

Application by Highways England for a Development Consent Order in relation to the A585 Windy Harbour to Skippool Improvement Scheme (TR010035)

Fylde Borough Council (our reference: 20021788)

17 May 2019

Deadline 2: Local Impact Report (FBC document reference 2.2)

1. Terms of reference

Introduction

- 1.1 This report comprises the Local Impact Report (LIR) of Fylde Borough Council (FBC). In preparing this report, the Local Authority has had regard to the purpose of LIR's as set out in s60(3) of the Planning Act 2008 (as amended) and the Planning Inspectorate's publication '*Advice Note One: Local Impact Reports*'.

Scope

- 1.2 The LIR relates only to the proposed development's impacts on the administrative area of FBC. Specifically, it assesses the impact of Work nos. 17 and 21-116 as described in Schedule 1 of the draft Development Consent Order (dDCO).
- 1.3 The LIR relies on the applicant's description of the proposed development as set out in document 6.2 of the Environmental Statement (ES).
- 1.4 Only a brief description of the development area is provided to highlight particular designations and features of importance. The applicant's ES otherwise provides a sufficient description.
- 1.5 The relevant planning history described within the LIR relates only to land that is located within the Order limits and does not refer to any land outside those limits (including that which is adjacent, or nearby). FBC has provided its views concerning the development's effects on relevant extant planning permissions in its response to the Examining Authority's (ExA) first written questions (FBC document 2.4, question 1.8.7. refers) and has not sought to duplicate that response in the LIR.

Purpose and structure of the LIR

- 1.6 The LIR's primary purpose is to identify the Local Plan policies that are relevant to the proposed development and the extent to which the development accords with those policies. It does this under topic-based headings which follow the principal issues identified in Annex B of the ExA's Rule 6 letter dated 12 March 2019, as relevant to FBC and the Local Plan. The LIR then goes on to assess the likely nature of local impacts concerning the key issues under each heading, including those which are positive, neutral and negative. This assessment is then followed by a commentary on the extent to which the applicant addresses those impacts by reference to the measures contained in the application documentation, including the DCO articles, requirements and obligations, as relevant.
- 1.7 While a number of the points made in the LIR are repeated from the local authority's Relevant Representation (RR) submitted on 24 January 2019, the importance afforded to the LIR in the Planning Act is such that they are confirmed here so that the ExA and the Secretary of State are in no doubt of the local authority's views. The LIR has sought not to duplicate material covered in FBC's other deadline 2 submissions – including the Statement of Common Ground (SoCG), FBC's responses to the ExA's first written questions (ExQ1) and its responses to the Applicant's

comments on its RR (FBC document references 2.3, 2.4 and 2.5 respectively) – and so the reader is redirected to the relevant parts of those separate documents as necessary to avoid repetition.

- 1.8 FBC is a two-tier local authority which sits beneath Lancashire County Council (LCC) in the hierarchy. LCC are the Local Highway Authority (LHA) and the Lead Local Flood Authority (LLFA) for the area within the Order limits. In addition, LCC provide certain specialist shared services to local authorities in Lancashire concerning topics that are relevant in this case (e.g. archaeology). There are also topics where other statutory parties are better placed to provide technical responses concerning the development's impacts on the local area (e.g. with respect to effects concerning biodiversity, transportation and traffic and the water environment). The LIR makes clear where these instances arise and identifies which external consultee FBC considers is best placed to provide a technical response, including through the dDCO.

2. **Description of the area**

2.1 The proposed bypass runs in a general west to north westerly direction for a distance of approximately 4.85km along its route from the crossroad junction of Fleetwood Road, Garstang Road, Garstang New Road and Windy Harbour Road (the 'Windy Harbour junction') in Fylde to the Skippool junction in Wyre.

Designations

2.2 The majority of bypass would be located within the administrative area of FBC and all of the land inside the Order limits that falls within Fylde is designated as Countryside Area on the Fylde Local Plan to 2032 Policies Map. The broad extent of land required for the construction of the bypass and its associated components is also identified on the Policies Map (as "A585(T) Skippool – Windy Harbour Improvements").

2.3 Elements of the 'Skippool Junction' and 'Skippool Bridge Junction' to the westernmost area of the site (where the bypass crosses the border between Wyre and Fylde) are located within the Coastal Change Management Area which flanks the southern fringes of the River Wyre, as is the whole of the temporary environmental mitigation area (identified on sheet 1 of 4 in the general arrangement plans at document 2.5). The watercourse and riparian habitat of the River Wyre is designated as a Ramsar site (Morecambe Bay & Duddon Estuary Special Protection Area) and Site of Special Scientific Interest (the Wyre Estuary SSSI).

2.4 The northern footway to the eastbound section of the A585 between the Skippool junction and Shard Road is part of the Fylde Coastal Way which presently provides a shared footway/cycleway between the Skippool and Shard Road junctions.

2.5 The area of the bypass extending in a south easterly direction between the 'Skippool Bridge' and 'Poulton' junctions runs parallel to the eastern bank of the watercourse named "Main Dyke" and crosses over land within flood zone 3 as identified on the Flood Map for Planning.

2.6 The route of the bypass crosses open fields that are largely in agricultural use. The Agricultural Land Classification for the majority of these fields is grade 2 and, accordingly, comprises the best and most versatile agricultural land.

2.7 The bypass meanders around the southern edge of a rectangular cluster of woodland at Carr Wood (rear of nos. 129 to 103 Mains Lane) which is protected by a Tree Preservation Order (TPO) – 2017, no. 17. The bypass then crosses the A586 (Garstang Road East) before turning in an easterly direction after the Poulton Junction towards the B5260 (Lodge Lane). The section of the bypass running in a cutting under the 'Lodge Lane Bridge' would pass through three clusters of woodland protected by TPO 1974, no. 1. The route of the bypass would also cross various stretches of hedgerow which mark existing field and roadside boundaries.

2.8 A cluster of dwellings to the east of the 'Lodge Lane Bridge' surround Singleton Hall. An Ice House to the north of Singleton Hall, *circa* 60m south of the proposed bypass, is a grade II listed building (and, accordingly, a "designated heritage asset" for the purposes of the definition in Annex 2 of the National Planning Policy Framework (NPPF)). FBC considers other buildings surrounding the Ice House – namely Singleton Hall, The Manor, Barnfield Manor and North Lodge – to have a degree of heritage interest which warrants their classification as 'non-designated heritage assets'.

General context

2.9 The route of the bypass passes through a landscape that is classified as "coastal plain" under subcategory 15d "the Fylde" in the Lancashire Landscape Strategy (2000). The Strategy identifies

eight key characteristics of this landscape type, all of which are exhibited across the site as follows:

- **Large, geometric arable fields** – The route of the bypass would cross large tracts of open agricultural land comprising a series of historical piecemeal enclosures marked by boundary hedgerows. Despite some localised undulations the landscape is mostly relatively flat, thus allowing wide ranging views across it. These open views are reinforced by a pattern of spacious, low density ribbon development along Mains Lane, the general lack of built development flanking Garstang Road and Garstang New Road to the west and east of the ‘Five Lane Ends’ junction at Little Singleton respectively, and the absence of development along the eastern corridor of the watercourse named ‘Main Dyke’ which prevents a coalescence of settlements between Fylde and Wyre.
- **Colourful arable fields** – The bypass would pass through agricultural fields that used predominantly for arable purposes and the cropping of certain fields provides a colourful backdrop in the landscape reflecting its agricultural history.
- **Marl pit and brick pit ponds** – There are a series of small-scale ponds dotted across the landscape which contribute to its character.
- **Historic brick built farms** – Farms are generally located to the far eastern (e.g. Pointer House Farm and Singleton Grange Farm) and north western (e.g. Rycroft Farm) ends of the route. A number of buildings at these farms are no longer in agricultural use and several other historical farm buildings along Mains Lane (e.g. the group at no. 195 to the west of Rycroft Farm) have been converted to residential use, though their agricultural legacy remains apparent.
- **Estate plantations, shelter belts and parkland trees** – The most notable of these features occurs in the areas surrounding Singleton Hall, which drops down into Singleton Park. Dense shelter belts of woodland planting provide a sense of enclosure to ‘Barnfield Manor’, ‘The Manor’ and ‘Singleton Hall’, with further pockets of woodland (some of which are protected by TPO) extending to the north, east and south of this building cluster.
- **Pockets of semi-natural woodland along brooks and watercourses** – To the western end of the site, the corridor of ‘Main Dyke’ is by marked by a belt of woodland along the banks of the watercourse. Other pockets of woodland are scattered to the north and south of the proposed route.
- **Meandering rural lanes** – While the classified roads of Mains Lane, Garstang New Road and Garstang Road are generally linear, the routes of Lodge Lane and Grange Road to the south of the bypass are in contrast to this and form meandering, rural routes that respond to the local landform.
- **A potentially rich archaeological record** – As identified in document 6.7 of the ES, there are a number of landscape features of archaeological significance which relate to early settlement and land use patterns.

