors to be considered when selecting one of these options are:-

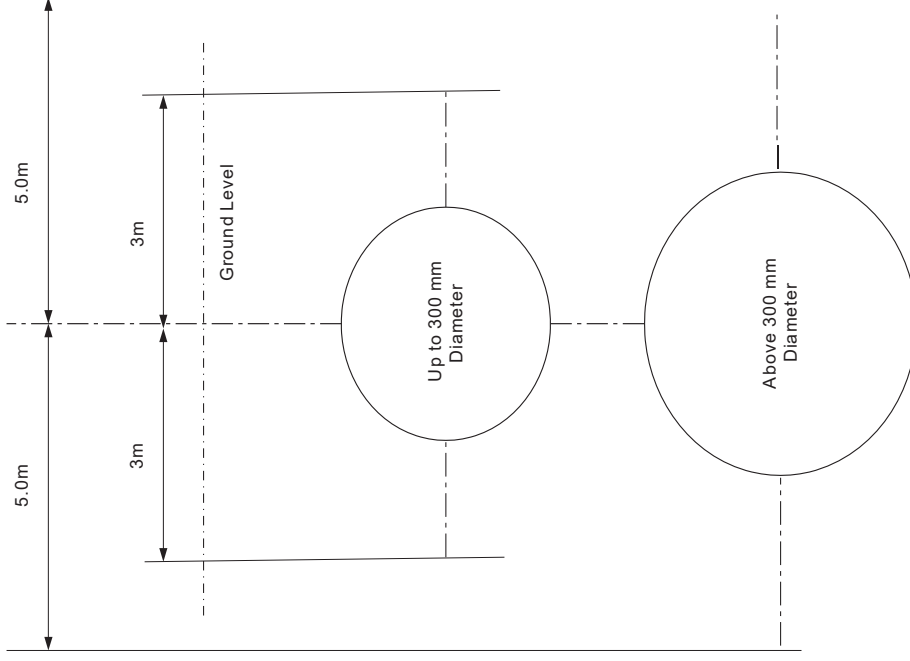
- a) Security of supply
  - b) Health and safety
  - c) Cost benefit
  - d) Company reputation
  - e) Probability of Pipeline failure and likely consequences. These will vary with the Pipeline material, diameter, depth below foundation, ground conditions and the operating regime of the Pipeline
- 7.3 The notification given to the owner of the building shall state that, notwithstanding our Statutory Rights and those contained in any deed, UU shall not be liable for any costs whatsoever if damage is occasioned to the structure whilst carrying out our works.
- 7.4 In the case of structures of a temporary or easily removable character consent to such structures may after consideration be given by UU strictly on a case by case basis and the decision of UU being final. UU's access to any Easement Area or Easement Width should not be obstructed or impeded in any way

## 8 STOPPING UP ORDERS

- 8.1 UU has no objection to a Stopping up Order, provided that access remains for repair and maintenance of the network within the area affected.
- 8.2 If the proposed development will impede clear access, then the water main must be abandoned or diverted at the applicants cost.
- 8.3 Typically, there would be no objection if the water main remains within a Street to which there is vehicular access sufficient for UU to perform its statutory duties. It is not necessarily a problem if the Street is within a gated enclosure, e.g. alley gates are not a problem.
- 8.4 If the main does not remain within a Street, the developer must provide an easement according to UU standard conditions. Detailed information is available from the United Utilities Website
- 8.5 The following is specifically not permitted in relation to easements.
- a) Any alteration to ground level which leaves the water main at a depth less than 900mm (750mm for PE pipes), or more than 1200mm.
  - b) Any building over the main, or within the Easement Area or Easement Width, such that an excavation of the main would threaten the stability of the building.
  - c) Planting of large trees (detailed information available in Appendix 1). This shows the distances that various trees and shrubs can be planted away from Pipelines and water mains. Root barriers can be used when planting closer to the mains; however trees root barriers need to be deep enough to stop roots from penetrating under the barrier.

## 9 DRAWINGS

Figure 1: Easement Widths for Single Pipes



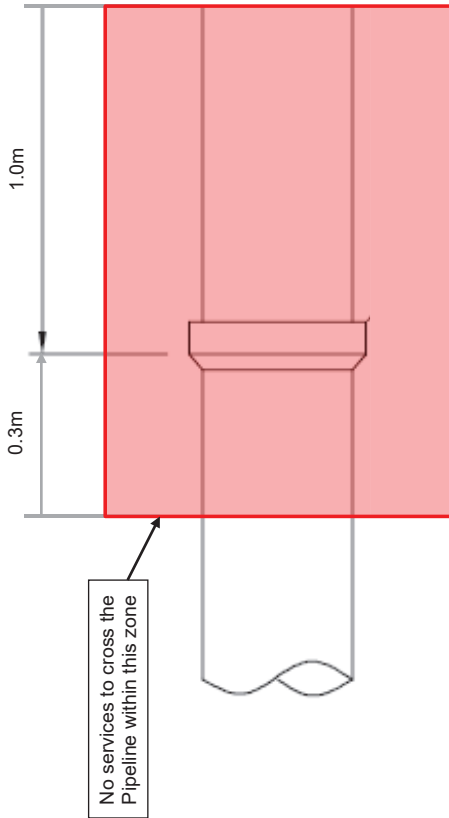
**Note:** This sketch is issued for guidance only (not to scale)

Latin Name	Common Name	Tree or shrub planting maintained as hedge (no higher than 1.5m height)	Individual trees planted from 3 metres of underground asset or pipe	Individual trees planted from 6 metres of underground asset or pipe	Group trees planted from 10 metres of underground asset or pipe
<i>Acer campestre</i>	Field Maple	Yes	Yes	Yes	Yes
<i>Aesculus hippocastanum</i>	Horse chestnut	X	X	X	Yes
<i>Carpinus betulus</i>	Hornbeam	Yes	X	X	Yes
<i>Castanea sativa</i>	Sweet Chestnut	X	X	X	Yes
<i>Corylus avellana</i>	Hazel	Yes	Yes	Yes	Yes
<i>Crataegus monogyna</i>	Hawthorn	Yes	Yes	Yes	Yes
<i>Fagus sylvatica</i>	Beech	Yes	X	X	Yes
<i>Ilex aquifolium</i>	Holly	Yes	Yes	Yes	Yes
<i>Larix decidua</i>	Larch	X	X	X	Yes
<i>Ligustrum vulgare</i>	Privet	Yes	Yes	Yes	Yes
<i>Malus domestica</i>	Apple	X	Yes	Yes	Yes
<i>Malus sylvestris</i>	Crab Apple	X	Yes	Yes	Yes
<i>Pinus nigra</i>	Black pine	X	X	X	Yes
<i>Pinus sylvatica</i>	Scots Pine	X	X	X	Yes
<i>Platanus acerifolia</i>	London Plane	X	X	X	Yes
<i>Prunus avium</i>	Wild Cherry	X	Yes	Yes	Yes
<i>Prunus cerasifera</i>	Plum	X	Yes	Yes	Yes
<i>Prunus lusitanica</i>	Laurel	Yes	Yes	Yes	Yes
<i>Prunus padus</i>	Bird Cherry	X	Yes	Yes	Yes
<i>Prunus spinosa</i>	Blackthorn	Yes	Yes	Yes	Yes
<i>Pyrus communis</i>	Pear	X	Yes	Yes	Yes

