

# DEVELOPMENT CONTROL COMMITTEE

Late Correspondence





# DEVELOPMENT CONTROL COMMITTEE

## BURNLEY TOWN HALL

Thursday, 28th November, 2019 at 6.30  
pm

### AGENDA

**6 b Late correspondence**  
**MEMBERSHIP OF COMMITTEE**

3 - 54

Councillor Alan Hosker (Chair)  
Councillor Mark Payne (Vice-Chair)  
Councillor Afrasiab Anwar  
Councillor Gordon Birtwistle  
Councillor Frank Cant  
Councillor Saeed Chaudhary  
Councillor Ivor Emo  
Councillor Andy Fewings

Councillor Sue Graham  
Councillor John Harbour  
Councillor Mohammed Ishtiaq  
Councillor Marcus Johnstone  
Councillor Gordon Lishman  
Councillor Neil Mottershead  
Councillor Asif Raja  
Councillor Jeff Sumner

**PUBLISHED**

Wednesday, 4 December 2019

## DEVELOPMENT CONTROL COMMITTEE

**Thursday 28<sup>th</sup> November 2019**

### Late Correspondence/Verbal Reports

**AGENDA ITEM 6a**

Pages 19-58

**FUL/2019/0319 – Erection of 130 no. dwellings with associated access roads, open space and landscaping and vehicular access from Standen Hall Drive following the demolition of No. 64 Standen Hall Drive at Land to the north of Higher Saxifield Street, Briercliffe, Burnley**

**Higher Saxifield Objection Group** - Two reports have been submitted from this Objection Group in respect of Highway and Transport Impacts and Ecology Impacts. These reports are available to view in full on the web site through the application reference number and also with the Committee papers. A summary of each document with a response is provided below:-

<b>Review of the Highway &amp; Transport Impacts of the Proposed Development for the Standen Hall Drive Residents Group, prepared by Mr J C Carruthers Bsc., Msc., Ceng., MICE., MCIHT – Highway and Transport Consultant</b>	
<b>Issues raised in report</b>	<b>Comments by LCC Highways/Environmental Health Officer and Case Officer</b>
<p>The Transport Assessment (TA) does not consider the following additional junctions:-</p> <ul style="list-style-type: none"> <li>• Junction of Briercliffe Road/Casterton Avenue (roundabout)</li> <li>• Junction of Briercliffe Road (leading to Marsden Road)/Briercliffe Road</li> <li>• Junction of Briercliffe Road/Halifax Road</li> </ul> <p>Observations have been carried out at these junctions during the weekday peak periods and show that there is severe traffic congestion at these junctions resulting in long traffic queues with high levels of vehicle emissions.</p> <p>The addition of development traffic at these locations would exacerbate existing traffic congestion and the associated air</p>	<p>LCC Highways affirm that they have previously agreed the scope of the TA. However, of the three additional junctions, LCC Highways has observed the operation of the first two of these (Briercliffe Road/Casterton Avenue and Marsden Road/Briercliffe Road) in the morning peak (8am-9am). LCC Highways state that “whilst there is a build-up of traffic on Briercliffe Road on the approach from Haggate, this is generally a slow moving queue and was rarely static. The extent of the queue was variable but only once was it observed to extend beyond Marsden Road. The remaining three arms appeared to be operating satisfactorily with only minor delays as vehicles negotiate the roundabout. On the basis of these observations I would be satisfied under normal conditions the operation of the roundabout would not give rise to concerns.</p> <p>Consideration of the traffic generations from the proposed development would suggest that</p>

<p>pollution</p> <p>The additional development traffic at these congested locations would increase the frequency and duration of traffic queues and air pollution in the vicinity of local schools such as St James' Lanehead Primary School, Burnley General Hospital and residential properties. Policy IC2 requires the TA to assess air quality and this has not been carried out.</p> <p>The potential adverse health impacts that would arise from additional traffic has not been considered or mitigated in the planning application.</p> <p>The traffic analysis for the above three junctions does not take account of the traffic increase that will occur as a result of other developments in the Briercliffe area, which means that the highway network will be more congested. The developments are:-  Talbot Street  Jubilee Street  Maytree Close</p>	<p>an additional 26 vehicles would approach the roundabout from Briercliffe Road. This represents less than 2 vehicles/min which would not result in a severe impact on the junction as would be required by the National Planning Policy Framework (NPPF) to justify a highway objection to the proposal.</p> <p>Marsden Road junction was also observed to operate satisfactorily. Queues did develop on the side road as would be expected, but these dissipated quickly and were not the cause of any concern.</p> <p>The third junction (assumed to be the Haggate crossroads although incorrectly referred to having traffic signals) has not been observed as above but LCC affirm that their local knowledge suggests that it operates in a satisfactory manner.</p> <p>Whilst no formal air quality assessment has been carried out, the Council's Environmental Health Officer has commented: "I have looked at information supplied by the developer and the subsequent transport report No. J345/Taby in relation to air quality and in respect of the report findings and the potential forecast increase in traffic flow arising from the development. Having taken into account background readings of Nitrogen dioxide NO<sub>2</sub> as monitored by Burnley Borough Council at Saxfield Street and also background mapping of as published by The Department of Food and Rural Affairs Air quality mapping (2017), I am of the opinion that in all probability the development would have a minimal impact on air quality levels within the surrounding area.</p> <p>The applicant was requested to increase the number of electric car charging points within the development. The applicant increased the number to provide each detached property with an electric car charging point (71no.) which is in accordance with Policy IC3 and helps to encourage the use of electric cars in the future.</p> <p>The first of these (Talbot Street – APP/2018/0454) has not yet been determined. Jubilee Street (Royal Court, APP/2017/0601) and Maytree Close (13/2018/0793 – within the borough of Pendle) have planning permission and would generate 11 additional vehicle trips in the am peak which when assigned to the highway network would equate to five additional movements through the Briercliffe roundabout. This would not be considered</p>
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<p>The TA uses average rates of traffic generation. Because the operation of the highway network is at, or close to, its design capacity, a sensitivity check should be carried out to assess if the highway network could accommodate the proposed development if the traffic rates are higher than average. The traffic distribution estimates should also be checked.</p> <p>The traffic models that have been used to predict how junctions will work with the extra development traffic have not been checked (calibrated) to show that they are reliable by modelling existing traffic conditions. The traffic surveys that have been carried out for the TA did not include queue lengths at the junctions so it is not possible to check that the traffic modelling is accurate.</p> <p>The traffic capacity figures for the existing roads are considered to be significant over-estimates because they do not take account of existing on-street parking and single track operation of the roads at certain times.</p> <p>The traffic modelling in the TA is not considered to be reliable or robust for the forecast design year of 2024 when the proposed development will increase traffic on the highway network, resulting in higher levels of traffic delay and air pollution than has been predicted in the TA.</p> <p>Road humps and raised junction platforms are proposed from the junction of Standen Hall Drive and Hillingdon Road to the proposed access and will result in increased traffic related air pollution.</p> <p>The design of the site access would affect other residents and lack of consultation.</p> <p>The proposed development scheme</p>	<p>significant and as such the omission of the traffic generation figures from this modelling is not a concern.</p> <p>LCC Highways is of the view that none of the junctions show signs of stress that would indicate that they are close to capacity. There will be a level of congestion but this is not in a severe form.</p> <p>LCC Highways note that whilst this has not been carried out, the information and data in the TA as a whole indicates that if it had have been that it would not have led to a different result.</p> <p>LCC Highways have already commented on the issue of on-street parking which is reported in the agenda report. Whilst on-street parking does occur which may slow traffic down, it is not accepted that this would significantly affect the capacity of existing roads.</p> <p>The TA is based on survey data, rather than solely observation. LCC Highways affirm in their comments that the methodology used within the TA to assess the impact of the development on the surrounding highway network is acceptable. LCC Highways affirm that they have no concerns in respect of capacity. A response on air pollution is given above.</p> <p>There are no traffic calming measures proposed.</p> <p>All surrounding occupiers have been consulted on the application and the layout of the proposed access is clearly shown on the submitted detailed plans. LCC Highways is satisfied with the proposed junction and construction details would be required by condition in the usual way.</p> <p>LCC Highways affirm that the routes between</p>
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<p>cannot be considered to have convenient and inclusive accessibility for all sections of the community. It is located on a steeply sloping site with access via existing roads with long, steep gradients. These roads which are also used for pavement parking would obstruct wheelchairs and not provide a suitable access to bus stops and services; the distance to the nearest bus stops would also not be convenient.</p> <p>The proposed residential development shows the existing public footpath from Standen Hall Drive being diverted. This will change the character and attractiveness of the public footpath.</p> <p>An examination of road safety information for the local highway network within 800m of the site shows that there has been a relatively high number of recorded injury accidents during the most recent 5 year period 2014-2018 (21 recorded injuries including 4 serious).</p> <p>The Travel Plan significantly overestimates the potential for sustainable transport to replace private car trips.</p>	<p>the site and local services are considered to be safe. The issue of pavement parking is not one that this application can address and notably, is something that occurs across residential areas. The site is located within 250m of the nearest bus stop and 500m of the nearest shops.</p> <p>The route would change only marginally. Given that the site is allocated for residential development, it is accepted that there will be some change on the site. This will be subject to a separate application.</p> <p>LCC Highways has undertaken an analysis of the accidents within the prescribed 800m envelope and identified 10 injury accidents. LCC affirm that whilst all accident occurrences are regrettable, they are an unwelcome and inevitable consequence of the current transport requirements and infrastructure. In order to justify any mitigation measures or intervention, it would be necessary to identify a common causation pattern. This has not been possible given the scattered nature of the collisions that have occurred.</p> <p>The site is at an accessible location to benefit from public transport, being within 250m of bus stops.</p>
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A report titled '**Review and Ecological Appraisal**' has also been submitted on behalf of the Higher Saxifield Objection Group, prepared by GH Ecology. The document is attached to view and a summary of the main points will be provided in further late correspondence to follow.