2.10 In summary, the route of the proposed bypass traverses a largely rural landscape characterised predominantly by open agricultural fields in arable use. Built development is limited, generally laid out to a low density and focussed in two principal locations around the Little Singleton crossroads (‘Five Lane Ends’) and following the corridor of Mains Lane in a narrow ribbon. Scattered pockets of semi-natural woodland and hedgerows are dotted about the edges of piecemeal field enclosures, with shelter belts around Singleton Hall and Singleton Park to the east of Lodge Lane forming higher density buffers of mature woodland. The landscape includes buildings and features of heritage interest, both designated and non-designated (including those of archaeological significance), and supports ecological habitats of International and National importance.

3. Relevant planning history

- 3.1 The Order limits of the bypass would cross areas of land, either in whole or in part, associated with the following implemented or extant planning permissions and applications that are awaiting a decision from the Council. FBC does not have a record of any other formal planning applications having been made on land within the Order limits.
- 3.2 **Application reference 05/0726** – Pointer House Farm, Fleetwood Road, Greenhalgh – **Status:** approved (implemented).
- 3.3 Planning permission 05/0726 granted consent for the erection of new feature gates to the site access off Fleetwood Road; the construction of a glass structure within the field to the north of the farmhouse (adjacent to the Windy Harbour junction); and the creation of a fishing lake to the northwest of the farmhouse. It appears to FBC that the feature gates and glass structure have been erected, but the fishing lake approved by the permission has not been created. Nevertheless, as planning permission 05/0726 has been implemented the fishing lake could be created at a later date if desired.
- 3.4 The red line boundary for application 05/0726 extended to around 12.6 hectares, though only a small proportion of that area was shown to be developed. When the approved plans for application 05/0726 are viewed alongside the Order limits to the southern edge of the bypass shown on sheet 4 of the Works Plans in document 2.5 of the Applicant’s submission, it does not appear to FBC that the Order limits would encroach upon the parts of the site that have either already been developed (with regard to the glass structure and feature gates) or could be developed in the future (in respect of the fishing lake) pursuant to planning permission 05/0726.
- 3.5 **Application reference 14/0158** – Richard Dumbreck Singleton Trust Estate, Singleton – **Status:** approved (implemented).
- 3.6 Planning permission 14/0158 involved the introduction of a network of surfaced and unsurfaced footpaths through fields and woodlands which form part of the Richard Dumbreck Singleton Trust (RDST) estate. The scheme also included the erection and replacement of boundary stock fencing, way marking and kissing gates. FBC has confirmed with the RDST that the works consented by planning permission 14/0158 have now been completed.
- 3.7 The Council’s response to ExQ1 question 1.4.2 (FBC document 2.4) provides detailed comments concerning the background to planning permission 14/0158 (including copies of the approved plans). Whilst the bypass would cross the route of public right of way 5-11-FP 2, it does not appear to FBC that the Order limits of the bypass would encroach upon the works that have been implemented pursuant to planning permission 14/0158.
- 3.8 **Application reference 17/0573** – Land South of Garstang New Road, Singleton – **Status:** approved (implemented).
- 3.9 Planning permission 17/0573 granted a temporary, retrospective consent for the use of a *circa* 4.8 hectare parcel of land to the south of Garstang New Road for a mixed agricultural and equestrian use. Condition 3 of planning permission 17/0573 reads as follows:

“The use hereby permitted shall cease and all stables, shelters and other temporary and mobile structures ancillary to that permitted use shall be removed from the land no later than 30 September 2019. After that date the lawful land use shall revert to agriculture only.”

Reason: To ensure that the use of the land hereby approved does not prejudice the construction of the Windy Harbour to Skippool Highway Improvements as this is a Strategic Highway Improvement identified in Policy T1 of the Submission Version of the Fylde Local Plan to 2032.”

- 3.10 The Order limits to the southern edge of the bypass shown on sheets 3 and 4 of the Works Plans in document 2.5 of the Applicant’s submission would encroach substantially upon the area of land that is used pursuant to planning permission 17/0573. Any impacts in this regard would, however, be avoided by virtue of the temporary nature of this permission and the fact that the date for cessation of the permitted use given in condition 3 is in advance of the closure of the Examination.
- 3.11 **Application references 16/1006; 18/0724 and 18/0726** – Land between 185 and 195, Mains Lane, Singleton – **Status:** 16/1006 & 18/0724 approved (unimplemented); 18/0726 undetermined.
- 3.12 Planning permissions 16/1006 (outline) and 18/0724 (reserved matters approval) allow a residential development of 9 dwellings on a *circa* 0.86 hectare parcel of land to the south of Mains Lane, between nos. 185 and 195. Application 18/0724 seeks to discharge several conditions that were attached to outline planning permission 16/1006.
- 3.13 FBC’s response to ExQ1 question 1.8.7 (FBC document 2.4) provides detailed comments concerning the development’s effects on extant planning permission 16/1006, reserved matters approval 18/0724 and application for approval of details reserved by condition 18/0726.
- 3.14 **Application reference 19/0318** – Land north of Garstang Road at junction with Windy Harbour Road, Singleton – **Status:** undetermined.
- 3.15 Application 19/0318 was made valid by FBC on 1 May 2019 and seeks permission for a mixed use tourism and leisure development across a site extending to *circa* 68 hectares on land to the east and west sides of Windy Harbour Road. The proposal includes a 9-hole golf course, the siting of 495 holiday lodges, erection of 4 storey hotel building providing 102 bedrooms, erection of a two storey building providing pool and leisure facilities, green-keeper buildings, and associated open space and biodiversity areas.
- 3.16 The Order limits to the northern edge of the bypass (including those meandering northwards to follow a drainage ditch) shown on sheet 4 of the Works Plans in document 2.5 of the Applicant’s submission would encroach into the red line boundary for application 19/0318 (specifically in respect of the land parcel to the west of Windy Harbour Road). Whilst the extent of this encroachment is limited, it has the potential to prevent the siting of lodges and the introduction of soft landscaping within the affected areas, as the Order limits for the bypass are not shown on the masterplan for application 19/0318.

4. Statutory development plan

- 4.1 Section 38 (3) of the Planning and Compulsory Purchase Act 2004 (as amended) defines the components of the development plan. As the Regional Spatial Strategy for the North West has been revoked and there is no neighbourhood plan for the area within the Order limits, paragraphs (a) and (c) of section 38 (3) are not applicable in this case. Section 38 (3) (b) describes the development plan as “the development plan documents (taken as a whole) which have been adopted or approved in relation to that area”.
- 4.2 The relevant documents that comprise the development plan are identified below. A list of relevant policies contained within the development plan – including a brief summary of the main topics covered by each policy – is also included. Other relevant policy documents which may include material considerations relevant to the development are also identified.
- 4.3 The Fylde Local Plan to 2032 (FLP) was formally adopted by the Council at its meeting on 22 October 2018 as the statutory, adopted development plan for the Borough. FBC considers the following policies of the FLP to be relevant to the proposed development:
- **S1:** The proposed settlement hierarchy – Sets out a four-tier settlement hierarchy by categorising identified settlements as “Key Service Centres”, “Local Service Centres”, “Tier 1 Larger Rural Settlements” or “Tier 2 Smaller Rural Settlements”.
 - **DLF1:** Development locations for Fylde – Defines the development strategy for the Borough which directs the majority of growth for development towards the Key Service Centres and Local Service Centres identified in policy S1.
 - **GD4:** Development in the countryside – Identifies the limitations that will be applied to development within the Countryside Area defined on the Policies Map.
 - **GD7:** Achieving good design in development – Sets out the requirement for developments to achieve a high standard of design in accordance with 15 guiding principles. Additional considerations in relation to highway safety, climate change, existing land uses, flood risk and waste management are also relevant in this case.
 - **GD9:** Contaminated land – Identifies the criteria that need to be satisfied when dealing with proposals involving contaminated land.
 - **EC1** – Overall provision of employment land and existing employment sites – Lists the employment sites allocated on the Policies Map.
 - **H1:** Housing delivery and the allocation of housing land – Specifies the Borough’s objective assessed housing need over the plan period and reinforces the need for housing to be located in accordance with the development strategy in policy DLF1.
 - **INF1:** Service accessibility and infrastructure – Sets out criteria applicable to developments involving new infrastructure provision and refers to the Infrastructure Delivery Plan (IDP) August 2016.
 - **T1:** Strategic Highway Improvements – Includes the safeguarding of land for strategic highway improvements and policy support for the delivery of three specific, planned strategic highway improvements in Fylde.
 - **T4:** Enhancing sustainable transport choice – Identifies the need for measures to improve accessibility across the Borough, improve safety and quality of life for residents and reduce the Borough's carbon footprint.
 - **CL1:** Flood alleviation, water quality and water efficiency – Sets out the requirement for developments to satisfy the sequential, risk-based approach to the location of the development, to minimise flood risk impacts and to maintain water quality and efficiency.
 - **CL2:** Surface water run-off and sustainable drainage – Requires developments to dispose of surface water run-off in the most sustainable way, including the use of Sustainable Drainage Systems whenever practical.