APPENDIX 1: PLANTING NEAR TO PIPELINES



Figure 2: Service Crossing Restrictions in relation to Pipeline Sockets



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Latin Name	Common Name	Tree or shrub planting maintained as hedge (no higher than 1.5m height)	Individual trees planted from 3 metres of underground asset or pipe	Individual trees planted from 6 metres of underground asset or pipe	Group trees planted from 10 metres of underground asset or pipe
<i>Sambucus nigra</i>	Elder	Yes	Yes	Yes	Yes
<i>Sorbus aria</i>	Whitebeam	X	X	X	Yes
<i>Sorbus aucuparia</i>	Rowan	X	X	Yes	Yes
<i>Taxus baccata</i>	Yew	Yes	X	X	Yes
<i>Tilia cordata</i>	Lime	X	X	X	Yes
<i>Ulmus glabra</i>	Wych Elm	X	X	Yes	Yes

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With regard to the initial investigative works, it should be noted that recent field investigations in Lancashire have shown that geophysical survey can fail to detect significant archaeological remains. As such the results of any survey need to be ground-truthed by archaeological trial trenching or stripping. A 5% sample of the site area is recommended, which targets both anomalies (if any) identified by the survey and 'blank' areas.

The following wording for a planning condition is suggested:

**Condition:** A programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority shall be undertaken and submitted to the local planning authority as part of any reserved matters application. This programme of works shall include an initial phase of geophysical survey and trial trenching, as well as the compilation of a report on the work undertaken and the results obtained. These works should aim to establish the presence or absence of buried archaeological remains and their nature, date, extent and significance. If archaeological remains are encountered then a subsequent phase of impact mitigation (which may include preservation in situ by the appropriate design or siting of new roads, structures and buildings, formal excavation of remains or other actions) and a phase of appropriate analysis, reporting and publication shall be developed. A written scheme of investigation for that mitigation phase along with a timetable for its implementation shall be submitted for approval to the local planning authority as part of the reserved matters application. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

**Reason:** To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

**Note:** Relevant archaeological standards and a list of registered contractors can be found on the Cifa web pages: <http://www.archaeologists.net>. Contact details for other non-registered contractors can be found on the BAJR web site: <http://www.bajr.org>.

This advice is offered in accordance with paragraphs 189-200 of the National Planning Policy Framework.

Yours sincerely

*Peter Iles*

Planning Officer (Archaeology)

Phone: (01772) 531378/531343

Email: [archaeology@lancashire.gov.uk](mailto:archaeology@lancashire.gov.uk)

Your ref: 09/2019/00654/OUTMAJ

Our ref: ASM/JMH/PDI

Date: 8<sup>th</sup> August 2019

Adele Hayes

Planning Services Manager  
Chorley Borough Council  
Civic Offices, Union Street  
Chorley  
PR7 1AL

FAO Mr I Crossland

Dear Ms Hayes,

**Application 19/00654/OUTMAJ:**  
**Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access. Land between Pear Tree Lane and School Lane, Pear Tree Lane, Euxton**

Thank you for your consultation on the above application. It appears to be for the same site as application 9/2016/00489, for which permission was refused and the subsequent planning appeal dismissed (not on archaeological grounds).

The present application is accompanied by a Heritage Statement by N Aldrich of Savills, dated April 2019. That statement notes that whilst there are no known heritage assets recorded within the proposed development site, that it has potential for buried remains to exist there. It concludes that a scheme of archaeological works can be required on the site by means of an appropriate planning condition. Whilst we would suggest that the archaeological potential extends to later prehistoric and medieval remains, as well as features of Romano-British date, we would generally agree with these conclusions. The condition will need to specify a phased scheme of archaeological works, starting with an investigative stage, followed by the production of a report. If significant remains are encountered then a further phase of mitigation works, analysis and reporting will also be required. The initial phase of works should be undertaken at the earliest opportunity, so that the design and layout of the development can be informed by its results and an informed planning decision made on the reserved matters application(s). This should also ensure that any subsequent phases of field work required can be scheduled such that disruption (and additional costs) to the construction timetable is avoided or minimised.

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**Rachael Evans**

**From:** Derek Richardson <derek.richardson@tameside.gov.uk>  
 20 August 2019 14:22  
 DCON  
**To:** Re App 19/00654/OUTMAJ Outline application for up to 180 dwellings, Land Between Pear Tree Lane And School Lane Euxton - Ecology Response  
**Subject:**

Dear Iain Crossland

**Re App 19/00654/OUTMAJ Outline application for up to 180 dwellings, Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton**

Thank you for consulting the Ecology Unit on the above planning application. The application is similar to previously refused application ref. 16/00489/OUT. We visited the site in relation to the previous application (in Sep 2016). The site itself does not appear to have altered substantively from an ecological point of view since the previous application was considered, although I note that the field to the north is now being developed as a housing scheme following the grant of permission 16/00380 and subsequent permissions.

The ecology surveys and assessments that have been carried out to inform the application have been undertaken by suitably qualified consultants and are to appropriate and generally proportionate standards. Some of the surveys (for great crested newts and for bats) are rather dated, having been undertaken in 2014 and 2015, but since the overall ecological character of the site does not appear to have changed substantively since the bat and newt surveys were undertaken, and because there is other survey information available for sites to the north, I would not insist that updated bat and newt surveys are required prior to deciding this outline application. An updated habitat survey was undertaken in March of 2019.

In addition, although some of the original surveys were undertaken at a sub-optimal time of year to conduct such surveys there have been previous surveys undertaken at a better time of year. Given the existence of these additional surveys, and given my own assessment of the character of the site, I would not consider that further habitat or botanical surveys need to be carried out before determining the application.

**Great crested newts**

The ecology surveys undertaken in support of the current and previous applications by 'fpcr' have shown that great crested newts are probably absent from the pond on the application site, and has assessed other ponds in the area as generally having low potential to support the species. They conclude that great crested newts are not a constraint for the current application.

But great crested newts were recorded in a pond within 150m of the application site by other ecologists working on the development to the north (for TEP) in 2015, although this record was not confirmed by more intensive amphibian surveys carried out in 2016. The species is known from previous records to be present in the wider area. I would therefore regard the conclusions of the fpcr report that the proposed development will definitely not cause harm to great crested newts as debatable. There are some habitats on this application site with some potential to provide feeding and shelter for newts, and they have been shown to be present in ponds close to the site relatively recently, so it is possible that great crested newts may be found on the application site and therefore could be harmed by the development proposal,

particularly during any site clearance and development phases. As you may be aware, great crested newts and their habitats are highly protected under UK and European legislation and are a material consideration when determining planning applications. A cautious approach as regards great crested newts and other amphibians is therefore recommended.

If great crested newts are likely to be found on the site and may be harmed by the development, then under the Conservation of Habitats and Species Regulations 2017 (as amended) which enacts the EU Habitats Directive into the UK, a licence may be required from Natural England to derogate the terms of this legislation before any work could commence which has the potential to cause harm to newts. Before a licence can be granted certain tests must be satisfied. One of these tests is that -

*That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range".*

As regards this test, I would note that -

- No known great crested newt breeding ponds or optimal terrestrial habitat will be lost to the scheme.
- Habitats on the application site with most value for amphibians are capable of being retained, protected and enhanced. Habitats to be lost to the scheme are sub-optimal for amphibians.
- From the available evidence the local population of great crested newts is low, so there will be sufficient remaining habitat available locally to the east and south of the application site for newts if the development goes ahead to ensure long-term survival of the local population.
- Connectivity between ponds in the wider landscape is capable of being retained.