Greater Manchester Ecology Unit (GMEU) has made the following comments on this report:-

- The report relies on existing desk top information and no new surveys have been undertaken to inform the report

- Concern is raised about the effects of increased run-off and sediment from the site damaging aquatic habitats downstream of the site. The River Don / Brun Valley Biological Heritage Site (BHS) lies approx. 1km south of the site and there is potential direct hydrological connectivity between the site and the BHS. I am not a hydrologist but I would note that the runoff rate from the site is required to be equivalent to existing

greenfield run-off rates and that drainage attenuation features have been built into the design of the site to mitigate potential flood risks downstream. The Flood Risk Assessment Report accompanying the application concludes that 'the risk of flooding from the development drainage is low'. The greatest risk of siltation would arise during any ground clearance and construction works on the site; this risk can be effectively mitigated by the preparation and implementation of a Construction Environment Management Plan (CEMP) for the development which should contain details of measures to be taken to avoid any possible pollution of watercourses. Preparation and implementation of a CEMP could be required by means of a Condition placed on any permission granted to the scheme.

- The ecology surveys submitted to inform the application are criticised as being inadequate. I disagree with this and would consider that the surveys do provide sufficient information to determine the application, particularly when it is considered that the site has been previously surveyed and assessed.
- The potential of the site to act as part of a functioning ecological network is raised. Currently ecological network proposals for Lancashire are rather undeveloped. I would comment that the site is not itself designated for its ecological value, is not within 1km of any designated sites and is surrounded on three sides by built development. It does not appear to me to have potential as a critical component of any future strategic ecological network. In addition, linear habitats (corridors) have been maintained and new landscaping has been incorporated into the design of the site to maintain local ecological connectivity. The site was screened during the Habitats Regulations Assessment of the Burnley Local Plan for potential impacts on the South Pennine Moors European site and was 'screened out'; that is, it was considered that the development of the site would not have any harmful effects on the Moors.
- The selection of the site [for residential development] is questioned. But the site has been allocated as suitable to support this land use following a thorough assessment process and recent Examination in Public. Nature conservation constraints were taken into account during the allocation process and were not considered to be so substantive as to prevent the allocation of the site.
- Integral measures have been taken in the scheme design to protect and/or recreate nature conservation interests, including
  - Comprehensive landscape plans, with new tree and shrub planting, creation of species-rich grassland, enhancement of the water course, retention of hedgerows and plans for long-term positive management of greenspace
- It is proposed that a better land use for the site [than residential use] would be to manage it in the interests of enhancing biodiversity and public recreation. But there do not appear to be any detailed or credible proposals as to how this could be made to happen. I am not aware of any detailed alternative land use proposals for the site.

GMEU has also made the following comments in respect of the further objection (as reported in the agenda report) from the Burnley Nature Conservation Forum:-

1. 'Hedgehog Highways', in spite of the name are not just meant for use by hedgehogs. They are a useful way of providing at least some level of inter-connectedness across otherwise built-up areas
2. Swift colonies are found in very built-up areas, and do use artificial nesting boxes on new build properties. The species flies long distances from nesting sites to feeding sites and nest sites as a consequence can be found in 'deep urban' situations. This site is well placed to provide access to feeding sites to the north and to the south along the Don Valley. Swifts are being successfully attracted to urban areas where they are currently absent by the installation of artificial nesting opportunities ([www.swift-conservation.org](http://www.swift-conservation.org)).
3. I agree that the areas of wildflower planting will cover much less of an area than the area of grassland to be lost. But these areas will have the advantage of being managed sustainably in the long-term (unlike the current site which is unmanaged) and plant communities will be able to be manipulated to increase the number and diversity of forbs present which will contribute to habitat quality if not to habitat quantity. The landscaping plans also include proposals for new tree and shrub planting which, while not directly compensating for lost grassland, will nevertheless have wildlife value.

### **Additional Conditions**

**The following further conditions are recommended:-**

1. The drystone wall on the northern boundary of the site shall be retained and where necessary, shall be repaired at its current height and appearance prior to the completion of the development.

Reason: To ensure the retention of an historic boundary feature that provides an appropriate edge between the development and the adjoining fields, in accordance with Policies HE3 and SP5 of Burnley's Local Plan (July 2018).

2. The development shall not be carried out otherwise than in accordance with the measures for water and energy efficiency and renewable energy provision contained within the Sustainability Report (document reference AJ14 – Rev A), dated October 2019 and shall be completed in their entirety prior to the completion of the development.

Reason: To ensure the development delivers the expected water and energy efficiencies and renewable energy measures and targets to ensure a high standard of sustainability in accordance with Policy SP5 of Burnley's Local Plan (July 2018).

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# Landscape, Arboricultural & Ecological Solutions

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Review &  
Ecological  
Appraisal

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Higher Saxifield

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Nov 2019

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**Ecological Review  
&  
Appraisal**

**For**

**Higher Saxifield  
Objection Group**

**Nov 2019**

**Document Author**

Gary Howell BSc (Hons)

**Signature;**

A handwritten signature in black ink, appearing to read 'G. Howell', written in a cursive style.

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## SUMMARY

GH Ecology was requested by Higher Saxifield objection group in October 2019 to conduct an ecological appraisal and review of current environmental policy at national and local levels and subsequently cross compare this information with an existing planning application for a housing development within Briercliffe; Higher saxifield. The assessment comprised of a desk study and biological records search, as well as a review of exisiting surveys and satellite imagery to map habitat types and assess the potential for protected species to use the site. The assessment provides baseline data regarding current site conditions, and where appropriate addressess future land management within this area in accordance with current wildlife legislation and envirnmental policy.

Situated in the industrial foothills of Briercliffe and bordering Pendle Borough, the site is positioned within part of a catchment area at the easterly extreme of Burnley. Approximately 3km to the east of the site, the West Pennine moors are designated as a Special Conservation Area in addition to a Special Protection Area for internationally protected species of flora and fauna.

Dendritic networks and ecological corridors occur within biological heritage sites and river sytems to the south of the site (Lern, 2019). Our client fears the development may result in increased run off and sediment, subsequently overloading and damaging these delicate aquatic habitats downstream of the site resulting in negative externalities. This is exaserbated by existing springs and drainage issues (Figure 7) currently on site that are subjected to flash food events year round, acording to current residents (2019). Therefore, our client maintains that; more detailed hydrological analysis is required at the scoping stage of the proposed development, such as;- appropriate surveys that collect data regarding rainfall and current carrying capacities of river systems downstream to satisfy current international, national and local policy regarding hydrology and biodiversity where development is proposed.