- **ENV1:** Landscape – Requires developments to have regard to their visual impact on surrounding landscapes and how their visual impact can be mitigated through the retention and introduction of landscaping. The policy also identifies the protection that will be afforded to the Coastal Change Management Areas defined on the Policies Map.
 - **ENV2:** Biodiversity – Identifies the hierarchy of nature conservation sites and the criteria that will be applicable to development within or affecting these sites, how damage to nature conservation sites will be interpreted and the protection that will be given to priority species.
 - **ENV5:** Historic environment – Sets out the requirement for developments to protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde’s designated and undesignated heritage assets.
- 4.4 FBC is presently undertaking a partial revision of the FLP and is in the process of carrying out a consultation on the scope of this. FBC’s response to ExQ1 question 1.0.2 (FBC document 2.4) provides detailed comments concerning the scope of the partial revision, including how the timetable for this relates to the deadline for the examination.
- 4.5 At a regional level, the following transport policy documents are also relevant in this case:
- **The Fylde Coast Highways and Transport Masterplan (FCHTM) – adopted July 2015** – The Masterplan includes a number of priority transport schemes, together with public transport initiatives, that will need to be delivered to overcome existing traffic congestion and to accommodate all of the new development planned in the Fylde Coast to the year 2032.

ASSESSMENT OF IMPACTS AND ADEQUACY OF RESPONSE

5. Introduction

- 5.1 Annex B of the ExA's Rule 6 letter dated 12 March 2019 includes an initial assessment of principal issues and organises these under nine main topic headings. Relevant sub-issues are then specified under each topic heading. FBC does not consider matters relating to topic 1 ("Compulsory Acquisition") to be of direct relevance to the purposes of the LIR and so the analysis below does not include any commentary on that topic. For efficiency and clarity, observations concerning the adequacy of the dDCO (topic 2) are set out in relation to the subject matter under each of the main topic headings, rather than in a separate section. To avoid duplication, cross references are made to the local authority's other deadline 2 submissions, particularly the SoCG.
- 5.2 The structure of this section follows the guidance in the Planning Inspectorate's publication 'Advice Note One: Local Impact Reports' concerning the content of LIR's by identifying the main local planning policies that are relevant to each topic; providing a statement of the scheme's positive, neutral and negative local impacts in relation to that topic; appraising the proposed development's compliance with local policy; and assessing the adequacy of any specific mitigation or compensatory measures proposed within the dDCO in relation to that topic. Finally, FBC gives its view on the relative importance of the different social, environmental and economic issues relevant to each topic and a summary of the scheme's impact on them.

6. The principle of development

Policy background

- 6.1 FLP policy T1, with reference to the FCHTM, states that the delivery of strategic highway improvements within the borough will be supported as a matter of principle. Criterion c) of the policy identifies "The A585 Skippool – Windy Harbour Improvements" as one of the strategic highway improvement schemes that is anticipated to come forward during the plan period. The same scheme is also referred to in the IDP which underpins FLP policy INF1. FLP policy GD4 indicates that development in the Countryside will be limited to the six categories identified in criteria a) to f).

Statement of positive, neutral and negative local impacts

- 6.2 Paragraph 2.8 of the IDP identifies the main benefits of the scheme as "remov[ing] the current pinch point at Five Lane Ends and provid[ing] the opportunity to improve the A585(T) Mains Lane / A588 Shard Road junction. It could also remove rat-running traffic from Singleton." In addition, FLP policy T1 identifies a presumption in favour of the development as a matter of principle, with the main positive impact noted in the policy and the IDP being the development's benefits in alleviating traffic congestion along this stretch of the A585. For the reasons set out in the remainder of the LIR it is not, however, the case that the scheme's positive effects are limited only to transport matters.
- 6.3 Paragraph 11.37 of FLP policy T1 identifies other policies of particular relevance to schemes involving strategic highway improvements and the need for such developments to "minimise landscape, biodiversity, drainage, severance and noise impacts". These impacts relate to the scheme's detailed design and so are assessed in more detail under each related topic heading below.
- 6.4 The scheme does not meet any of the limitations in FLP policy GD4 where development will be permitted in the countryside. Accordingly, negative effects would arise by virtue of the development's substantial urbanising impact and an associated loss of open character within the countryside.

Appraisal of compliance with local policy

- 6.5 The proposed development is identified as an important strategic highway improvement scheme in the FLP, the IDP and the FCHTM. The principle of development is, therefore, established by virtue of the scheme's inclusion within those local planning policy documents. Criterion c) of FLP policy INF1 identifies that proposals involving the delivery of new infrastructure in the Borough should ensure that they successfully "mitigate any environmental impacts". Accordingly, in assessing the scheme's local impacts the LIR pays closer attention to matters concerning the proposal's detailed design and the effects flowing from that, rather than focussing on matters concerning the principle of development.
- 6.6 The development is in conflict with the overarching objective of FLP policy GD4 which seeks to protect the countryside from development that would harm its rural character. This conflict must, however, be balanced against the presumption in favour of the principle of the development identified in FLP policy T1.

Adequacy of the dDCO

- 6.7 Parts 1 – 7 of the dDCO comprise a factual description of the works that are required within the Order limits to deliver the development. Accordingly, FBC does not have any specific observations concerning the provisions in Paragraphs 1-43 of the dDCO. Instead, the local authority's comments on the dDCO are focussed on the mitigation measures set out in the Requirements at Schedule 2. The Council's detailed comments in this regard are set out in the SoCG, with the LIR providing a summary of those observations in relation to the subject matter of each topic heading below.

Summary of scheme impacts and relative importance of the issue

- 6.8 FLP policy T1 identifies support for the proposed development as a matter of principle. This presumption in favour of the scheme's delivery must attract significant weight and the scheme's other impacts, including those arising from its conflict with policy GD4, considered proportionately in that context.

7. Biodiversity

Policy background

- 7.1 FLP policy ENV2 sets out a hierarchy of nature conservation sites, identifies a series of principles that developments affecting those sites should adhere to and provides an interpretation of what will constitute "damage" to nature conservation sites. Policy ENV2 also identifies the protection that will be afforded to priority species.
- 7.2 Although there are no designated nature conservation sites within the Order limits, the proposed development would have an impact on the Morecambe Bay & Duddon Estuary Special Protection Area (SPA) and the Wyre Estuary SSSI located to the north of the site. As identified in policy ENV2, these are sites of international and national importance respectively. The scheme would also have localised impacts on priority species.
- 7.3 Elements of the 'Skipool Junction' and 'Skipool Bridge Junction' to the westernmost area of the site (where the bypass crosses the border between Wyre and Fylde) are located within the Coastal Change Management Area (CHMA) which flanks the southern fringes of the River Wyre estuary, as is the whole of the temporary environmental mitigation area (identified on sheet 1 of 4 in the general arrangement plans at document 2.5). Therefore, the sections of FLP policy ENV1 relating to development in "coastal change management areas" are also applicable.
- 7.4 Criterion b) of FLP policy ENV1 identifies the need to conserve and enhance existing landscape features, including trees and hedgerows. In the event that the loss of such landscape features in

unavoidable, criterion c) of the policy indicates that compensation should be provided through “like-for-like replacements”. Similarly, criterion m) of FLP policy GD7 seeks to protect existing landscape features and ensure that developments protect and enhance habitats.