Given the above I would consider that the third test above could be satisfied – that is, the local conservation status of great crested newts is capable of being protected even if the development is permitted. Nevertheless, further precautions as regards great crested newts are justified. I would **recommend** that if permission is granted to the development –

- A comprehensive Amphibian Mitigation Strategy for avoidance of harm to amphibians should be required to be prepared and implemented by a **Condition** placed on any approval that may be given to the scheme. Depending on the details the implementation of the Strategy may require a License to be obtained from Natural England.

**Bats**

As may be expected, bats have been shown to use parts of the site for foraging. Bat activity surveys were professional and in my view adequate to provide a general overview of bat use of the site, particularly because other complementary surveys have been conducted for the site to the north. I would not consider that bat use of the site has significantly changed since the last surveys were conducted because the habitats have not significantly changed. Bat feeding opportunities on the site are somewhat limited by the dominance of the species-poor improved grassland. This view is supported by the bat survey results indicating that the site is used by relatively small numbers of bats. The surveys indicate that the most important habitats for bats on the site (hedgerows and trees) are capable of being retained and/or recreated as part of the development, and there is extensive suitable bat foraging habitat around the application site, particularly to the east and south.

I would conclude that the development proposal is capable of being implemented without having a significant impact on local bat populations, *providing* that valuable habitats are retained, recreated or enhanced.

Some of the trees present on or close to the application site have been shown to have some potential to support bats. At this outline application stage it is not known which trees may be lost to the scheme. I would recommend that should permission be granted to this development further, more detailed surveys of trees for bat roosts should be undertaken to inform any future Reserved Matters applications. Any trees shown to support bats should be retained.

**Habitats**

The application site is dominated by relatively species-poor improved agricultural grassland that is not of substantive ecological value, although there are habitats on the site and very close to the site that have local value for wildlife, including hedgerows, trees, woodland and wetlands (stream course). These habitats are capable of being retained and/or recreated as part of the scheme, and in fact undertakings have been given in the application documentation, including in the DAS and the 'Framework' Plans, that the important habitats found on the site will be retained and protected. New landscaping is proposed that will help to mitigate and off-set residual harm.

The development of the site will inevitably reduce the open-ness of the site and this could affect species movement; the large areas of grassland that will be lost to the scheme are not without any value for wildlife. I would therefore **recommend** that a comprehensive Landscape Creation and Management Plan for the site be prepared as a Condition of any approval that may be granted to this outline application. The Landscape Plan should include the following details –

- Details of new ponds / wetland creation
- Details of how retained hedgerows, trees and wetlands are to be protected during any construction period
- Planting plans, taking into account the need to contribute to landscape connectivity and the creation of a coherent local ecological network
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate
- Implementation timetables.

**Reason:** To conserve biodiversity and to ensure the provision of amenity afforded by appropriate landscape design.

**Nesting Birds**

The bird community recorded from the site is not exceptional, but all nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside Act 1981 (as amended). To avoid any harm to nesting birds any vegetation clearance required should be undertaken outside of the optimum period for bird nesting (March to July inclusive).

In conclusion I have no overall objections to the application on ecological grounds, but there are significant ecological considerations that will need to be taken into account during the determination of the application and the implementation of the development.

I hope that these comments are useful. Please contact me if you have any questions.

Yours sincerely

Derek Richardson

**Derek Richardson**  
Principal Ecologist  
Strategic Infrastructure  
Development and Investment  
Growth

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12.09.2019

FAO: Iain Crossland, Chorley Borough Council

Dear Iain,

**19/00654/OUTMAJ - Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access**

#### Overview

Homes England is the Government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we are making possible the new homes England needs, helping to improve neighbourhoods and grow communities.

As demonstrated through our involvement with the Central Lancashire Authorities to date, Homes England is committed to working with Chorley Borough Council (and the other Central Lancashire Authorities) to deliver new homes and sustainable communities across Central Lancashire.

In line with this approach, we are writing with regards to the above planning application ref. 19/00654/OUTMAJ and the requirement to:

- a) Protect the future delivery of 'Safeguarded for Future Development' site ref. BNE3:9 (Policy BNE3); and
- b) Ensure a holistic approach to place making in the interest of good design (Policy BNE1).

In summary, this response reflects the need to protect the future development potential of the safeguarded land owned by Homes England.

#### Site Allocation ref. BNE3:9

We note that the submitted planning application ref. 19/00654/OUTMAJ relates to 7.34 hectares of land, safeguarded under Policy BNE3 (site ref. BNE3:9) of the Chorley Local Plan (2012 - 2026) situated at Pear Tree Lane, Euxton. Homes England owns the remaining adjacent safeguarded land across site BNE3:9, and an additional parcel of designated Green Belt land to the east. This land comprises 4.39 hectares and 1.67 hectares respectively. A plan showing the extent of our land ownership is enclosed for reference.

Homes England  
Apley House  
110 Birchwood Boulevard  
Birchwood  
Warrington  
WA3 7QH

0300 1234 500  
@HomesEngland  
www.gov.uk/homes-england

#MakingHomesHappen

#### Ensuring a holistic approach to place making, and safeguarding the future allocation and delivery of the entire safeguarded site allocation ref. BNE3:9

Policy BNE3 safeguards land for future development needs of the Borough beyond the plan period, to ensure that Green Belt boundaries should be long lasting. Based on this requirement, Homes England considers a key factor in determination of application ref. 19/00654/OUTMAJ should be the need to plan for future development across the entirety of safeguarded allocation BNE3:9.

Alongside ongoing work to promote land within Homes England's control for continued allocation within the revised Central Lancashire Local Plan; Homes England is seeking to establish a framework that will enable a comprehensive approach to the development of the safeguarded land at Pear Tree Farm, whilst considering any future impact on access and wider planning obligations relevant to the safeguarded site and adjacent land in Gladman's interest.

Homes England has discussed with Gladman the need to address transport and connectivity implications along Pear Tree Lane and School Lane, and to explore approaches to vehicular access between both sites and masterplanning arrangements across safeguarded site BNE3:9. In principal both parties have discussed a common approach to development of the sites, and Homes England's priority remains to continue to promote the site through the Local Plan Review process to deliver homes in this location. We are hopeful this approach can be agreed during the determination period.

Policy BNE1 of the Chorley Local Plan states that *'planning permission will be granted for new development provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials'*. We note that the ability to deliver a comprehensive development requires a similarly comprehensive approach to highway, pedestrian and cycling access, and therefore consider that a key consideration should be to ensure that the wider area of safeguarded land in Homes England's ownership is not hindered by application ref. 19/00654/OUTMAJ, to ensure the full housing capacity is achieved once allocation has been secured.

#### Continued promotion of site allocation ref. BNE3:9

The land that Homes England owns within site allocation ref. BNE3:9 was submitted through the Central Lancashire Local Plan Call for Sites in November 2018, and it is Homes England's intention to work with Chorley Borough Council on a comprehensive masterplan for all of the land which is safeguarded.