Furthermore, Our client believe the proposed development to be counterintuitive to current international, national and local environmental policies with regards to hydrology and biodiversity, and suggest more appropriate land management strategies that satisfy current government environemtnal drivers within the review.

## 1.0 Introduction

GH Ecology was commissioned (Oct 2019) by Higher Saxifield objection group to carry out an appraisal and review of current environmental and ecological data of a proposed development site, Briercliffe, Burnley (hereafter referred to as “the site”). The site OS grid reference is (SD862352). Our client additionally requested a review of local environmental policy and Gi drivers to cross reference with a proposed development of 120 houses recently allocated to this site.



Figure 1. Location of proposed development and area of study.

The site was assessed using satellite imagery, current land designations and mapping, together with a review of existing biological records and ecological surveys of the area in order to quantify habitats and protected species in the area. The report was prepared following methods detailed in the CIEEM '*Guidelines for Environmental Impact Assessment*' (2006). This review presents an evaluation of habitats on site and the potential for protected species to be using the site.

Higher Saxifield is rural fringe and situated north of a built-up residential area of Briercliffe. Slow continuous drainage through the architecture of the parent material can be attributed to poorly drained, gley soils. Strong winds and prolonged precipitation associated with this region of the Pennines contribute to the mechanical weathering of local soils, and regional vegetation is associated with that of a more acidic moorland habitat. Additionally, open cast coal and agricultural operations, in combination with the parent material, have left a local legacy of extremely poor drainage that has resulted in seasonally and permanently wet pasture.

Habitats on site i.e. grassland and running water provide important habitat for local wildlife, some of which are currently considered priority habitat that comprise of protected key species evidenced within local environmental records data and land designations attached to these ecological networks (Lern, 2019). These habitats are considered to have ecological value at **Local and National** levels and are within the **Zone of Influence**. Current environmental legislation typically recommends the conservation and enhancement of priority habitat within and around proposed development sites in order to enrich local biodiversity.

## 2.0 Objectives

Our client is investigating opportunities to conserve biodiversity in the local area by objecting to a proposed housing development scheme. This ecological appraisal is an initial step to assess and quantify natural resources within the proposed development site in accordance with international, national and local environmental policies and guidelines. Our client requires the review to;

- Prioritise managing land for conservation within priority habitat areas i.e. neutral grasslands.
- Identify habitat that can be enhanced and where appropriate extended in accordance with national and local environmental legislation
- Assess how natural capital in the area can mitigate climate change and alleviate localised flooding events and potentially improve water quality within the river Don valley and Brun through the use of natural resources on site.
- Consider opportunities for conservation schemes that include community participation.

Our objectives are as follows:

- Identify and evaluate any features of ecological value and the potential of the site to support protected species based on the walkover survey and biological records search
- Identify designated sites within 2km of the site
- Review protected species records within 1km of the site
- Map the habitats within the site using JNCC (2010) methods
- Provide recommendations for further species-specific surveys and mitigation measures where current legislation requires
- Provide recommendations to assist our clients in achieving their objectives whilst satisfying current wildlife legislation.

## 3.0 Methodology

The review involved the collection and review of data from a desk study and existing field surveys with a subsequent assessment of the value of the habitats following CIEEM guidelines.

### Desk Study

A review of the designated sites and habitats within 2km of the site has been undertaken using the Multi Agency Geographic Information for the Countryside (MAGIC), Natural England websites and Lancashire County Councils Mario maps. A search for protected and notable species within 2km of the site has been undertaken using The National Biodiversity Network (NBN) Gateway website.

A review of UK and local priority species and habitats known to occur in the region of the site has been undertaken using the Joint Nature Conservation Committee website and local records from the Lancashire Environment Records Office (Appendix 5).

### Evaluation

Habitats and species on the site were evaluated following the '*Guidelines for Environmental Impact Assessment*' (2006). A geographical frame of reference is assigned to each habitat and species, with International Value being most important, then National, Regional, County, District, Local and lastly, within the immediate Zone of Influence (ZoI) of the proposals only.

## 4.0 Relevant Legislation

### European Legislation

The following Directives have been adopted by the European Union and provide protection for fauna and flora species of European importance and the habitats that support them:

- Directive 2009/147/EC on the Conservation of Wild Birds (Birds Directive)
- Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive)

### UK Legislation

The Habitats Directive has been transposed into national legislation through the Conservation of Habitats and Species Regulations 2010 (updated 2012) (The Habitats Regulations). This provides for the designation (SPAs and SACs and Ramsar Sites, including proposed or potential European Sites) and the protection of 'European Protected Species'.

The key UK legislation relating to nature conservation is the Wildlife and Countryside Act 1981 (as amended) (W&C Act). This Act is supplemented, *inter alia*, by provision in the Countryside and Rights of Way (CRoW) Act 2000, and the Natural Environment and Rural Communities Act 2006 (NERC Act). Additional species and habitat specific UK legislation includes the Protection of Badgers Act 1992 and the Hedgerow Regulations 1997.

### Species and Habitats of Principal Importance

Species and Habitats of Principal Importance are listed under section 41 of the NERC Act and are a material consideration in planning decisions. Planners require relevant, up to date information from ecological surveys in order to assess the effects of a proposed development on biodiversity, as councils have a statutory obligation under section 40 of the NERC Act to consider biodiversity conservation in the determination of planning applications.

The National Planning Policy Framework (NPPF) 2012 has been published to provide further planning guidance. Wildlife, biodiversity and ecological networks are referred to in the Section 11 '*conserving and enhancing the natural environment*'. The NPPF states that the planning system should contribute to and enhance the natural and local environment by: recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, including by establishing coherent ecological networks that are more resilient to current and future pressures. Further guidance is provided within Government Circular 06/05: *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System*.

Background information about the lists of priority habitats and species (Species and Habitats of Principal Importance) can be found within the UK Biodiversity Action Plan (UK BAP). Although this has been succeeded by the '*UK Post-2010 Biodiversity Framework*', many of UK BAP tools are still relevant. BAPs identify habitats and species of nature conservation priority on a UK (UK BAP) and local (LBAP) scale. Most BAP priority habitats and species have Habitat Action Plans (HAP) and Species Action Plans (SAP) and there are also "grouped action plans" for groups of related species with similar conservation requirements. The LBAP relating to this site is the Lancashire Biodiversity Action Plan.

#### 4.0 Relevant Legislation

Table 1. Protected Species and the Associated Legislation.

	Species	Legislation
Amphibians	Great crested newt ( <i>Triturus cristatus</i> )  Common toad ( <i>Bufo bufo</i> )	Schedule 5, W&C Act 1981 (as amended); Schedule 2, The Habitats Regulations 2010; and Section 41, NERC.
Mammals	Badger ( <i>Meles meles</i> )	Protection of Badgers Act 1992.
	All species of bat	Schedule 5, W&C Act 1981 (as amended); Schedule 2, The Habitats Regulations 2010; and Section 41, NERC.
	Water vole ( <i>Arvicola amphibious</i> )	
Birds	All wild birds	Schedule 5, W&C Act 1981 (as amended) and Section 41, NERC.
Reptiles	Adder ( <i>Vipera berus</i> ) Common lizard ( <i>Zootoca vivipara</i> ) Grass snake ( <i>Natrix natrix</i> ) Slow worm ( <i>Anguis fragilis</i> )	Schedule 5, W&C Act 1981 (as amended) and Section 41, NERC.

It is a criminal offence to intentionally and/or wilfully kill, injure or take any of the aforementioned protected species or to destroy or disturb its habitat.

## 4.0 Relevant Legislation

### Local Policy

The site lies within Burnley and is covered by the Burnley Local Plan Green Infrastructure (Gi) Policy SP6. This deals with biodiversity, geodiversity and landscape conservation and is the policy of relevance here. This policy has been considered when preparing this report.