Statement of positive, neutral and negative local impacts

- 7.5 Chapter 8 of the ES assesses the scheme’s likely impacts on designated nature conservation sites, protected species and habitats. In addition, the Habitat Regulations Assessment (HRA) report (document 5.4) identifies the need for the implementation of specific mitigation measures relating to water quality and the provision of bird mitigation areas to offset the development’s effects on bird assemblages for land that is functionally linked to the SPA. The HRA includes an Appropriate Assessment which concludes that, with mitigation, “there would be no adverse effect on the integrity of any European sites and features as a result of the Scheme”, both alone and in combination with other plans and projects.
- 7.6 With reference to the abovementioned documents, the Applicant acknowledges that the development would give rise to some negative effects on biodiversity that need to be mitigated. In certain instances, habitat compensation is also required to offset losses arising from the scheme. These measures are summarised in paragraphs 3.2.75 and 3.2.76 of Application document 7.1.
- 7.7 The HRA also indicates that the scheme could have some net beneficial effects on the SPA by reducing noise levels adjacent to this designated site. Other biodiversity enhancements would be secured through significant net gains in the planting of deciduous woodland and hedgerows, and through the creation of new habitat features as summarised in paragraph 3.2.78 of Application document 7.1.
- 7.8 FBC utilises the services of the Greater Manchester Ecology Unit (GMEU) to provide specialist advice concerning the effects of developments on biodiversity. A copy of the GMEU’s comments are attached at Appendix A. Their comments on the scheme support the HRA’s conclusion that, taking into account planned mitigation measures, the development will not cause harm to designated nature conservation sites. The GMEU also consider that the level of mitigation and compensation proposed is sufficient to address the identified ecological impacts of the development (including effects on protected species). Finally, the GMEU indicate that the new landscaping proposed as part of the scheme is capable of achieving a net gain in biodiversity in the medium to long term.
- 7.9 Having regard to the observations of the GMEU, FBC considers that the development’s effects on designated nature conservation sites and protected species can be satisfactorily offset through the implementation of the mitigation and compensation measures identified by the Applicant. Accordingly, FBC concludes that the scheme’s overall impact on biodiversity would be a neutral one.

Appraisal of compliance with local policy

- 7.10 The proposed development would affect designated nature conservation sites of international and national importance. Impacts on priority species would also arise. These effects would, however, be adequately mitigated and appropriate compensatory habitat created through the provisions of the dDCO in order to ensure that there would be no adverse impact on the integrity of designated nature conservation sites. Accordingly, the test in FLP policy ENV2 b) iv) would be met and so the development should not have any damaging effects on nature conservation sites and ecological networks. It is also the case that the development is capable of providing net gains in biodiversity in the medium/long term.

- 7.11 A small area within the Order limits falls within the CHMA. FLP policy ENV1 states that development in the CHMA will only be permitted where seven criteria are satisfied. In this case, the design of the Skippool and Skippool Bridge junctions are such that encroachment within the CHMA could not be avoided and so the development exceptionally requires its location within the CHMA for the purposes of criterion (i). For the reasons identified above, the development would not adversely affect nature conservation assets of the coastline and so criteria (iii) is satisfied. Given the modest level of the development's encroachment into the CHMA, including that this would be to the periphery of the designation, it is not considered that the scheme would conflict with any of the remaining criteria relating to the open character of the coastline (ii); tourism value along the coastline (iv); interference with natural coastal processes (v); impeding the function of existing sea defence structures (vi); and accordance with the development strategy of the Local Plan.
- 7.12 Overall, therefore, it is considered that the proposal accords with the objectives of FLP policies ENV2, ENV1 and GD7 with respect to its impacts on biodiversity.

Adequacy of the dDCO

- 7.13 The mitigation measures summarised in paragraph 7.5 are detailed in the outline CEMP (Application document 7.2). The requirement in Schedule 2, Part 1, Paragraph 4 (1) of the dDCO requires the submission of a final CEMP to the Secretary of State "following consultation with the relevant planning authority to the extent that it relates to matters relevant to its function". As the outline CEMP includes detailed measures to mitigate the development's impact on designated nature conservation sites of international and national importance, FBC considers that Natural England must also be consulted on the final CEMP. Alternative wording for this requirement is, therefore, suggested in point 1 of FBC's comments on the dDCO contained within the SoCG (FBC document 2.3).

Summary of scheme impacts and relative importance of the issue

- 7.14 FBC considers that significant weight should be attached to the scheme's impact on designated nature conservation sites of international and national importance. In this instance, the Applicant's HRA has satisfactorily demonstrated that, taking into account planned mitigation measures to be implemented through the dDCO, the scheme will not harm designated nature conservation sites. The level of mitigation and compensation proposed to address other identified ecological impacts (including those affecting priority species) is also sufficient and would result in net gains for biodiversity in the medium/long term.

8. Cultural heritage

Policy background

- 8.1 FLP policy ENV5 requires that proposals "conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde's designated and undesignated heritage assets". Policy ENV5 includes separate sections concerning impacts on listed buildings, conservation areas, locally important heritage assets and archaeological remains.
- 8.2 In addition, criterion f) of FLP policy GD7 requires developments to demonstrate good design by "conserving and enhancing the built and historic environment".

Statement of positive, neutral and negative local impacts

- 8.3 The development's impacts on the historic environment are set out in document 6.7 of the ES. In summary, this identifies a "negative and significant" effect arising from the direct loss of archaeological remains relating to the "known Romano-British settlements to the west of the Main Dyke at Moorfield Park" within the Order limits and a "moderate adverse" impact on a grade II listed building to the north of Singleton Hall (the 'Ice House'), east of the proposed Lodge

Lane bridge. The ES concludes that these adverse effects would be “significant”, with negative effects on other heritage assets of lesser importance being “slight adverse or neutral”.

- 8.4 FBC agrees with the conclusions in the ES regarding the development’s negative effects on potential archaeological remains and the setting of the grade II listed Ice House. It is also noted that the adverse effects on the latter would arise from the harmful urbanisation of the listed building’s present open, rural setting. In that regard, FBC also considers there to be wider negative impact on the cluster of buildings located to the south and west of the Ice House – namely Singleton Hall, the Manor, Barnfield Manor and North Lodge – which are considered to have significance as ‘non-designated’ heritage assets. Of these, document 6.7 of the ES only recognises Singleton Hall as a non-designated heritage asset. However, the Manor, Barnfield Manor and North Lodge, both individually and collectively, are also considered to have a level of heritage interest which is sufficient to warrant consideration of the scheme’s impact on their significance.
- 8.5 As with the grade II listed Ice House, the bypass would have a negative impact on the setting of the building cluster surrounding the Lodge Lane bridge by urbanising their tranquil, rural setting. Moreover, the routing of the bypass would separate North Lodge from the rest of the building cluster by severing the original driveway link to Singleton Hall. These harmful visual effects and associated loss of significance to non-designated heritage assets would be compounded by the siting of a 2-3m high close-boarded acoustic fence atop the retaining wall along the southern edge of the bypass where it flanks this building cluster.
- 8.6 Document 6.7 of the ES also identifies the Singleton Conservation Area – located *circa* 775m to the south of the Order limits – as a designated heritage asset that has the potential to be affected by additional noise from the bypass and, if uncontrolled, the routing of construction traffic through it. Given the acoustic mitigation that is proposed as part of the development and the provision for a traffic management plan in Schedule 2, Part 1, Paragraph 10 of the dDCO, it is considered that any negative effects on the conservation area can be appropriately mitigated in order to ensure a neutral impact in this regard.

Appraisal of compliance with local policy

- 8.7 The proposed development would give rise to adverse effects on the historic environment by virtue of its impacts on the setting of a grade II listed building, the disturbance of archaeological remains and harmful effects on other non-designated heritage assets. There is, therefore, conflict with the objectives of FLP policies ENV5 in this regard. As identified in paragraph 3.2.90 of Application document 7.1, it is for the decision maker to determine whether the public benefits arising from the development would outweigh this harm.

Adequacy of the dDCO

- 8.8 FBC’s detailed comments regarding the adequacy of the dDCO’s response to dealing with archaeological remains are set out in its response to ExQ1 question 1.4.1 (FBC document 2.4) and its observations in point 10 of FBC’s comments on the dDCO contained within the SoCG (FBC document 2.3).
- 8.9 FBC also considers that an additional requirement relating to the design of acoustic barriers should be inserted in Schedule 2, Part 1 of the dDCO. Suggested wording for this insertion is given in point 7 of FBC’s comments on the dDCO contained within the SoCG (FBC document 2.3).

Summary of scheme impacts and relative importance of the issue

- 8.10 FBC considers that great weight should be given the development’s impact on the significance of designated heritage assets (including, where applicable, heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments). The scheme’s

effects on the significance of non-designated heritage assets, while of lesser importance, should also be taken into account. In this case, harmful impacts would arise to both designated and non-designated heritage assets. These impacts could, to some extent, be addressed through amendments to the requirements of the dDCO.

9. Landscape and visual

Policy background

- 9.1 FLP policy ENV1 requires developments to have regard to their visual impact within their landscape context and the landscape type within which they are situated (as identified in the Lancashire Landscape Character Assessment, December 2000). Criteria a) to e) of the policy also set out expectations with respect to landscaping schemes designed to mitigate any potentially harmful visual effects.
- 9.2 FLP policy GD7 sets out general principles for good design. Criteria d), e), h), i), k) and m) are of particular relevance to the development's visual impact.