A similar approach has been, and is, taking place on other allocated sites across Central Lancashire, where Homes England is working collaboratively with the Local Planning Authorities and adjacent landowners / developers to bring forward allocated housing sites in a timely way for development.

#### Summary

Homes England continues to promote our landholdings across site allocation ref. BNE3:9 for the development of new homes and support the comprehensive approach to development of the entire site. In order to achieve this, Homes England is fully committed to working with Gladman and the Council to establish a framework that ensures a holistic approach to the delivery of BNE3:9.

In line with the above, we would encourage the Council to seek technical information from the applicant to demonstrate that an access solution which serves the entirety of the safeguarded allocation can be achieved and is documented in an approved plan. Should the planning application be refused we would

like to seek the support of the Council to ensure the current Local Plan Review secures delivery of the entire site.

If the application is approved we would encourage the Council to include a condition worded as follows:

**Proposed Condition:**

The internal access road shall be provided for as shown on the amended Development Framework Plan (INSERT REFERENCE TO AMENDED PLAN - 5219-L-02 REV XX) from School Lane to the boundary of the application site to the south, and that access provides unencumbered and unfettered access to the wider safeguarded allocation BNE3.9 to the south of the application site.

*REASON: In the interests of highways safety and highway amenity in accordance with ST3 of the Chorley Local Plan, and to avoid prejudicing the delivery of future safeguarded allocation ref. BNE3.9 by allowing for future comprehensive development.*

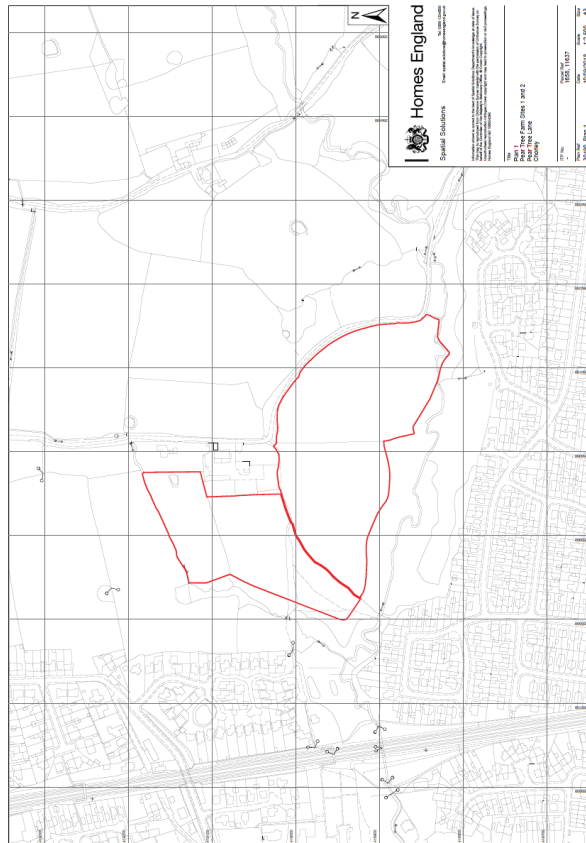
Yours sincerely,



**Nicola Elsworth**  
Head of Public Sector Land (North West)  
Homes England

[Nicola.Elsworth@homesengland.gov.uk](mailto:Nicola.Elsworth@homesengland.gov.uk)

Appendix I – Plan to show the extent of Homes England’s and at Pear Tree Lane





**Phone:** 0300-123-6780  
**Email:** Suds@lancashire.gov.uk  
**Date:** 04 October 2019

#### APPLICATION CONSULTATION RESPONSE

<b>Application Number:</b>	19/00654/OUTMAJ
<b>Location:</b>	Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton
<b>Proposal:</b>	Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access.

Thank you for inviting the Lead Local Flood Authority (LLFA) to comment on the above application. The Flood and Water Management Act 2010 sets out the requirement for LLFAs to manage 'local' flood risk within their area. 'Local' flood risk refers to flooding or flood risk from surface water, groundwater or from ordinary watercourses.

Comments provided in this representation, including conditions, are advisory and it is the decision of the Local Planning Authority (LPA) whether any such recommendations are acted upon. It is ultimately the responsibility of the Local Planning Authority to approve, or otherwise, any drainage strategy for the associated development proposal. The comments given have been composed based on the current extent of the knowledge of the LLFA and information provided with the application at the time of this response.

#### Lead Local Flood Authority Position

The Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of the following conditions and consideration of the comments outlined in the advice section below.

#### Condition 1: Outline application: reserved matters to include surface water master strategy to be agreed

At the same time as the submission of the first Reserved Matters application a Surface Water Drainage Master Strategy for the whole site shall be submitted to the Local Planning Authority for approval. The strategy shall be guided by the principles of the submitted Flood Risk Assessment - Pear Tree Lane, Euxton, Chorley – LEES ROXBURGH – Ref. 5901/R3 dated June 2019 including the Conceptual Surface Water Drainage Strategy Ref: 5901 01-02 Rev. A.

The strategy shall include the following details as a minimum:

- schedule of pass forward rates for each phase or part phase
- preliminary timetable for implementation of the SuDS system

Thereafter development should proceed in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

#### **Reasons**

- To reduce the risk of flooding to the proposed development and future occupants
- To ensure the phasing of development and/or submission of future reserved matters applications for various phases does not seek to change the final destination discharge rate
- To ensure that the proposed development can be adequately drained.

#### Condition 2: Final details of an appropriate Sustainable Drainage scheme for each phase of the development to be submitted

Prior to the commencement of each phase of the development, full details for a surface water regulation system and means of disposal for that phase based wholly on sustainable drainage principles shall be submitted to and approved by the Local Planning Authority in writing. For the avoidance of doubt no surface water shall discharge directly or indirectly into the public foul or combined sewerage systems. The details for each part or phase must be consistent with the Drainage Strategy submitted and approved pursuant to **Condition 1** above.

Those details shall include:

- Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels;
- The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate and volume. The scheme

- shall subsequently be implemented in accordance with the approved details before the development is completed.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change) with 10% allowance for urban creep;
  - d) Plan identifying areas contributing to the drainage network;
  - e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
  - f) A plan to show overland flow routes and flood water exceedance routes and flood extents;
  - g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
  - h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable

No housing or other development shall be occupied for that phase until the approved foul drainage scheme for that phase has been completed in accordance with the approved details and written notice of this fact has been sent to the Local Planning Authority.

**Reasons**

1. To ensure that the final drainage designs are appropriate following detailed design investigation.
2. To ensure that there is no flood risk on or off the site resulting from the proposed development
3. To ensure that water quality is not detrimentally impacted by the development proposal
4. To reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system

**Condition 3: Development is in accordance with the submitted FRA**

The development permitted by this planning permission shall be carried out in accordance with the following mitigation measure identified within the FRA Pear Tree Lane, Euxton, Chorley – LEES ROXBURGH – Ref. 5901/R3 dated June 2019:

1. The development levels appropriately set to ensure flows are contained within the existing ditch systems and directed safely through the development down to the boundary watercourse system to the south.

The mitigation measure shall be fully implemented prior to commencement and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority in consultation with the lead local flood authority.