#### Policy SP6: Green Infrastructure

- 1) In line with Burnley’s Green Infrastructure Strategy, the Council will, in partnership with other agencies and stakeholders, seek to protect, enhance and extend the borough’s multifunctional green infrastructure network in order to maintain and develop the wider public health, ecological and economic benefits it provides and to ensure that there is an overall net gain.**
- 2) In addition to satisfying the requirements of other policies, development proposals should, as appropriate to their nature and scale:**
  - a) Seek to retain and enhance green infrastructure assets and functionality through the design process, in particular the key assets identified in Figure 5;<sup>33</sup> and**
  - b) Be accompanied by an audit of the green infrastructure functions within and adjacent to the site as set out in Table 2 together with a statement demonstrating:**
    - i) How these will be retained or enhanced through the development process; or**
    - ii) Where loss of or negative impact on GI functionality is unavoidable, what mitigation measures are proposed and/or replacement GI will be provided. Any replacement or mitigation measure should be deployed as closely as possible to the affected GI asset.**

“Note -Work is currently being undertaken by Lancashire County Council and Lancashire Wildlife Trust to map the County’s Ecological Network. The Council is also undertaking further biodiversity survey work as part of its Local Plan evidence base. This map will continue to be refined as further data relating to particular habitats and species becomes available from these.” (Burnley Local Plan, 2018).

Furthermore, Recommendations within the doc included;

- Enhance biodiversity along river Brun, river Calder and other watercourses within the urban area.
- Develop the borough’s ecological network drawing on data from the emerging Lancashire network and from further species survey work to refine habitat and species objectives.

**4.0 Relevant Legislation**  
**Local Policy**

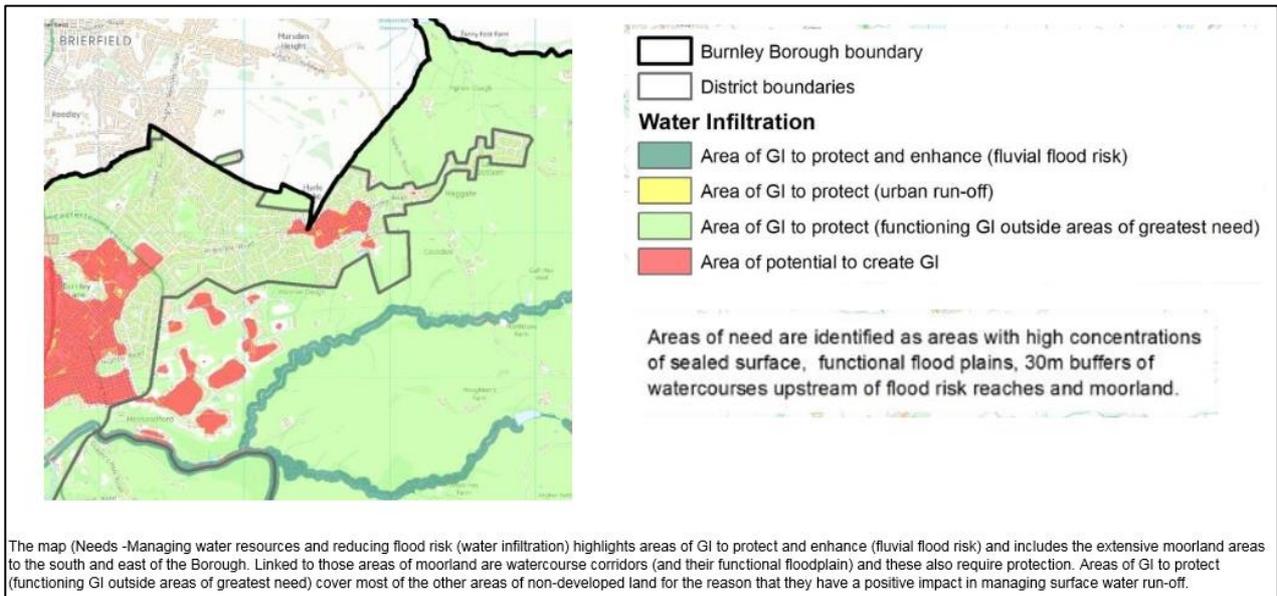


Figure 2. Excerpt from Burnley’s local plan (2018) regarding water infiltration and Gi to protect. The proposed housing development site is marked as an area of Gi to protect, where areas to the south and southeast of the site have potential to create Gi.

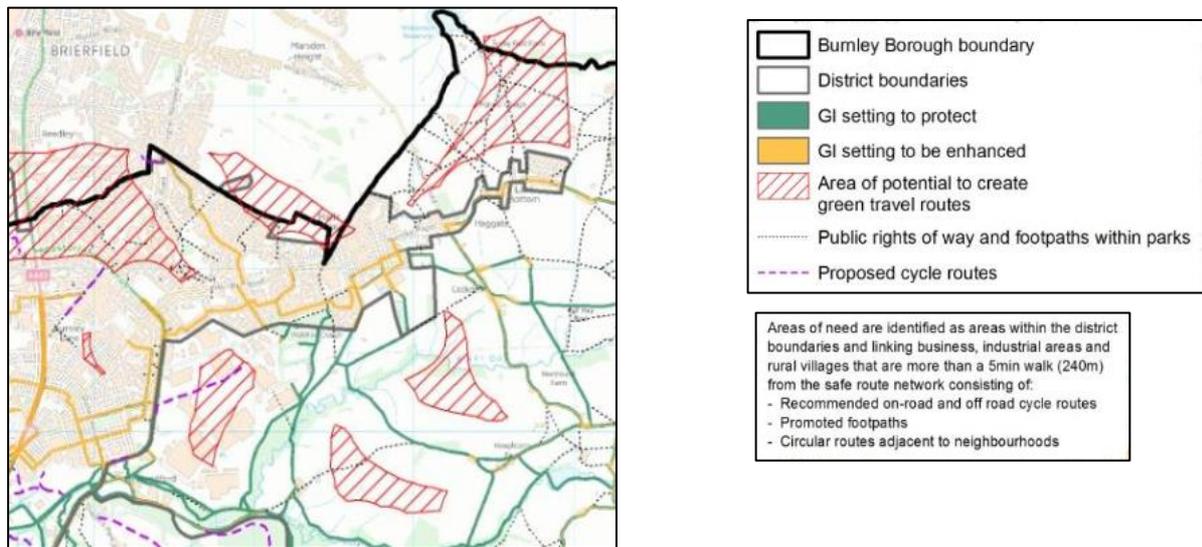


Figure 3. Excerpt from *Analysis Green Travel Routes* Burnley Local Plan (2018). The figure shows that the proposed development site is marked as an area of potential to create green travel routes.

#### 4.0 Relevant Legislation

12. To protect and enhance the built environment and cultural heritage, including archaeological assets	--?	Higher Saxifield Farmhouse (a Grade II listed building) is directly adjacent to the south of the site and Harle Syke Conservation Area is also approximately 80m to the south. Jib Hill Conservation Area and a number of other Grade II listed buildings are between 250m and 1km away. Therefore, the development of this site could have a significant negative effect on this objective). However, detailed impacts on the setting of individual historic assets are difficult to determine during a desk-based strategic level of assessment and the effect will be uncertain as it will depend on the exact scale, design and layout of the new development and opportunities which may exist to enhance the setting of heritage features. Effects would be more able to be determined once specific proposals are developed for the site and submitted as part of a planning application. The policy states that a desk based archaeological assessment will be required to support any planning application to indicate the potential for archaeology to be present on site.  In their consultation response in relation to this site, Burnley Borough Council's heritage and design officer noted that the western part of the site is adjacent to the Grade II Listed Higher Saxifield Farmhouse and that any development would need to assess this impact.
13. To protect and enhance the Borough's biodiversity and geodiversity	0?	Development sites have the potential to have adverse effects on nearby nature conservation sites through disturbance, habitat loss or fragmentation, pollution etc. This site is not within an ecological network and there are no designated biodiversity or geodiversity sites within 1km. The site allocation policy states that protected species have been recorded on the site as well as Priority Habitat (neutral grassland) and that an ecological survey will be required to accompany any planning application to address these issues. A negligible effect on this objective is therefore most likely although a degree of uncertainty does exist as it may only be possible to determine the effects once more detailed designs are available. <b>It may even be possible to incorporate biodiversity enhancements into new developments.</b>
14. To protect and enhance the Borough's landscape and local character	-?	This site is outside of the Green Belt and is relatively large in landscape terms (5.17ha) but is on greenfield land; therefore development of the site may have a minor negative effect on this objective. However, this is currently uncertain as effects would depend on the design of any development. The policy incorporates landscape-related mitigation, stating that appropriate landscaping and boundary treatment should include screening to the southern boundary to reduce the impact on the wider landscape.
15. To protect and improve environmental quality and amenity	-	Development on greenfield land such as this may lead to the loss of soils, but as this site is located on land classified as Grade 4 in terms of its agricultural quality, the negative effect on soil preservation is expected to be minor, as the site is located away from the highest grade of agricultural land in the Borough.
16. To mitigate and adapt to climate change	-	The site is on greenfield land and entirely outside of flood zones 3a and 3b and housing development here is therefore likely to have a minor negative effect on this objective.
17. To ensure the prudent use of natural resources and the sustainable	0	This site is on greenfield land and development here is therefore likely to have a negligible effect on this objective, as it will not offer opportunities for re-using existing buildings and materials.