Statement of positive, neutral and negative local impacts

- 9.3 The route of the bypass passes through a landscape that is classified as "coastal plain" under subcategory 15d "the Fylde" in the Lancashire Landscape Strategy (2000). The key characteristics of this landscape type, including how the site exhibits these, are summarised in paragraph 2.9.
- 9.4 The scale and extent of the proposed development is significant. Although it passes through a single landscape type it would, to varying degrees, affect all components of the coastal plain within which it is located, either through the loss of existing landscape features or by eroding its open character as result of its substantial urbanising impact. In particular, the route of the bypass would necessitate the removal of several hedgerows throughout the Order limits and the loss of three clusters of mature woodland protected by a TPO to the east of the Lodge Lane bridge, before running through a *circa* 8.5m deep cutting under Lodge Lane. The sides of the cutting would be supported by tall retaining walls, with 2-3m high acoustic barriers mounted above on both sides. Document 6.9 of the ES does not include a photomontage to show the appearance of this cutting (including the retaining wall and acoustic barrier). The scheme also includes the construction of a *circa* 5.7m high steel footbridge with ramped returns over the eastern end of the bypass to link with an existing public right of way. The loss of existing landscape features and the introduction of urbanising, utilitarian features that are incongruous to their setting would have significant negative effects on the surrounding landscape and the open, rural character of the countryside.
- 9.5 Other negative visual effects would arise from the unsympathetic design of acoustic barriers in prominent locations – most notably that which is to extend along the southern fringe of the bypass to the east of the Lodge Lane bridge. As well as the negative visual effects to heritage assets identified in paragraph 8.5, the close-boarded fencing proposed in this location would have a very poor appearance in roadside views from Lodge Lane. This harmful visual impact could not be mitigated through the introduction of new landscaping as any such screening could only be placed on the southern side of the acoustic fence (thus leaving exposed views from vantage points to the north).
- 9.6 The application includes the introduction of approximately 47,287 m² of deciduous woodland and 9,437 m² of hedgerow planting. Whilst this represents a significant net gain in comparison to the permanent loss of *circa* 6,287 m² of existing deciduous woodland and 4,221 m² of hedgerow, much of this new planting would comprise immature, low-level species which, if successful, will take decades to mature. Accordingly, the adverse visual effects described in paragraphs 9.4 and 9.5 would be apparent throughout the short to medium term, before the proposed mitigation

landscaping takes effect. That impact could, to a degree, be addressed by including a proportion of larger standard and heavy standard trees from the outset and by implementing a longer rectification period to allow for the replacement of species that are removed, become diseased or die.

- 9.7 The amount of landscaping proposed as part of the scheme reflects the extent, magnitude and severity of the development's visual impact. Document 6.9 of the ES indicates that the magnitude of the development's visual impact and the significance of these effects will be "major" and "moderate – large adverse" at several locations. Therefore, whilst the amount of landscaping proposed is likely to provide effective screening of the development in the long term (along with some positive net gains in places), its success is dependent on a robust programme of rectification and ongoing maintenance.

Appraisal of compliance with local policy

- 9.8 The development's harmful visual effects on the surrounding landscape and the loss of existing features of importance are in conflict with the provisions of FLP policy ENV1. As highlighted in paragraph 6.6, there is also conflict with FLP policy GD4 in this regard. These effects are, to a large extent, capable of being mitigated through the introduction of new soft landscaping buffers to screen the development. It is, however, the case that the beneficial effects of this mitigation would only become apparent in the long term. The effects of other, more localised, visually harmful aspects of the scheme such as the Grange footbridge and acoustic barriers could be addressed through amendments and additions to the dDCO in order to better assimilate these features into their surroundings and so ensure compliance with FLP policy GD7.

Adequacy of the dDCO

- 9.9 The requirement in Schedule 2, Part 1, Paragraph 5 of the dDCO deals with landscaping. As set out in the SoCG (FBC document 2.3), FBC considers that the 5 year rectification period mentioned in sub-paragraph (5) should be increased to 10 years. Suggested wording for this amendment is given in point 3 of FBC's comments on the dDCO contained within the SoCG. In addition, FBC considers that the record of environmental actions and commitments (REAC), which is linked to the requirement in Paragraph 5 (2), should be updated to provide for the size, type and mix of planting identified in Appendix A of FBC document 2.5.
- 9.10 FBC also considers that an additional requirement relating to the design of acoustic barriers should be inserted in Schedule 2, Part 1 of the dDCO. Suggested wording for this insertion is given in point 7 of FBC's comments on the dDCO contained within the SoCG.

Summary of scheme impacts and relative importance of the issue

- 9.11 The proposed development will have a significant impact on landscape character and visual amenity. These effects would be readily appreciable within the scheme's open countryside setting and substantial mitigation is required to compensate for and mitigate against the scheme's harmful visual effects. There is, however, no reason why this could not be achieved subject to the implementation of a suitable landscaping scheme which provides for an appropriate mix of species and is appropriately managed and maintained to deliver tangible long term benefits. Localised matters concerning the scheme's detailed design can also be addressed through the dDCO. At present, the local authority does not consider that the dDCO includes adequate mitigation for its landscape effects. Therefore, this matter is of significant importance.

10. Transportation and traffic

Policy background

- 10.1 FLP policy T1 c) identifies "The A585 Skipool – Windy Harbour Improvements" as one of three planned strategic highway improvement schemes that are to be delivered during the plan period.

The FCHTM also refers to the same improvement scheme and the “A585(T) Windy Harbour Junction Improvement” mentioned in the masterplan (the termination point at the eastern end of the proposed bypass) has now been completed. In addition to “a significant bottleneck at Singleton crossroads”, which is to be addressed by the bypass, the FCHTM also identifies “other local problems on [the A585(T) between the M55 and Fleetwood”. In particular, the masterplan indicates that “Highways England is also currently working to resolve capacity issues at Windy Harbour and at Junction 3 on the M55 and have committed to monitoring the southern section of the A585(T) from Windy Harbour to M55 Junction 3, bringing forward improvements where appropriate and beneficial, for instance potential improvements at the Thistleton crossroads.”

- 10.2 Chapter 3 of the FLP sets out “the vision for Fylde to the year 2032”. In terms of overcoming traffic congestion, this identifies one of the plan’s objectives as follows: “congestion on the A585 trunk road will have been resolved through the delivery of the M55 to Fleetwood Corridor Improvements (formerly known as the Blue Route). Strategic objective 3 (e) in Chapter 4 of the plan is identified as “encouraging the delivery of [...] the M55 to Fleetwood Corridor improvements (i.e. formerly known as the Blue Route).” The “Blue Route” is also referred to in paragraph 11.35 of the FLP, which notes that it “should be safeguarded until an alternative highway solution is proposed to alleviate congestion on the A585”. The indicative path of the Blue Route is identified on the FLP Policies Map as “safeguarding route of M55 (Junction 3) to Fleetwood Corridor Improvements”.
- 10.3 Reference to the “Blue Route” within the FLP stems from the indication in the FCHTM which reads as follows: “The M55 to Norcross scheme is a very long standing proposal. Whilst we still believe that the scheme is not deliverable in the foreseeable future and that we must urgently seek other solutions, the consultation has made it very clear that, almost without exception, respondents do not believe that any other long term solution to problems on the A585(T) corridor exist.” The FCHTM provides the following background to the status of the “Blue Route”: “There is a long-standing proposal to build a dual carriageway road to connect a new junction on the M55 east of Peel Hill to the Victoria Road roundabout on the A585(T) between Thornton and Cleveleys. This scheme is known as the M55 to Norcross Link, although it is often referred to as 'the Blue route'. The then Department of Transport withdrew its support for a similar scheme in 1994, but the County Council has continued to protect a route since then, a decision last reviewed in 2006.”
- 10.4 FLP policy GD7 indicates that developments should avoid adverse impacts on highway safety by adhering to three criteria (p – r). In addition, FLP policy T4 identifies the need for measures to improve accessibility across the Borough and to enhance access to sustainable transport modes.