**Reason**

1. To reduce the risk of flooding to the proposed development and future occupants

**LLFA Advice**

1. The LLFA welcomes the reduction in discharge rate to 5 l/s for all events up to 1in100 + climate change for the proposed area A as identified on Conceptual Surface Water Drainage Strategy Drawing Ref: 5901 01-02 Rev. A. The complex flow control put forward for area B will also be acceptable to LLFA, providing that the applicant identifies appropriate controls to restrict volume of discharge to the greenfield run-off volume for the corresponding rainfall events to comply with Standard S4 of the Non-statutory technical standards for sustainable drainage systems 2015. Alternatively, the LLFA expects that the volume increase will be mitigated by reducing the run-off rate from area B to QBAR in accordance with standard S6. Notwithstanding the above, the final discharge rates for each area/phase of the development can not be agreed until the final layout of the site has been provided.

2. The FRA identified a number of open watercourses and an open pond within the site. The development layout should ensure that no buildings are constructed within 8 m of any ordinary watercourses or an acceptable diversion plans should be submitted. For the avoidance of doubt, this response does not grant the applicant permission to connect or alter any ordinary watercourses and, once planning permission has been obtained, it does not mean that land drainage consent will be given. The applicant should obtain Land Drainage Consent from Lancashire County Council before starting any works on site. In addition it should be noted that the LLFA will not permit any culverting of ordinary watercourses except for creation of highway access crossings. To follow parallel consenting recommendations of the NPPF, the applicant is advised to liaise with the LLFA early regarding any proposed ordinary watercourses works. Further details about watercourse alterations can be found at <https://www.lancashire.gov.uk/flooding/drains-and-sewers/alterations-to-a-watercourse/>

**Material Changes**

If there are any material changes to the submitted information which impact on surface water, the local planning authority is advised to consider re-consulting the LLFA. Please send a copy of the decision notice to: [suds@lancashire.gov.uk](mailto:suds@lancashire.gov.uk)

Yours faithfully,

**Wojciech Rozanski**  
Lead Local Flood Authority

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Director of Partnerships  
Planning and Policy  
Chorley Council  
Civic Offices, Union Street  
Chorley  
PR7 1AL

Tel 0781729 8072  
Email [william.tay@lancashire.gov.uk](mailto:william.tay@lancashire.gov.uk)  
Your ref 19/00654/OUTMAJ  
Our ref HDC/AW/D9/19/00654/OUTMAJ  
Date 01/11/2019

**FAO: Iain Crossland**

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Planning Application: 19/00654/OUTMAJ**

**Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access. Land between Pear Tree Lane and School Lane, Pear Tree Lane, Euxton.**

I refer to your consultation dated 18 July 2019 in respect of the above planning application.

**INTRODUCTION:**

An application (16/00489/OUTMAJ) for development of 165 dwellings including 30% affordable housing at this site was refused planning permission in 2016 on various grounds which included that of highways. The highway grounds were that the applicant provided insufficient information regarding the design of the proposed pedestrian improvements/traffic calming scheme on Pear Tree Lane and that the submitted Transport Assessment (2016 TA) did not demonstrate that the site can provide safe and suitable pedestrian access or connectivity with the existing built environment or measures to encourage sustainable transport. The refusal was subsequently appealed, but the appeal was dismissed.

Following discussions with LCC Highways post LPA planning decision, LCC Highways did not pursue its objection to the proposed development at the appeal enquiry, however, due to representations from Euston Parish Council, highway matters were nonetheless discussed at the enquiry.

---

**Phil Durnell**  
Director of Highways and Transport, Lancashire County Council  
PO Box 100 · County Hall · Preston · PR1 0LD

**THE SITE**

The site is an existing open farmland located between School Lane to the north and west; and Pear Tree Lane to east. The submitted location plan of the site is referenced 5219-L-04 rev A (12 June 2019) and the applicant's description of the site, its location and the surrounding highway network are the same as those provided in the 2016 TA, previously commented on by LCC Highways. In the current 2019 TA, a more detailed description of School Lane and Pear Tree Lane is provided with further information relating to flow and speed of vehicles, pedestrians and cyclists on School Lane and Pear Tree Lane, which were not in the 2016 TA.

The site is on the edge Euxton approximately 3.5km northwest of Chorley Town Centre and said to be 7.34 hectares in size with field gates to School Lane located between Oak Lane and Old School Lane and to Pear Tree Lane located approximately 200m south of School Lane/Pear Tree Lane.

**THE LOCAL HIGHWAY NETWORK**

**School Lane:**

School Lane is a single 2-way local access road that extends from the A49 Wigan Road in the west to Pear Tree Lane in the east. It is about 800m in length and borders the proposed site to the north and west. It has an average carriageway width of 5.3m and footways of varying widths on both sides and links the between the A49 Wigan Road and Orchard Close. This section of School Lane up to approximately 20m east of Orchard Close is subject to 20mph speed limit and has street lighting. From a point 20m east of Orchard Close up to a point 70m west of Pear Tree Lane, School Lane is narrower with an average width of 3.8m. This section up to Pear Tree Lane is subject to the national speed limit and has no footway or street lighting.

Traffic, pedestrians and cyclists flows on School Lane.

Traffic surveys conducted close to Wigan Road/School Lane on 7 May 2019 show 210 two-way vehicle flows on School Lane during weekday AM peak of 08:00-09:00 and 175 two-way vehicle flows during PM peak of 16:30-17:30.

A 12-hour survey of pedestrians and cyclists carried out from 07:00-19:00 on three consecutive days (Thursday, Friday and Saturday) show 187 (pedestrian) and 14 (cyclists) two-way flows on School Lane during weekdays, while the Saturday 12-hour two-way flows were 111 (pedestrians) and 46 (cyclists).

**Pear Tree Lane:**

Pear Tree Lane is a single 2-way local access road just over 1.2km long extending from Euxton Lane in the north to Washington Lane in the south. It is subject to the national speed limit with varying carriageway widths. It has no footways or street lighting, but there are localised widenings to allow vehicles to pass each other. From School Lane to Euxton Lane, the width of Pear Tree Lane ranges from 3.8m to 5.5m.

**Pear Tree Lane (north of School Lane):**

Traffic, pedestrians and cyclists flows on Pear Tree Lane (north of School Lane)  
 Traffic counts conducted from 22-28 June 2017 (7-day count) for weekday AM and PM peaks of 08:00-09:00 and 17:00-18:00 show 210 two-way vehicle flows during the AM peak and 140 two-way vehicle flows during the PM peak. This is estimated to be an average of 3.5 and 2 vehicle movements respectively per minute. Between 12:00-13:00 (mid-day), the vehicle flows were 68 two-way, equating to an average of over one vehicle per minute traveling on Pear Tree Lane (north of School Lane) during the midday peak. Approximately 2% of vehicles recorded during the survey were HGVs.

A 12-hour survey of pedestrians and cyclists carried out from 07:00-19:00 on three consecutive days (Thursday, Friday and Saturday) from 22 - 24 June 2017 show 91 (pedestrian) and 23 (cyclists) two-way flows on Pear Tree Lane (north of School Lane) during weekdays, while the Saturday 12-hour two-way flows were 122 (pedestrians) and 67 (cyclists).