Figure 4. The scoping document Excerpt (Burnley Local Plan, 2018) refers to the proposed development of the Higher Saxifield site.

There appear to be uncertainties within the scoping document with regards to the suitability of the Higher Saxifield site for development. The development plan/ application would therefore have to demonstrate that it satisfies current environmental policies through mitigation and enhancement strategies within the plan with regards to the above points within Figure 4.

## 5.0 Desk Study

**Location:** Higher Saxifield, Briercliffe, Burnley.

**Grid reference:** SD862352 OS 1:25,000 Sheet No. OL21

**County / District:** East Lancashire

**Designations:** None

**Altitude:** Min 150m Max 260m

**Soil Type:** NEUTRAL RST OPENCAST 962 & BRICKFIELD 3 713g

**Geology:** 23 – Carboniferous shale & 55 – Palaeozoic sandstone drift

No statutory sites were identified within a 2km radius of the surveyed site. However, approximately 3km east lie the Pennine moors themselves. This upland habitat is designated as a Special Conservation Area in addition to an important area for farmland and upland bird species, including: Curlew, Grey partridge, Lapwing, Redshank, Snipe and Twite. Subsequently this important bird habitat is classified as a Special Protection Area, which extends into and includes the Briercliffe and Extwistle area.

### Land Designation Mapping

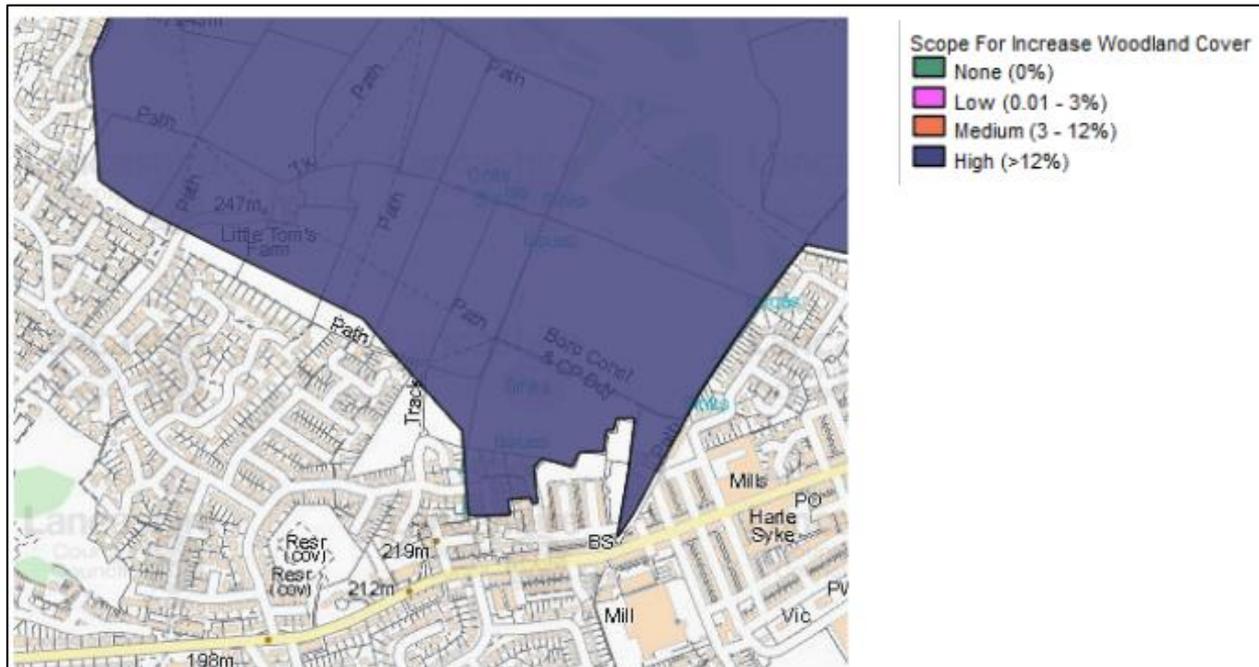


Figure 5. Lancashire Mario Maps (2019) displays the area as having high Scope (>12%) for increased woodland cover.

## 5.0 Desk study

### Land Designation Mapping

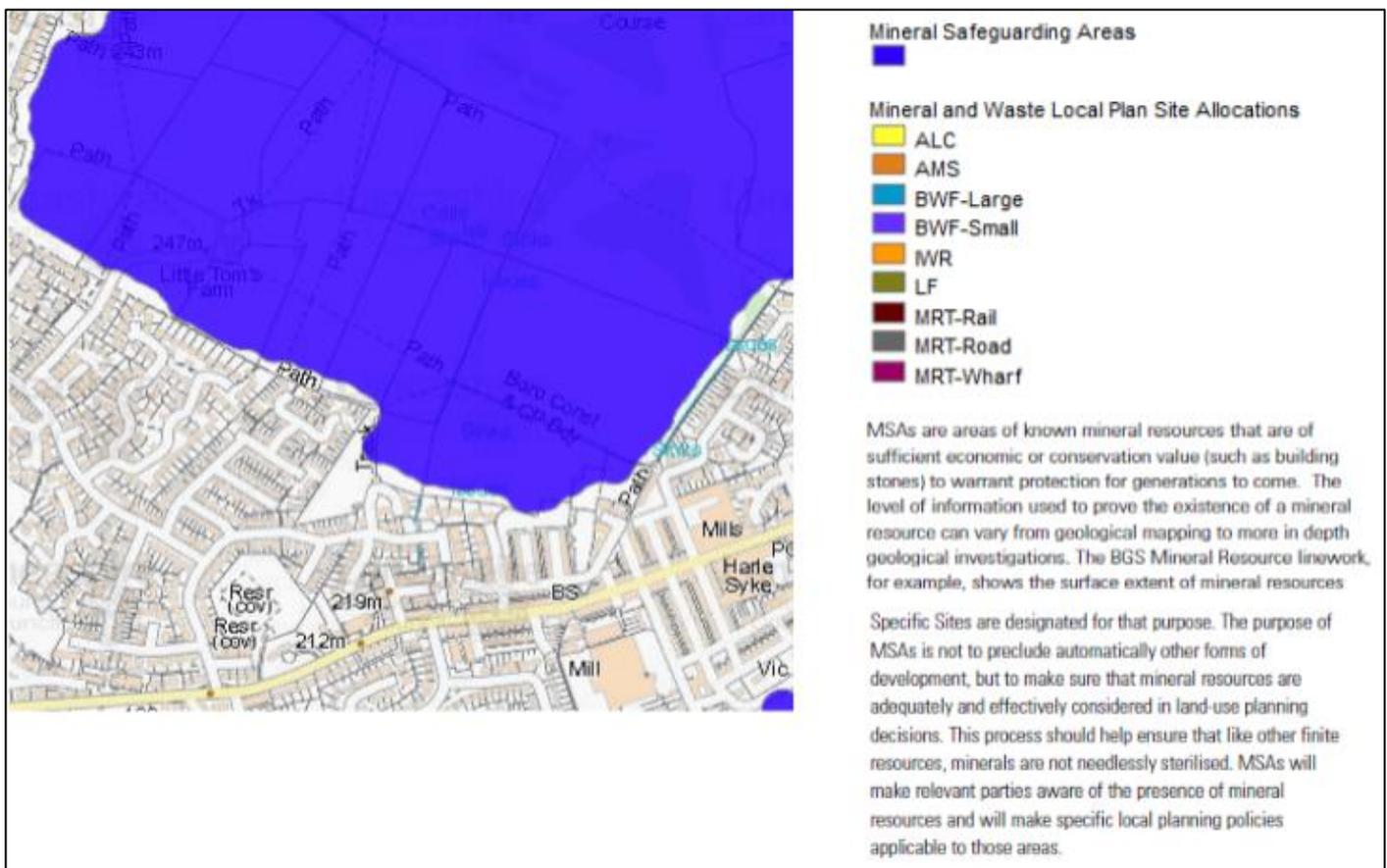


Figure 6. Lancashire Mario Maps (2019) displays the area as a Mineral Safeguarding area (MSA).