Statement of positive, neutral and negative local impacts

- 10.5 The FCHTM identifies that “there are significant traffic volumes travelling to and from the Fleetwood peninsula via the A585(T), which at times already struggles to cope with current traffic levels, with particular problems at Windy Harbour and Singleton crossroads.” The masterplan indicates that “traffic flows are consistently above 20,000 vehicles per day along the southerly length of the route, peaking at 28,000 on Mains Lane east of Skippool” and, in respect of HGV movements, that “between the Singleton and Windy Harbour junctions, the number [of HGVs] rises to almost 1,600 per day, with 1,300 HGVs to the north of the M55.” The FCHTM also refers to “low average speeds between the Norcross and Windy Harbour junctions during both morning and evening peak hours. However, congestion is now an increasing problem during off-peak periods and at weekends. This makes journey times unreliable for local residents, businesses and visitors.”
- 10.6 The development’s positive impacts in terms of alleviating traffic congestion are identified explicitly in paragraph 11.35 of the FLP, paragraph 2.8 of the IDP and the FCHTM. In particular, the FLP indicates that “this scheme would remove the current bottleneck at Five Lane Ends and give

the opportunity to improve the A585(T) Mains Lane / A588 Shard Road junction. It could also remove commuter traffic from Singleton.” The bypass would also feed into the recently completed “A585(T) Windy Harbour Junction Improvement” works mentioned in the FCHTM. The Table in Appendix 1 of Application document 7.1 refers to the scheme’s transport benefits in terms of: (i) improving road safety by reducing the likelihood of accidents occurring (3.10); (ii) enhancing connectivity for pedestrians, equestrian and cyclists around the A585 through the delivery of controlled crossing facilities for pedestrians and cyclists at Skippool Junction and a new footbridge (Grange Footbridge) including an accessible footpath with links across Garstang New Road to connect with the wider Public Rights of Way network (3.17); and (iii) Increasing accessibility and reducing severance for non-motorised users by improving the safety of pedestrians, equestrian and cyclists around the existing A585, which would be de-trunked (3.21).

- 10.7 In terms of improvements to road user journey times, paragraph 7.1.7 of the Transport Assessment (TA – Application document 7.4) identifies that “travel time savings of between 2 and 4.5 minutes per journey are forecast to be saved by road users due to the Scheme.” With respect to network capacity, paragraph 7.1.8 of the TA indicates that the “scheme has a mainline capacity of up to 41,000 vehicles per day per direction”. The TA identifies that forecast future traffic flows will not reach this capacity by 2037 and so reserve capacity is built in to support future development in the area.
- 10.8 For the reasons set out in paragraphs 10.6 and 10.7 it is, therefore, the case that the development’s transport impacts would give rise to a number of highway capacity and safety benefits, along with improving accessibility and connectivity for non-motorised road users.
- 10.9 Section 5.2 of the TA includes forecasts of area wide changes in traffic volume in the “Design Year (2037) arising as a result of the scheme. This shows an increase of “approximately 200-300 vehicles an hour on the A585 and A586”, due principally to the reassignment of traffic heading to the M55 along local roads through Blackpool and Wyre onto the bypass. As identified in the TA, this reassignment of vehicles will have a knock-on effect on the volume of traffic travelling on the north-south section of the A585 between the Windy Harbour junction and junction 3 of the M55 (Fleetwood Road).
- 10.10 As identified in paragraph 10.1, the FCHTM identifies the need for future monitoring on “the southern section of the A585(T) from Windy Harbour to M55 Junction 3” and for the bringing forward of improvements along this stretch, including at the Thistleton crossroads (the A585/B5269 junction). The Applicant’s responses to Relevant Representations in document 7.9 indicate that Highways England are conducting separate investigatory studies along the north-south stretch of the A585 and for the A585/B5269 (Thistleton/Mile Road) junction that are separate from the A585 Windy Harbour to Skippool Improvement scheme. Whilst it is recognised that these investigations (and any improvements flowing from them) are outside the scope of this scheme, there is a potential negative impact on the north-south section of the A585 arising from increased traffic volumes travelling along this stretch, should the bypass be brought forward without any simultaneous improvements on Fleetwood Road.
- 10.11 Notwithstanding the issues identified in paragraph 10.10, it is noted that Figures 5-2 and 5-3 of the TA forecast a reduction in vehicle movements through the western arm of the A585/B5269 (heading to/from Singleton) as a result of the bypass. This would be a positive impact
- 10.12 The Applicant’s approach to the consideration of alternative routes/solutions is summarised in paragraphs 4.26, 4.27 and 4.35 of the Table in Appendix A of Application document 7.1. In summary, this included three route corridors, five options for the “southern” corridor and two options for the “northern” and “online” corridors. The response in paragraph 4.35 also deals with the consideration of a “land bridge” over the Lodge Lane cutting and indicates that this was

discounted following a “Value Management Workshop”. The land bridge option would have delivered benefits in terms of reducing the scheme’s visual and heritage impacts and, potentially, deliver a more effective and aesthetically pleasing means of noise attenuation. The non-inclusion of the land bridge is, therefore, considered to be a negative impact.

Appraisal of compliance with local policy

- 10.13 A number of Relevant Representations submitted to date suggest that the proposed bypass will deliver limited benefits in comparison to alternative schemes, including the “Blue Route”. The FCHTM summaries the main issues on the existing A585(T) as: (i) Queuing at Five Lane Ends junction, Singleton; (ii) Queuing at Windy Harbour junction; (iii) Queuing at M55 Junction 3; (iv) Traffic turning at priority junctions; and (v) Traffic on minor roads avoiding the A585(T). The FCHTM states that “all of these issues relate to this southern section of the route and all would be solved by the 'Blue' route. However, the County Council believe that it would be difficult to put forward a strong enough case for change based on the traffic impacts of the scheme alone given the environmental impacts of the scheme and current public policy objectives with regard to economic growth and job creation. The County Council therefore do not believe that the scheme is deliverable in the foreseeable future, so we and our partners need to look for alternative solutions to what are very real day to day problems in the corridor and its nearby roads.” Accordingly, although the “Blue Route” is referred to in the FLP and land safeguarded for this, it is not considered to be a viable, alternative option to the proposed bypass.
- 10.14 The scheme’s effects in terms of improving the capacity and safety of the highway network, including relieving areas of existing identified traffic congestion and improving journey times, accord with the strategic objectives of FLP policy T1 and the FCHTM. The highway safety principles of policy GD7 are also satisfied. The scheme would also deliver improvements for non-motorised users – particularly through the de-trunking of Mains Lane – and so accords with the objectives of FLP policy T4 in this regard.

Adequacy of the dDCO

- 10.15 Schedule 2, Part 1, Paragraph 10 (1) of the dDCO requires the submission of a traffic management plan to the Secretary of State “following consultation with the relevant planning authority”. As Lancashire County Council are the local highway authority for the area (and, accordingly, are best placed to comment on the suitability of the traffic management plan), it is considered that they are the appropriate party to be consulted in this respect. Suggested wording for this amendment is given in point 5 of FBC’s comments on the dDCO contained within the SoCG.

Summary of scheme impacts and relative importance of the issue

- 10.16 The Scheme objectives summarised in paragraph 3.2 of the Table to Appendix 1 of document 7.1 are “to improve journey times on the A585 between Windy Harbour and Skippool Junctions; improve safety for all road users; improve access for local users, pedestrians and cyclists; and deliver capacity enhancements to support employment and residential/commercial development and growth opportunities, safety for all road users as well as access for local users, pedestrians and cyclists.” The transport information submitted with the Application indicates that these objectives will be met in accordance with the aspirations of FLP policies T1, T4 and GD7, as well as the IDP and the FCHTM. As matters relating to transportation and traffic are intrinsic to the scheme’s purpose it is considered that this issue is of significant importance.

11. Water environment

Policy background

- 11.1 FLP policy CL1 sets out requirements for developments to satisfy the sequential, risk-based approach to the location of the development, to minimise flood risk impacts and to maintain water quality and efficiency. FLP policy CL2 relates to dealing with surface water run-off, with a

requirement to dispose of this in the most sustainable way, including the use of Sustainable Drainage Systems (SuDS) whenever practical.

Statement of positive, neutral and negative local impacts

- 11.2 Application document 5.2 contains the Applicant's Flood Risk Assessment (FRA). The FRA identifies that part of the site is within flood zone 3 and that it is classed as "essential infrastructure" for purposes of flood risk vulnerability. Accordingly, it can be permitted in flood zone 3 subject to the sequential and exception tests being satisfied. The reasons for the development's compliance with the sequential and exception tests are set out in section 4.4 of the FRA. It is accepted that there are no sequentially preferable alternatives to locating the bypass and that the scheme also satisfies both parts of the exception test. The scheme's compliance with the sequential and exception tests is considered to give rise to a neutral impact.
- 11.3 The FRA considers flood risk from a range of sources, with flooding from rivers and the tidal Wyre being identified as the primary sources of risk. Paragraph 1.1.3 of the FRA indicates that "within the design constraints of tying into the existing road network at each end, the Scheme would in the majority be flood free over its development lifetime and [...] would make a contribution to reducing flood risk overall." The conclusions in paragraph 10.1.5 of the FRA refer to the implementation of a suitable drainage design (shown indicative in Appendix E of the FRA) "to ensure that there will be no increase in surface water run-off from the Scheme to the local land drainage system and that there would be no increase in third party flood risk from this source." The development's compliance with policy in this regard is considered to be a neutral impact.
- 11.4 Paragraph 10.1.8 of the FRA indicates that the replacement of "the existing Skippool Bridge culverts (2 1.8m diameter) with a 12.5m clear span bridge significantly reduces upstream flood extents in all modelled events." This flood alleviation mechanism would give rise to a positive local impact.
- 11.5 Paragraph 10.1.11 includes provision for compensatory storage during construction to mitigate risk to third parties. Paragraph 10.1.15 of the FRA indicates that modelling shows areas immediately east of the Skippool Junction and west of the Windy Harbour Junction are at risk of flooding. However, Paragraph 10.1.16 states that "residual flood risks both to third parties as a result of the Scheme construction, and to the Scheme itself can be appropriately managed". Accordingly, it is considered that any negative impacts arising from flood risk can be suitably mitigated.