Traffic speeds

Traffic speeds recorded in the survey for Pear Tree Lane (north of School Lane) shows 85th percentile speeds of 25.7mph (northbound) and 25.9mph (southbound).

**Pear Tree Lane (south of School Lane):**

Traffic, pedestrians and cyclists flows on Pear Tree Lane (south of School Lane)  
 Traffic survey conducted on 7 March 2019 shows 45 and 36 two-way flows respectively during AM peak of 08:00-09:00 and PM peak of 16:45-17:45.

Turning counts carried out at School Lane/Pear Tree Lane show 6 vehicles turning right from School Lane towards Pear Tree Lane (south) during the AM peak while 3 vehicles turned right in the same direction in the PM peak. During the peak hours 14 and 6 vehicles respectively turned left from Pear Tree Lane (south) into School Lane.

**Studied network/ junctions**

The existing network and junctions studied as part of the 2019 TA are listed in paragraph 3.5.1 with the accompanying drawings of the junctions shown in paragraph 3.6.1. The findings of the study including details of traffic accidents are in paragraphs

3.6.2 – 3.7.16. These are the same as those studied in 2016 TA and are aspects of the assessment already seen by LCC Highways and considered a fair representation of the existing conditions. As such, further highway comments would not be provided on the studied network/junctions. It should however be noted that improvements were identified for two of the junctions which the applicant has agreed to implement. These are the introduction of MOVA to the traffic signal at Wigan Road/School Lane and widening of the end of Pear Tree Lane at its junction with Euxton Lane.

**Traffic accidents**

The accident data provided of the studied road network and junctions is the same as that submitted in the 2016 TA and was for the period from 1 January 2010 to 31 October 2015. The applicant explained in paragraph 3.7.1 of the 2019 TA that there was a delay in response from Lancashire Constabulary regarding a request for an updated accident record and that this would be submitted at a later date. LCC Highways accept the explanation, however, as the accident information is an important element of the TA, the applicant should be requested to provide the updated accident appraisal for the most recent 5-year period (2013-2018). This should ideally be provided at this stage prior to the grant of any outline planning permission, so that where the accident trends reveal repetitive causative factors, the applicant can propose measures to mitigate the accident impacts. If the LPA is however minded to grant planning approval prior to the applicant submitting the updated accident analysis, then planning provision must be made to allow for the implementation of the mitigation measures if necessitated by the result of the analysis. The applicant may use Mario or Crashmap for the accident data.

**ACCESSIBILITY BY NON-CAR MODES**

In the highway response to the refused application 16/00489/OUTMAJ, it was stressed that for the proposal to meet the requirements of the NPPF, the development should be located where there is access to good public transport, have connectivity with the existing built environment with provision of a network of direct, functional and safe access for pedestrians and cyclists to local services. The response considered that with improvements the site could be made sustainable for new residents to access public transport and to walk and cycle to local services.

**Walking**

The local services, facilities and amenities near the site are shown on Figure 3 of the 2019 TA. As shown, a number of services are within the then IHT recommended 'acceptable' and 'preferred maximum' walking distances of 800m and 1.2km. However, none of these facilities, including bus stops are within the 'desirable' 400m walking distance from the centre of the site. Walking is an important mode of travel, offering a more sustainable alternative to the car. Therefore, providing good quality walking links

from the development to local facilities, the public transport network and other established walking routes are fundamental to achieving more sustainable patterns of movement and to reducing people's reliance on the car. It is however considered the proposed footpath connection and the pedestrian safety measures for Pear Tree Lane (north of School Lane) would encourage non car trips in that direction.

**Cycling**

The only defined on-road cycle routes in the area are on Euxton Lane, but it is recognised that cycling can be part of a longer journey by public transport or can replace car trips for shorter journeys. A number of local services and facilities including Runshaw College are within reach by cycle and Buckshaw Village is also convenient from the site by cycle and provides links to employment sites and rail services. Given the need for connectivity of cycle routes in the area, as in the highways response to the refused application, should the proposed development be approved, the developer's contribution as identified in the amended Community Infrastructure Levy (CIL) should be targeted towards improved cycle routes in the area. It should be noted that the diverted public right of way in the adjacent development to the north is a pedestrian/cycle link, therefore the proposed connection from the development should be consistent as a pedestrian/cycle link provided to 3m width.

**Public transport**

**Bus:**

There are bus stops near the site on Euxton Lane and Wigan Road however the walking distances to the bus stops are approximately 500m which is more than the IHT recommended 'desired' 400m from the centre of the site. However, considering that the MFS recommends that residents would be able to access a range of facilities within 10 minutes (up to about 800m) comfortably on foot, the proposal would be acceptable subject to delivery of improvements.

The only active public service on Euxton Lane and Wigan Road is Service 109 which provides half hourly service from Preston to Chorley. Services 109A and 109B referred to by the applicant in paragraphs 6.2.3 and 6.2.4 of the 2019 TA cannot be verified. It is considered that the services provided are easy for passengers to understand and attractive to use. As such, LCC Highways would not insist on slavish adherence to the 400m walking distance. However, as the NPPF requires developments to have access to high quality public transport facilities, it is considered that the applicant carries out improvements to a bus stop each on Euxton Lane and Wigan Road. The improvements should be made to the two bus stops closest to the site and should be to quality disability compliant standard to include raised kerbs and boarding area; provision of bus stop bays, worded markings and clearways etc.

**Rail:**

The nearest railway stations to the site are Buckshaw Parkway and Euxton Balshaw

Lane. The distance to Buckshaw Parkway from the site is far more than the 1.6km stated by the applicant and outside the recommended 2000m 'preferred maximum' commuting distance. Nonetheless, the delivery of pedestrian/cyclists and bus accessibility improvements as requested would allow greater combination of commuting journeys with trains as other sustainable transport modes.

**PROPOSED DEVELOPMENT**

The current application as described above is an outline proposal similar to the refused application, but for an increased number of 180 dwellings including 30% affordable housing from the 165 dwellings including 30% affordable housing previously refused. The current application submission does not include an indicative layout of the development, but as stated, the proposal would include on site Sustainable Drainage System (SuDS) to improve surface water flood risks and new access arrangements and highway improvements to School Lane and Pear Tree Lane. The plan of highway improvements is shown on drawing no. 1318/09 rev. F (26.03.19).

In the LCC Highways response to the refused application, the need for designing the site layout compliant to LCC standard and specification to make the proposal acceptable for highway adoption was emphasized including parameters such as the acceptable widths of carriageways, footways and service margins, sizes of garages and turning heads; and the level of off-street parking which should be provided to accord with the local authority parking standard. It must be re-iterated that for the current proposal, these measures are essential if the development is to be accepted for adoption and maintenance at public expense.

**Site access:**

The proposal is to realign School Lane through the application site by creating two new priority controlled accesses (SJ1A & SJ1B – submitted drawing Figure 2 'Study Junctions'). The concept of the access proposal detailed on previous drawing no. 1318/09 rev B (10.05.16) associated with refused application remains the same for the current proposal except for minor changes to the layout of the proposed access to the southwest (SJ1A). Also, in the current proposal, footways (or footpaths depending on the site layout) would be provided through the site to the west rather than along School Lane to avoid impacts on existing trees. The proposed highway improvement measures on Pear Tree Lane have also been redesigned in the current proposal to include physical traffic calming measures. The current proposed layout is shown on drawing no. 1318/09 rev F (26.03.19) included in the 2019 TA.