Figure 7. Mario maps (2019) shows sinks and drainage issues within and around the proposed development site. These upstream features affect water quality and levels for River Don (BHS) and Brun to the south of the site.

5.0 Desk Study  
Land Designation Mapping

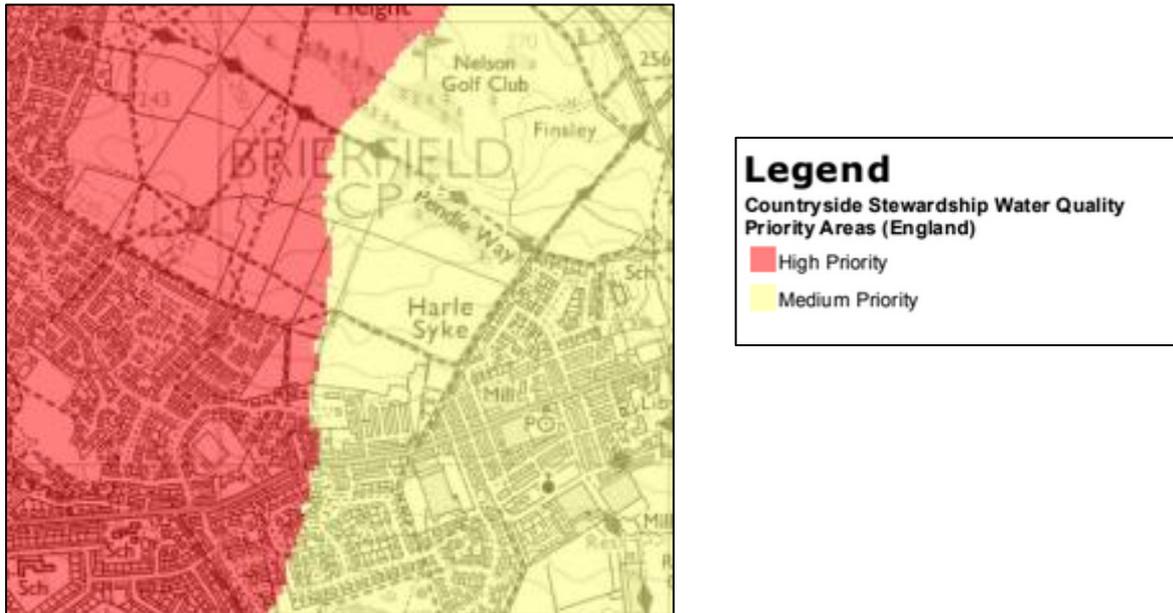


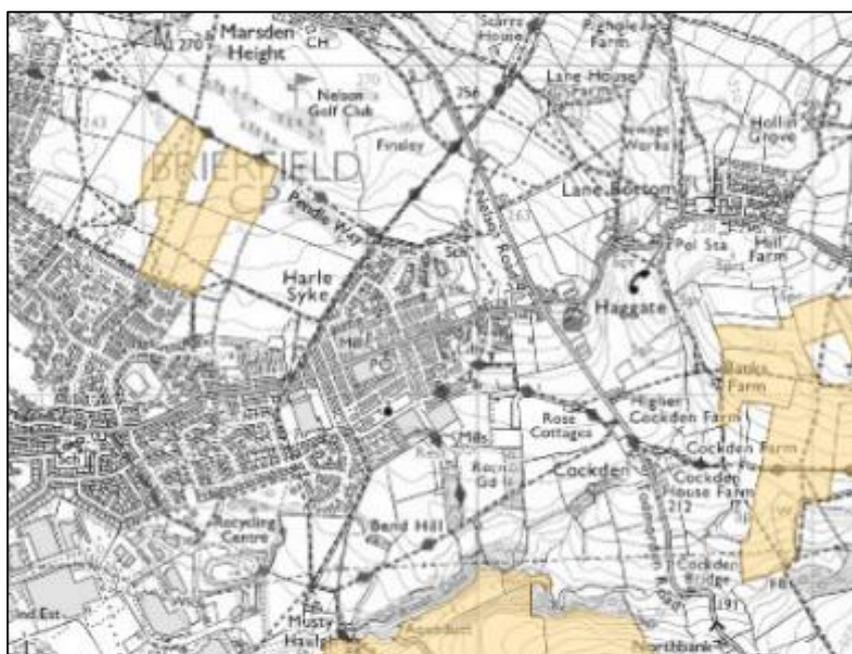
Figure 8. Magic map (2019) Water quality priority areas. The site forms part of a significant catchment area.

## 6.0 Habitats & Protected species

Burnley's Local Plan: July 2018

HS1/9 – Higher Saxfield	
Housing Delivery	The site is acceptable for around 120 dwellings.
Additional and Site Specific Policy Requirements and Design Principles	
<ol style="list-style-type: none"> <li>1) A mix of dwelling types including a minimum of 55% 3+ bedrooomed detached and semi-detached houses will be expected;</li> <li>2) The existing access from Standen Hall Drive is not considered suitable to serve the development and a new vehicular access will be required;</li> <li>3) Contributions may be sought towards highway improvements in the locality in accordance with Policy IC4;</li> <li>4) Protected Species have been recorded on the site which also includes Priority Habitat (neutral grassland). An ecological survey will be required to accompany any planning application which identifies and addresses these issues in accordance with Policy NE1;</li> <li>5) Appropriate landscaping and boundary treatment should include screening to to reduce the impact on the wider landscape. New planting on the site will need to accord with Policy NE3; and</li> <li>6) A desk based archaeological assessment will be required to support any planning application to indicate the potential for archaeology to be present on site. Depending on the result there may be a requirement for further archaeological investigation work in accordance with Policy HE4.</li> </ol>	
Supporting Information	
<ol style="list-style-type: none"> <li>1) The existing access from Standen Hall Drive is not considered suitable to serve the development and a new vehicular access will be required. It is understood that a property on Standen Hall Drive further to the west from the existing access is within the control of the landowner and could be demolished to accommodate a satisfactory new access to the site.</li> <li>2) There is a Tree Preservation Order in force adjacent the southern boundary of the site. These trees must be protected during the development's construction.</li> <li>3) The Grade II listed Saxfield Farmhouse lies immediately to the south of the site and development proposals must satisfy the requirements of Policy HE2.</li> </ol>	

Figure 9. Excerpt from Burnley's local plan (2018). Point 4 of the HS1 document notes that both protected species and priority habitat were identified on site. This was subsequently surveyed in March – April 2019. Priority habitat on site consists of neutral grassland.



**Legend**  
 Upland Breeding Bird Areas for CS (England)

Figure 10. Magic maps (2019) highlights fields adjoining the site to the west and north provide important habitat for upland breeding bird assemblages.

## **6.0 Habitats & Protected Species**

Priority habitats within the zone of influence include priority neutral grassland. Following a review of records held on the NBN Gateway and information held by the LERN (2019); priority key species that are listed within Key Section 41 Species and Lancashire Biodiversity Action Plan occur within the vicinity of the site have been identified. Some of which include:

**Within the 250m buffer zone of influence key species records included:** predominantly sightings of Starling, in addition to House Sparrow, Lapwing and Kestrel records.