Appraisal of compliance with local policy

- 11.6 The FRA demonstrates that the development satisfies the requirements of the sequential and exception tests, and would not be at an unacceptable risk of flooding, nor would it increase flood risk elsewhere with mitigation in place. It also provides for the effective disposal of surface water. Provisions for pollution control would be made through the CEMP (Schedule 2, Part 1, Paragraph 4 (1) (d) of the dDCO) to avoid any adverse impacts on water quality. Accordingly, the proposal is considered to be in compliance with the requirements of FLP policies CL1 and CL2.

Adequacy of the dDCO

- 11.7 Schedule 2, Part 1, Paragraph 8 (1) and (2) of the dDCO require the submission of details for the disposal of surface and foul water to the Secretary of State "following consultation with the relevant planning authority". It is noted that the FRA has been prepared in discussion with the lead local flood authority and the environment agency. It is, therefore, considered that those drainage bodies, along with United Utilities, are the appropriate parties to be consulted in this respect. Suggested wording for this amendment is given in point 4 of FBC's comments on the dDCO contained within the SoCG.

Summary of scheme impacts and relative importance of the issue

- 11.8 The majority of the development is located in flood zone 1 and so is at a low risk of flooding. Parts of the scheme are, however, located in flood zone 3 and so the sequential and exception tests are applicable. For the reasons given above, the proposed development is considered to comply with local planning policies relating to flood risk (with mitigation) and so no harmful impacts would arise in this regard. As issues relating to the water environment can be appropriately mitigated, this issue is of limited importance to the local authority.

12. Socio-economic effects

Policy background

- 12.1 FLP policy S1 sets out a four-tier settlement hierarchy which informs the identification of the “Strategic” and “Non-Strategic” locations for development in policy DLF1 and, in turn, guides the development strategy for the Borough. The broad distribution of development in FLP policy DLF1 indicates that around 90% of homes and 59.6 ha of employment land will be located in the four strategic locations for development, with the remaining 10% of homes and 2.4 ha of employment land to be situated in the Non-Strategic locations.
- 12.2 The Borough’s objectively assessed housing need over the plan period is identified in FLP policy H1, with criterion c) requiring that housing is located in areas that accord with the development strategy in policy DLF1. In addition, FLP policy EC1 includes a list of allocated employment sites. Allocated housing and employment sites are shown on the FLP Policies Map.
- 12.3 Criteria c) and h) of FLP policy GD7 relate to the effects of developments on living conditions and criterion g) of Strategic Objective 2 in Chapter 4 of the FLP identifies the importance of “protecting best and most versatile agricultural land” in order to maintain, improve and enhance the environment.

Statement of positive, neutral and negative local impacts

- 12.4 The closest settlement (as identified in FLP policy S1) to the bypass is “Singleton”. This is a Tier 2 rural settlement that will support limited growth over the plan period. Within Fylde, the northern areas of the Borough surrounding the bypass are designated as countryside on the FLP Policies Map, with the “Strategic Locations for Development” referred to in FLP policy DLF1 being concentrated to the central and southern areas of the Borough (south of the M55 corridor). Accordingly, the potential for large scale housing and employment development in the vicinity of the bypass is limited. There are no allocated housing or employment sites within Fylde Borough that would be impacted by the bypass.
- 12.5 Given the scarcity of larger settlements and development allocations to the north of the M55 corridor, the scheme’s positive economic impacts within Fylde itself are limited by its location. In particular, the bypass would not ‘unlock’ any housing or employment sites allocated in the FLP, nor would it trigger the addition of new allocations to the plan. The main socio-economic benefits of the scheme are, instead, of a strategic nature and extend to the wider area of the Fylde Coast. In particular, the development would have positive impacts through tackling current and forecast levels of traffic congestion, improving safety, reducing conflicts between users and improving connectivity and community cohesion. Shorter journey times and the increased capacity of the strategic highway network in this location would have positive economic effects to the movement of traffic transporting goods around the Fylde Coast, connectivity to the M55 and more efficient journeys for commuters and tourists.
- 12.6 The route of the bypass crosses open fields that are largely in agricultural use. The Agricultural Land Classification for the majority of these fields is grade 2 and, accordingly, comprises the best

and most versatile (BMV) agricultural land. There would be no direct mitigation for the loss of BMV agricultural land as part of the scheme and so the loss of this must be regarded as a negative impact.

- 12.7 The development's main impacts on the living conditions of surrounding residents are considered to relate to effects associated with noise. These are addressed in section 13 below. Other impacts would arise from a loss of visual amenity due to changes in the rural outlook presently enjoyed from dwellings bordering the route of the bypass – principally those on Mains Lane, at Little Singleton and around Lodge Lane. These visual effects are linked to the development's landscape impact and could, in the longer term, be mitigated through the introduction of substantial new landscaping. It would, however, remain the case that the urbanising impact of the development on its countryside setting would have a negative impact on visual amenity.
- 12.8 The proposed development's effects on the potential delivery of land for housing are addressed in FBC's response to ExQ1 question 1.8.7 (FBC document 2.4). For the reasons set out in that response, the Council does not consider that the development would have any negative impacts on the delivery of housing or the ability of Fylde to deliver its objectively assessed housing need over the plan period. Accordingly, there is a neutral impact in this regard.

Appraisal of compliance with local policy

- 12.9 The improvements to the strategic highway network arising from the scheme would deliver socio-economic benefits in compliance with the strategic objectives and policies of the FLP, particularly policy T1. Whilst the local economic benefits to Fylde Borough are limited by the development's countryside location, including its distance from the Strategic Locations for Development where the majority of housing and employment growth is to be focussed in accordance with the development strategy in FLP policy DLF1, there would be wider socio-economic benefits across the Fylde Coast that flow from the scheme. In addition, the development would not prejudice the delivery of land that is allocated or important for the delivery of housing and employment.
- 12.10 At a local level, the development's harmful effects arising from the loss of a significant area of BMV agricultural land and to the visual amenity of occupiers in dwellings bordering the bypass would give rise to conflicts with criteria in FLP policy GD7 and Strategic Objective 2 g) of the FLP.

Adequacy of the dDCO

- 12.11 As set out in paragraph 9.9, FBC considers that revisions are required to the dDCO with respect to the landscaping strategy that is proposed to mitigate the development's visual impact. The same points are applicable with respect to ensuring suitable screening of the bypass from surrounding dwellings.

Summary of scheme impacts and relative importance of the issue

- 12.12 The scheme's socio-economic benefits are of great importance to establishing the principle of development and in offsetting the environmental harm that the scheme would cause. Accordingly, assessment of the development's socio-economic benefits must attract significant weight.

13. Emissions

Policy background

- 13.1 Criteria c) and h) of FLP policy GD7 relate to the effects of developments on living conditions. Paragraph 11.37 of the plan (with reference to policy T1) indicates that proposals for strategic highway improvements should minimise their impacts associated with noise. FLP policy GD9 requires measures to be put in place to remediate any areas of contaminated land affected by developments.