The details of the access proposal and the associated highway improvements are provided below. Although some of the highway measures may have been agreed with LCC Highways during the assessment of the previously refused application, due to the proposed increased scale of development and the potential for further development of

lands in the area further LCC Highways appraisals have had to be made in respect of the required highway improvements.

**TRIP GENERATION AND DISTRIBUTION**

The studied network/junctions listed in paragraphs 3.5.1 and 8.1 of the 2019 TA.

Peak hours identified from traffic surveys conducted on 11 November 2015 and 7 May 2019 at the individual study junctions were grouped according to locations to derive peak hours for each group, as shown in paragraph 8.3.2 for use to assess the traffic flows.

**Assessment years / Committed developments:**

While the traffic flows in the 2016 TA were based on an assessment year of 2022, the current 2019 TA adopts an assessment year of 2025.

The applicant look into account a number of committed developments in the area as listed in paragraph 8.5.1 of the 2019 TA and provided the estimate of traffic each of these developments generate. The total trip generation of the committed developments are shown in Figure 10, appendix C of the current TA. It is assumed 75% of existing traffic would use the realigned School Lane while 25% would continue using School Lane.

**Trip generation:**

The current 2019 TA has estimated the amount of traffic the development would generate and the impacts it would have on the surrounding transport network based on trip rates previously agreed with LCC and taking into accounts the highway response to the 2016 TA. The estimate shows that the proposed development would generate 105 two-way trips (25 arrivals and 80 departures) during the AM peak and 119 two-way trips (79 arrivals and 41 departures) during the PM peak. It is considered that this volume of traffic is a reasonable prediction of what might generally be generated on a day to day basis. The 'with development' traffic flows are shown on Figure C15, appendix C.

**Trip distribution:**

The TA predicts what routes traffic to be generated by the proposed development might take (based on 2011 census journey to work data) which allows the impact it would have on the key junctions on the highway network to be tested. This is shown on Figure C13, appendix C of the 2019 TA. For the most part, the prediction of routes newly generated traffic might take is considered to represent a reasonable assessment of how things would work out if the development were to go ahead. However, following

a materiality test conducted by the applicant, it was noted that the new junctions of the realigned School Lane (SJ1A and SJ2B), Wigan Road/School Lane (SJ2) and Euxton Lane/Pear Tree Lane (SJ5) would generate an increase in traffic in excess of the test values of '30 vehicles or more of the 2025 base flow' and '2.5% or more of the total 2025 base flow'. As such, a more detailed assessment (junction modelling) was made of the four junctions using PICADY for the priority junctions of SJ1A, SJ2B and SJ5 and LINSIG for the signalised junction, SJ2. The results are shown on Tables 2 to 6 of the 2019 TA.

**TRAFFIC IMPACTS**

The results of the junction modelling show the new junctions, SJ1A and SJ2B would operate well with spare capacity in the 2025 'with development' scenario (Tables 2 & 3).

Euxton Lane/Pear Tree Lane (SJ5) is also predicted to operate well with spare capacity, however, notwithstanding the proposed improvements to the bellmouth of the junction, the modelling shows there would be queues and delays when exiting Pear Tree Lane onto Euxton Lane during the AM peak in the 2025 'with development' scenario (Table 6).

The modelling of Wigan Road/School Lane (SJ2) show the junction would be operating at near capacity levels in all arms in both AM and PM peaks in the 2025 'with development' scenario except the Bank Lane arm. To mitigate the impact, the applicant proposes to install Microprocessor Optimised Vehicle Actuation (MOVA) traffic signal control system for improved signal function and increased capacity at the junction.

**HIGHWAY IMPROVEMENTS**

**Proposed improvements to School Lane**

The applicant's proposed access arrangements and highway improvements to School Lane are as follows.

- Realign School Lane through the proposed site and form two new priority controlled accesses (SJ1A & SJ1B) with the realigned site access forming the major road. The realigned site access to be designed to 20mph speed limit, is to be 5.5m wide with 2.0m wide footways on both sides.
- School Lane currently has 20mph speed limit from Wigan Road up to a point approximately 20m northeast of Orchard Close. The applicant proposes to extend the 20mph speed limit from this point to Pear Tree Lane and then



continued on Pear Tree Lane up to Euxton Lane. The extended 20mph speed limit is to include the proposed site accesses SJ1A & SJ1B for consistency with the realigned access road and the rest of the internal site accesses following development.

- Based on the proposed 20mph speed limit extension, visibility splays of 2.4m x 22m are to be provided at each of the two new site accesses. It should be noted that this falls short of the MfS requirement of 2.4m x 25m, therefore the 'y' distance would need to be increased to be acceptable. At present, there are no details submitted setting out how the visibility splays would be achieved and the existing features and trees (given that some have preservation Orders) that will need to be removed to keep the visibility splays clear. These details would be required before any planning permission is granted as it would not be appropriate to deal with this using a planning condition.

- The section of School Lane between the proposed site access (SJ1B) and Pear Tree Lane would for most of its length be 5.5m wide, however at a point approximately 18m west of School Lane/Pear Tree Lane, there is an existing pinch point where due to the absence of highway land, the carriageway width of 5.5m and the footway of 1.8m cannot be achieved. At the pinch point, the applicant proposes a carriageway width of 4.8m citing the MfS and the traffic survey result in paragraph 4.2.5.3 of the 2019 TA which shows one HGV movements each during the surveyed periods of 07:30-09:30 and 16:15-18:15 at School Lane/Pear Tree Lane. The applicant therefore considers the 4.8m wide carriageway and the 1.8m footway adequate.

In the absence of any available highway land to allow the width of carriageway to be provided to 5.5m, LCC Highways would not object to the proposed 4.8m carriageway width at the pinch point. However, the safety implications of this should be tested by stage one safety audit to be submitted as part of the wider package of highway improvement measures on School Lane and Pear Tree Lane.

- Provide a new 2.0m wide footway (or footpath depending on the site layout) from the new realigned School Lane through the development to link the diverted footpath within the adjoining on-going development (Rowland Homes Site) to the north. This footway (footpath) is then to be extended westerly through the site to School Lane to tie-in with the existing footway on the south side of School Lane at the point of change of speed limit of the road (outside 70 School Lane). As indicated above, the diverted footpath in the Rowland Homes Site is a 3m wide pedestrian/cycle link, therefore the proposed connection from the development should also be a 3m wide pedestrian/cycle link.

- Provide new street lighting on School Lane from where the lighting currently ends approximately 20m northeast of its junction with Orchard Close to Pear Tree Lane and then continued on Pear Tree Lane up to Euxton Lane.
- Install traffic calming features on School Lane on the approach to the new site access in the southwest (SJ1A) from the direction of Wigan Road.

The above proposed improvements to School Lane are acceptable, however as regards the proposed traffic calming features on the approach to the new access to the southwest (SJ1A) the details of which the applicant wishes to agree with LCC Highways, it is considered that any such scheme should not be isolated, but extended over the rest of the existing School Lane up to Wigan Road.

#### **Proposed improvements to Pear Tree Lane (north of School Lane)**

The applicant's proposed improvements to Pear Tree Lane (north of School Lane) are as follows.