**500m buffer zone key species records consisted of:** Bats – Common Pipistrelle records. Birds – Grey Partridge, Willow Warbler, Tree Pipit, Meadow Pipit, Skylark, Swallow, House Martin, Kestrel. Wader species included observations of: Lapwing and Curlew. Abundant moth species have been recorded within the 500m and surrounding area, including: Dark Brocade, Dot moth, V moth. Flora key species records consisted of: Yellow Archangel and Scots Pine, together with varied liverwort and moss species including Hook and Feather moss.

**The 1km buffer zone consisted of the following key species records:** Numerous observations of foraging Pipistrelle bat species, together with records of maternity roosts existing south west and north east. Other key species observations within the 1km zone included records of the following bird species: Grey Wagtail and Lapwing, together with sightings of badger and brown hare. Amphibian records consisted of numerous Great Crested Newt (GCN), together with smooth and palmate newt sightings south west of the site within GCN commuting and dispersal ranges. Flowering plant key species observations consisted of: Bee Orchids, Common Spotted Orchids and Wood Cranesbill. Aquatic plants included White Water Lily, Marsh Marigold. In addition, there were invertebrate records including varied beetle species.

**Within the wider area, the 2km buffer zone displayed records of the following additional key species:** butterfly species – Wall Butterfly and Brimstone. Birds observations included Ringed Plover, Grey Heron, Linnet and Snipe. Several records of invasive species, including Indian Balsam, were located to the south of site. Further recordings of amphibians and abundant moth species within the 2km zone exist together with one record of a water vole on the western 2km buffer zone boundary. varied bat species have been recorded in the 2km zone of the site, with archives including: Common Pipistrelle and Soprano Pipistrelle, together with numerous bat roost observations.

### **Birds**

Nesting and foraging opportunities occur throughout the site due to habitat available i.e. scattered trees, secondary scrub, mature hedgerows and neutral grassland. Historical biological data (Lern, 2019) displays records of ground nesting bird species within the 100m zone of the site.

### **Bats**

Multiple bat records exist within the area (Lern, 2019) and regular seasonal sightings have been made by residents (2019). Bat roosts potentially exist within multifarious allotment buildings to the south east. Bats may forage across the site or use it as a commuting route, but are unlikely to be roosting within the site itself, as most tree species are not mature enough to have developed features associated with roosts. There are more bat roosting opportunities within established trees and buildings situated near Standen hall drive. An extended survey that incorporates a bat emergence survey would determine further potential roosts on around the site, particularly within existing, previously inaccessible allotment structures and more mature trees.

### **Badgers**

The Lern data (2019) search returned records of badger observations and activity within 1km of the site. Foraging by this species may occur on site with badger setts more likely to occur in surrounding clough woodland and pine plantations to the north.

### **Reptiles**

The site provides some habitat for reptiles in the form of refugia (basking and foraging habitat) including within dry stone walls forming the site boundary and underneath disused allotment buildings.

## **6.0 Habitats & Protected Species**

### **Amphibians**

Water bodies on site could provide suitable habitat for amphibians, particularly where shallow brackish standing water occurs within seasonally wet pastures and local gardens. Other water features within allotments and further upstream would potentially be more suitable for breeding amphibians. The flowing water associated with small water courses on site is not considered suitable GCN breeding habitat due to limited egg laying and larval development opportunities. These features could be utilised by other amphibian species such as common toad and frog that occur on site (Lern, 2019). Furthermore, boundary dry stone walls on site could provide refugia for amphibians due to their lack of maintenance and subsequent structural defects i.e. openings and fissures and perished footings.

### **Other fauna**

There is suitable habitat both on and off site for otters and water vole. Previous surveys have however found the aquatic habitat on site unsuitable for this species.

## 6.0 Habitats & Protected Species

Habitats within the site include: detached buildings, planted woodland of varied age, standing and running water, introduced and semi natural scrub vegetation patterns, semi improved neutral grassland, hedgerows of varied ages, together with dry stone wall boundaries that adjoin habitats on site to the wider area. The southern boundary consists of tall ruderal, amongst secondary scrub and planted trees within allotments and gardens. Introduced scrub consisted of scattered and semi mature broadleaved trees, recent sapling planting over acidic grassland flushes and semi/unimproved grassland. Habitats within the wider area include allotment buildings, hard standing, bare ground, introduced shrub, tall ruderal, both scattered and dense continuous scrub, amenity grassland, semi and unimproved acid grassland, hedge, standing and running water, walls, broadleaved woodland and scattered trees.

### **Tall Ruderal – near allotments**

Tall ruderal vegetation can provide habitat and food resource for birds, small mammals, amphibians and invertebrates. It is common in the wider landscape and easily recreated so is considered to have **Value within the Zone of Influence** of the site only.

### **Neutral Grassland**

This priority habitat occurs throughout the site. Grasslands are of importance to macroinvertebrates communities, thus encouraging foraging for birds and small mammal species including bats. Neutral and acid semi improved grassland is covered in the Lancashire BAP list of priority habitats. This habitat type is indicative of a diverse grassland sward and is therefore considered to be of both **Local** and **National** ecological value.

### **Wall**

A dry-stone wall adjoins a western boundary wall of the site affording connectivity between habitats within the wider landscape. The wall could potentially provide habitat for reptiles, amphibians and small mammals and is considered to have **Local Value**. Additionally, the boundary wall serves as a linear corridor feature and navigational aid for local foraging bat species that have been recorded in that area according to historical biological data (Lern, 2019) together with more recent sightings and recordings by Standen Hall residents (2019).

### **Planted woodland**

Planted woodland saplings amongst secondary scrub and tall ruderal vegetation occur in the south east of the site near existing allotments and gardens, together with scattered parkland trees along a footpaths and amenity grassland to the north. These provide good foraging and shelter opportunities for local wildlife.

### **Buildings**

Buildings within the development area consist of old listed buildings. Features associated with these buildings i.e. grey slate roofs provide good roosting opportunities for local protected species – bats in particular. Buildings provide **ecological value within the zone of influence**.

### **Hedge**

Borders within and around the site consist of varied ages and provide foraging habitat for varied local species potentially moving through the area, with continuous cover and connectivity to offsite habitat. These habitats within the boundary are considered to be of **Local Ecological Value**.

## 6.0 Habitats & Protected Species

### Running Water and Standing Water

Running water and sinks/ issues occur along both eastern and western boundaries of the site (Figure ? & ?). These features will provide stepping stone mosaic habitat for amphibian species, associated with offsite aquatic habitats recorded during the desktop survey. Aquatic features on site and within allotment gardens potentially offer increased dispersal opportunities for amphibians, in addition to potential water vole habitat. The possibility of this species using the site is increased due to water vole observations within the 2km buffer zone (Lern, 2019) and therefore exhibits ecological **value at a local level**.

### Scattered and Secondary Scrub

Areas of scattered Scrub are noted within the survey (Pennine Ecology, 2019) which can provide habitat and food resource for birds, small mammals, amphibians and invertebrates. It is common in the wider landscape and easily recreated. It is considered to have ecological **Value within the Zone of Influence** of the site only.

**Allotments and gardens** in the south east comprised of mature and semi mature tree species and hedgerows together with secondary scrub and pond habitats. This habitat is considered to be of potential **National and Local Ecological Value**. Allotments and Gardens were not surveyed due to access issues, according to information within the original surveys (Pennine Ecological, 2019).

## 7.0 Evaluation

### Land Designations

The site lies just outside of the Special Conservation Area of the South Pennine Moors Impact Risk Zone, and therefore serves an important role as a biological stepping stone to priority habitats that exist in the wider landscape.

Habitats on site comprise of buildings, semi-improved neutral grassland, tall ruderal, semi mature scattered trees, planted woodland, recent sapling planting, varied aged hedgerow, dry stone walls, running and standing water. These habitats are considered to have an ecological value of **Local and National importance within the zone of influence**.

Maps and figures within the desktop study shows that the proposed development site is designated as;

- . an area for increased woodland cover (Figure 5)
- . both high and moderate priority with regards to water quality (Figure 8)
- . an area of green infrastructure to protect (Figure 3)
- . a potential area to create green travel routes (Figure 5)

In addition to avoiding, mitigating and compensating for impacts on existing biodiversity resources, there appear to be opportunities to maintain and enhance green infrastructure according to Burnley's local plan (2018) as displayed in figures within the Relevant Legislation section.