Statement of positive, neutral and negative local impacts

- 13.2 Document 6.11 of the ES relates to impacts from noise and vibration. Figures 11.5 and 11.6 of the document show the short and long term changes in noise levels arising in different locations as a result of the scheme. The noise contours show a reduction in road traffic noise along the corridor of Mains Lane and at the Five Lane Ends crossroad in Little Singleton. The reduction in road traffic noise in these locations arising from the re-distribution of traffic along the bypass would have a positive impact on the amenity of occupiers in these locations.
- 13.3 Conversely, the route of the bypass would give rise to a significant increase in noise levels for dwellings located in close proximity to it. In particular, increased road traffic noise affecting the properties surrounding the Lodge Lane bridge would cause significant disturbance to these receptors which would diminish living conditions for the occupiers of those dwellings. The perceptibility of these adverse effects is compounded by the fact that the occupiers of these properties have, historically, benefited from a low background sound level due to their rural location. Therefore, while the actual predicted noise level in ES document 6.11 may not be defined as being detrimental to health, the difference between current and predicted level is significant. Accordingly, the development have negative impacts to other receptors with respect to noise generation. There would also be a general loss of tranquillity within the countryside as a result of the scheme.
- 13.4 Document 6.11 of the ES identifies that the dwelling at “North Lodge” qualifies for sound insulation under the Noise Insulation Regulations (NIR). However, the response in point 9.4 of the Applicant’s comments on RRs (Table 1-1 of Application document 7.9) indicates that another dwelling (“the Manor”) would also qualify for insulation under the NIR. The local authority considers that the proximity of several dwellings around the Lodge Lane bridge to the bypass warrants further investigation of the effects of operational noise on these receptors, including whether additional properties would qualify for noise insulation under the NIR. The properties in question are identified in FBC’s response to point 9.4 of its deadline 2 submission document 2.5. It is also the case that the Applicant could offer “discretionary” insulation for these properties under the NIR. The installation of such insulation has the potential to reduce the development’s noise impacts on these properties from negative to neutral.
- 13.5 Document 6.6 of the ES includes an assessment of the development’s impacts on air quality. The assessment identifies broadly even effects with respect to areas of improvement and deterioration in NO₂ and PM₁₀ concentrations across the receptor locations, though the assessment concludes that “none of the receptors modelled are predicted to exceed the AQS Objectives for the key traffic related pollutants NO₂ and PM₁₀” (paragraph 6.9.3). ES document 6.6 also concludes that the operational effects of the scheme would not have a significant impact on local air quality and that the scheme is “low risk” in relation to affecting the UK’s ability to comply with the EU Directive, as exceedances of the EU limit values are not predicted. Construction phase impacts from dust and emissions are also predicted to be negligible as a result of the mitigation measures set out in the Outline CEMP.
- 13.6 FBC’s own monitoring at the Five Lane Ends crossroads (since January 2017) indicates that current, mean NO_x levels in this location are very close to the EU maximum of 40 mg/m³. The reduction in standing traffic arising from the development has the potential to significantly reduce this figure and, ultimately, prevent the future designation of an Air Quality Management Area (AQMA). Accordingly, the scheme has the potential to deliver positive impacts in terms of air quality.
- 13.7 Impacts in terms of light and vibration would be most apparent at the construction stage, though any harmful effects in this regard could be addressed through the CEMP. FBC notes that the

requirement in Schedule 2, Part 1, Paragraph (2) (c) of the dDCO includes construction working hours on Saturday afternoons (between 13:00 and 16:00). It is considered that working hours on Saturdays should cease at 13:00 to safeguard the amenity of neighbouring occupiers and provide some respite at times when residents would normally expect to be reasonably undisturbed.

Appraisal of compliance with local policy

- 13.8 The proposed development would give rise to both positive and negative impacts on the amenity and living conditions of surrounding occupiers in terms of noise disturbance. Where negative impacts would arise, the development is capable of mitigating these effects through a combination of noise attenuation and insulation in order to avoid conflict with the requirements of FLP policy GD7 and T1. The scheme has the potential to deliver significant improvements in terms of air quality and NO_x concentrations at the Five Lane Ends junction which could, ultimately, prevent the designation of an AQMA. The dDCO also includes provision for remediating any previously unidentified sources of contamination as required by FLP policy GD9.

Adequacy of the dDCO

- 13.9 FBC considers that amendments and additions are required to the dDCO in order to address noise impacts. These include matters relating to hours of construction and the need for future monitoring of operational noise to determine whether additional properties surrounding the Lodge Lane bridge would qualify for statutory or discretionary insulation under the NIR. These changes are identified in points 2 and 8 of FBC's comments on the dDCO contained within the SoCG.
- 13.10 FBC also considers that an additional requirement relating to the design of acoustic barriers should be inserted in Schedule 2, Part 1 of the dDCO. Suggested wording for this insertion is given in point 7 of FBC's comments on the dDCO contained within the SoCG.

Summary of scheme impacts and relative importance of the issue

- 13.11 The development would give rise to both positive and negative impacts to different receptors in terms of noise. The local authority considers that additional mitigation measures are required within the dDCO to prevent noise from having an unacceptable impact on the amenity and living conditions of negatively impacted occupiers in close proximity to the bypass. Benefits would arise in terms of air quality and effects from vibration and light could be adequately mitigated. At present, the local authority does not consider that the dDCO includes adequate mitigation for effects arising from noise emissions. Therefore, this matter is of significant importance.

14 Summary

- 14.1 Sections 6-13 of the LIR set out the local authority's assessment of the scheme's positive, neutral and negative impacts in relation to each of the principal topics identified in the ExA's Rule 6 letter, along with its views on the relative importance of each. A commentary concerning the adequacy of the dDCO's response in respect of each issue is provided, including cross references to the SoCG and FBC's other deadline 2 submissions where appropriate.
- 14.2 The FLP is, as a matter of principle, supportive of the A585 Skippool – Windy Harbour strategic highway improvement scheme and FBC recognises that a number of positive economic, social and environmental impacts would flow from the development. Those benefits are focussed on the development's transport impacts, including its potential to alleviate traffic congestion, reduce journey times, re-route traffic away from less suitable routes, encourage travel by sustainable modes through de-trunking of parts of the A585 and improve highway safety. Those transport benefits would, in turn, have positive socio-economic effects for the wider Fylde Coast region. Other benefits from the scheme would arise in terms of improving air quality at Five Lane Ends,

reducing road traffic noise to receptors on Mains Lane and at Little Singleton and by bringing forward net gains to biodiversity in the long term.

- 14.3 The development is considered to have neutral effects with respect to its mitigation for impacts on SPA bird species and compensation for the loss of other priority species habitats. Effects concerning flood risk and water quality (including mitigation where necessary) would also be neutral. The amount of landscaping to be introduced as part of the scheme is likely to provide effective screening for the development in the long term, thus also giving rise to a neutral impact overall. However, the local authority considers that changes are required to the dDCO to ensure this is the case.
- 14.4 Negative impacts would arise as a result of the scheme's urbanisation of the countryside and a loss of open character and existing landscape features of importance due to its visual intrusion. There would also be harmful impacts on designated and non-designated heritage assets, including those of archaeological importance. Other sensitive receptors in close proximity to the bypass would suffer reduced levels of amenity and diminished living conditions as a result of additional noise disturbance. FBC considers that amendments and additions to the dDCO are required to address the development's negative effects. These changes are clearly identified in sections 6-13 of the LIR and in points 1-12 of FBC's comments on the dDCO contained within the SoCG.
- 14.5 Overall, and subject to FBC's recommended revisions to the dDCO being carried forward, the proposed development is considered to be in broad accordance with the objectives of the FLP and other relevant local planning policy documents and guidance.

LIST OF APPENDICES (ATTACHED SEPARATELY)

APPENDIX A – Comments from the Greater Manchester Ecology Unit

Matthew Taylor

From: Derek Richardson <derek.richardson@tameside.gov.uk>
Sent: 11 March 2019 14:14
To: Matthew Taylor
Subject: Re Statement of Common Ground (SOCG) for the proposed new bypass between Windy Harbour and Skipool as it relates to Biodiversity.

Dear Sir/Madam

With regards to the Statement of Common Ground (SOCG) for the forthcoming Inquiry for the proposed new bypass between Windy Harbour and Skipool as it relates to Biodiversity.

I have now reviewed the following documents –

- ES Chapter 2 Description of the Scheme
- ES Chapter 8 Biodiversity
- Chapter 16 Cumulative Effects
- Habitats Regulations Assessment
- Outline Construction Environmental Management Plan
- ES Chapter 19 Environmental Masterplan
- ES Appendix 8.1 – Extended Phase 1 Habitat
- ES Appendix 8.2 – Great Crested Newt Technical Appendix
- ES Appendix 8.3 – Reptile Technical Appendix
- ES Appendix 8.4 – Bird Technical Appendix
- ES Appendix 8.5 - Bat Technical Appendix
- ES Appendix 8.6 – Badger Technical Appendix
- ES Appendix 8.7 – Otter Technical Appendix
- ES Appendix 8.8 - Water Vole Technical Appendix
- ES Appendix 8.9 - Biodiversity Metric Technical Calculations

And I can confirm my general agreement with –

- The scope of the ecological surveys undertaken
- The identified ecological receptors
- The assessment of the likely ecological impacts of the scheme and the magnitude of these impacts
- The level of proposed mitigation and compensation for identified ecological impacts
- The conclusion of the HRA that, taking into account planned mitigation measures, the scheme will not cause harm to European protected sites
- That taking into account the proposed new landscaping the scheme overall is capable of achieving a Net Gain in Biodiversity in the medium to long term

And I can therefore advise the LPA that the information within the ES is sufficient for the LPA to confirm its agreement to the statements concerning Biodiversity as set out in the draft SOCG.

Yours sincerely
Derek Richardson

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Principal Ecologist

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