- Continuation of the proposed 20mph speed limit extension from School Lane on Pear Tree Lane (north of School Lane) up to Euxton Lane referred to above.
- Continuation of the proposed new street lighting provision from School Lane on Pear Tree Lane (north of School Lane) up to Euxton Lane referred to above.
- Implementation of safety improvement scheme on Pear Tree Lane between School Lane and Euxton Lane. The proposed scheme to include the following.
  - Provision of 5.5m wide carriageway from School Lane/Pear Tree Lane with 1.8m wide footway on the east side of Pear Tree Lane towards north for a distance of approximately 80m (up to the south boundary of Pear Tree House Farm) to include the installation of two sets of speed cushions, signage and road markings.
  - Provision of 5.5m wide carriageway from Euxton Lane/Pear Tree Lane with 1.2m wide footway on the east side of Pear Tree Lane towards south for a distance of approximately 60m (up to the entrance of Fairview Cottage) to include the installation of two sets of speed cushions, signage and road markings.
  - Provision of signs to be agreed with LCC Highways for the middle section (approximately 90m) of Pear Tree Lane to continue to operate as existing the width being increased and without footways. The width of the existing carriageway within the middle section currently ranges from 4.0m to 4.9m.

- Provide widening to the junction of Euxton Lane and Pear Tree Lane as per drawing referenced 1318/23/ rev A (04.09.16)
- Change the existing traffic island to the east of Euxton Lane/Pear Tree Lane to a pedestrian refuge island to incorporate dropped kerbs and tactile pavings, beacons and the necessary signage.

The proposed safety improvements to Pear Tree Lane (north of School Lane) are acceptable in principle, however, it is not considered the scheme as currently designed would be able to deliver safe and suitable access to the site for all people as required by the NPPF. The comments of the Planning Inspector in paragraphs 45 and 46 of the Appeal Decision of the refused application, 16/00489/OUTMAJ are noted, however, LCC Highways must take into account the current increase in the number of proposed dwellings, the potential for further development of lands in the area and the potential increase in traffic to be brought about by possible use of the new realigned School Lane as a rat run between Euxton Lane and Wigan Road.

If allowed to operate as existing without the width being increased, the 90m middle section would be unable to accommodate these impacts with safety implications as two HGVs would not be able to safely pass each other side by side. The applicant's traffic survey relating to the level of HGVs use of Pear Tree Lane are noted, but as indicated above, this would potentially increase with time and the applicant's own predictions show that there would be minimal capacity at Euxton Lane/Pear Tree Lane by 2025 following development.

The proposed 20mph speed limit and the link to the diverted footpath north of the site would contribute to improved safety and accessibility of the site, however, these measures alone would be inadequate to deliver the needed impact mitigation and sustainable outcomes of the proposed development. The NPPF states that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of developments and that the development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The safety improvement scheme on Pear Tree Lane is essential to allow safe and suitable access to the site for all people and there is sufficient highway land available on the west side of Pear Tree Lane notwithstanding the presence of trees with preservation Orders for the applicant to provide engineering solutions to bridging or culverting the existing ditch to allow the 90m middle section of Pear Tree Lane to be widened to 5.5m with footways for increased capacity of the road consistent with the rest of the sections. As currently designed, the proposed scheme is unsatisfactory and would not fulfil the goals stated in paragraph 35 of the NPPF and must be improved to make it acceptable.

## TRAVEL PLAN

The application reserve all matters (including the Travel Plan) except access. Therefore while the framework travel plan included in the 2019 TA is acceptable, a full Travel Plan would be expected to be submitted following development to include as minimum, the following information.

- contact details of an appointed Travel Plan Co-ordinator.
- results of resident's travel survey.
- details of pedestrian/cycling and public transport links to and through the site
- provision of secure cycle parking for those properties where suitable storage space is not available.
- SMART Targets for non-car modes of travel.
- action plan of measures to be introduced, and appropriate funding.
- details of arrangements for monitoring and review of the Travel Plan for a period of at least 5 years.

In addition, LCC would request s106 contribution of £12,000 based on the scale of proposed development, to provide the following range of services.

- appraise the Travel Plan submitted to the LPA pursuant to the Planning Permission and provide constructive feedback.
- Oversee the progression from Interim to full Travel Plan in line with agreed timescales.
- Monitor the development, implementation and review of the Travel Plan for a period of up to 5 years.

## CONCLUSION

The NPPF stresses the need for development proposals to give priority first to pedestrian and cycle movements and so far as possible to facilitating access to high quality public transport. In reviewing the submitted 2019 TA and the associated documents, LCC Highways must ensure that appropriate opportunities to promote sustainable transport modes have been taken up, safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the highway network or on highway safety, can be cost effectively mitigated to an acceptable degree.

The additional improvements identified are:

- the entire Pear Tree Lane (north of School Lane) should be widened to 5.5m with footways. It is considered there is sufficient highway land to allow the existing ditch to be culverted for the carriageway to be widened.
- a bus stop each on Euxton Lane and Wigan Road should be improved to quality disability compliant stops.

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- to make the proposed footpath connection a 3m wide pedestrian/cyclist link to conform to the diverted public right of way in the adjacent development to the north.
- extend the proposed traffic calming scheme on School Lane from the new realigned access (SJ1A) up to Wigan Road.

LCC Highways considers the above measures as relatively straight forward and within the applicant's ability to implement. While the applicant's mitigation measures are noted, it is not considered they are sufficiently far reaching as to deliver the required sustainable and highway safety outcomes. The additional measures are therefore to ensure safe and suitable access for all users. The additional measures and the applicants proposed mitigation measures are necessary to make the development acceptable in planning terms, they are directly related to the development; and are fairly and reasonably related in scale and kind to the development.

Therefore, while the proposal is acceptable in principle, implementation of the above measures are essential for the proposed development and would form part of pre-commencement conditions to be suggested to the Local Planning Authority, as such, LCC Highways wishes to provide the applicant an opportunity to respond to the measures prior to making final recommendation to the LPA.

If agreed, the applicant's proposed mitigation measures and the above additional measures would be implemented through the s278 agreement of the highways act 1980 with all associated costs borne by the applicant.

Yours faithfully,



**WILLIAM TAY**  
**ENGINEER**  
**(HIGHWAY DEVELOPMENT SUPPORT)**

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## CIL Officers

### **Comment Date:**

Chorley Council is a CIL (Community Infrastructure Levy) Charging Authority.

A development is liable for CIL if it:

- ' Involves the creation of one or more dwellings; or
- ' Creates 100sqm or more of new build gross internal floor space, (before making deductions for existing floor space that is to be demolished/converted) ; and
- ' This includes development permitted by a 'general consent' (including permitted development).

CIL Liability is not calculated at outline application stage.

However, this development will be CIL Liable on approval of the final reserved matters application (if approved).

At present, if the final reserved matters application is approved, based upon this outline application information, this development will be subject to the CIL Charge for 'Dwelling Houses' as listed in Chorley Councils CIL Charging Schedule.

The Community Infrastructure Levy is a non-negotiable levy, and should be factored into the development costs.

Contact [planning.obligations@chorley.gov.uk](mailto:planning.obligations@chorley.gov.uk) if you require more information or advice on this Levy.

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