### Policy and legislation

With reference to the scoping of Higher Saxifield as a suitable development site; It is debatable as to whether the ecological survey carried out in April 2019 satisfies the points raised at the scoping stage (Figure 4). Moreover, Biodiversity Net Gain policies proposed by new government legislation in spring 2020 should potentially be considered. This bill will insist developments demonstrate in the planning stage that; there are little to no negative impacts on environment and biodiversity. Where losses to habitat are unavoidable, developers potentially face significant fines as a consequence of not considering mitigation and ecological enhancement measures at the planning stage.

## **7.0 Evaluation**

### **Habitats and protected species**

Priority habitat on site consists of neutral grassland and was recorded as species poor grassland by Pennine Ecology, who surveyed the site on 5<sup>th</sup> April 2019. This could potentially be seen as a constraint to the survey due to timings, and the accurate recording of vegetation patterns/ more diverse grassland species. wildflower species associated with more ecologically diverse neutral grasslands typically flower between June and September.

“NVC is best undertaken when the wildflowers and grasses are in bloom to ease identification. This is usually between May and August with the optimum time June and July before grasslands are cut or grazed by livestock” (Rodwell, 2006).

Allotments were not surveyed due to access limitations during initial surveys (Pennine Ecological, 2019). This habitat could potentially be host to multiple protected species such as; European hedgehog, GCN newt and many others. Therefore, it would be appropriate to physically survey these areas within the scoping stage of the proposed development site to ascertain its suitability for development.

### **Natural capital**

Doubts occur within the excerpt from the scoping report (Figure 4) with regards to water quality and flooding and the suitability of Higher Saxifield for development. The development plan would have to demonstrate that it satisfies current environmental policies through mitigation and enhancement strategies that aspire to mitigate climate change and avoid damaging more biodiverse aquatic habitats to the south. This is exacerbated by existing drainage issues and springs situated up stream and within the site that currently discharge into more diverse aquatic habitats to the south – the river Don and Brun BHS.

Upon review; hydrological analysis during the scoping stages could be considered a little vague with regards to the evaluation of proposed development sites. Subsequent investigation would need to further analyse the methodology used to quantify water levels, existing river carrying capacities and increased run off from the proposed development. It would be counterintuitive to current policy and legislation where the overloading of existing aquatic habitats results in damage on site and downstream in more notable and biodiverse habitats.

Natural assets within the site present opportunities for developing resources and partnerships to enable priority habitats on site to be managed and thus cherished by their communities in the long term i.e. developing conservation management plans to procure grant schemes and community funding, together with partnerships and involvement with current local restoration programs in area i.e. Lancashire Wildlife Trust’s South Pennine Grassland Project.

## 8.0 Conclusion

The selection of the site for development is potentially arguable when the following is considered;

Contradictions within current land designations and local environmental policies occurred when cross compared with the proposed development site, according to maps and results of the desktop study and relevant legislation sections. Inadequate timing of ecological field surveys, inappropriate scoping of hydrological issues, together with the fact that LCC is still in the process of recording and updating habitat designations and protected species in east Lancashire in accordance with current Biodiversity action plans and NPPF planning policies additionally make the selection of this site debatable.

Therefore, a thorough review of the development plan with regards to flood mitigation and water quality would be appropriate; To what degree does the plan utilise Sustainable urban drainage systems and other mitigation measures to afford protection of existing Gi on site and in the surrounding area? Plans should mitigate climate change and protect and enhance more diverse habitats on site according to current national and local legislation and policy.

In order to meet requirements for biodiversity protection and enhancement outlined within the NPPF and Local Green Infrastructure Policy, it would be appropriate to acquire further information and environmental data by:

- . Carrying out an extended survey to more accurately record species and habitats identified on site within the preliminary ecological appraisal including:
- . Conduct more appropriately timed field survey of neutral grassland species on site to more accurately record vegetation patterns and flora present.
- . Carry out amphibian and hedgehog surveys within existing allotment grounds and outbuilding structures that may be affected by development.
- . Carry out bat emergence survey within existing allotment mature and semi mature trees and outbuilding structures that may be affected by development.

The proposed development could potentially be considered as counterintuitive to Burnley's Gi policy, particularly where increased run off could reduce water quality and result in damage to delicate aquatic habitats downstream within Biological Heritage Sites. Due to predicted increased flash flood events associated with climate change, our client believes better use could be made of this site. There are opportunities to conserve and enhance existing natural resources and Gi to help mitigate climate change, together with subsequent community welfare and health benefits. This is particularly the case where there is opportunity to enhance biodiversity, extend existing greenways and improve recreational footpaths on site.

More appropriate land uses that facilitate and protect local Gi and Gi policy could potentially include;

- Protect and enhance biodiversity;  
Improve water quality and alleviate flooding through Gi enhancements.  
Grassland management – restore neutral grassland to lowland meadow, subsequently benefiting local priority species i.e. pollinators, ground nesting birds and predatory raptors. This process could additionally incorporate community volunteer conservation schemes.
- Recreation – improve and extend existing greenways and public footpaths resulting in Community health and welfare benefits.

## 9.0 References

- Burnley Borough Council (2018) *Burnley's Local Plan* [online] Available at <https://burnley.moderngov.co.uk/documents/s9117/Appendix%202%20%20Adoption%20Draft%20of%20Burnleys%20Local%20Plan.pdf> [Accessed 24.10.2019]
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**Town and Country Planning Act 1990 (As Amended)**

**Burnley Borough Council**

**Planning Application Reference : FUL/2019/0315**

**Erection of 130 no. dwellings with associated access roads, open space and landscaping and vehicular access from Standen Hall Drive following the demolition of no. 64 Standen Hall Drive**

**Land to the north of Saxifield Street,**

**Review of the Highway & Transport Impacts**  
**of the Proposed Development for the Standen Hall Drive Residents Group**

**Prepared by Mr J C Carruthers BSc.,MSc.,CEng.,MICE.,MCIHT**  
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**20<sup>th</sup> November 2019**

**C O N T E N T S**

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## **1. Introduction**

- 1.1 This report has been prepared on behalf of a local residents group in the Standen Hall Drive area of Burnley to review the highway and transport impacts of the proposed development that has been submitted with Burnley Borough Council planning application FUL/2019/0315.
- 1.2 The planning application seeks full planning permission for the erection of 130 no. dwellings (now reduced to 120 no. during the consultation for the planning application), together with associated landscaping and vehicular access from Standen Hall Drive.
- 1.3 The report has been prepared by Mr J Carruthers who is a highway and transport consultant with over 34 years of relevant professional experience in the public and private sectors. During the preparation of the report the following investigations have been undertaken :
- an examination of the planning application submission including the Transport Assessment and the Travel Plan,
  - an examination of the consultation response to the planning application by Lancashire County Council (Highways),
  - an examination of the existing highway network and the transport infrastructure and services at different times of the day and week,
  - a meeting with the local residents group who are concerned about the potential adverse impacts of the proposed development on the operation, and safety, of the highway network, including the potential impact on air quality, and,
  - consideration of the proposal in relation to national and local highway and transport policies including the National Planning Policy Framework (NPPF), and the Burnley Local Plan (2012-2032).
- 1.4 The report describes the investigations that have been undertaken and identifies a number of significant and unacceptable highway and transport impacts that would arise from the proposed development.

## **2. Review of the Highway & Transport Impacts of the Proposed Development**

2.1 The Transport Assessment (TA), that has been submitted with the planning application has been reviewed and a number of significant issues have been identified that would affect the predicted operation, and safety, of the highway network.

### Scope of Highway Study

2.2 The TA examines the traffic operation of 3 existing junctions on the highway network, as follows :

- Junction of Standen Hall Drive / Hillingdon Road,
- Junction of Standen Hall Drive / Briercliffe Road (mini-roundabout),
- Junction of Hillingdon Road North / Marsden Road.

2.3 The TA states that the extent of the highway network to be examined is based on previous historical traffic studies for developments at the site. There is no reference, or consideration, of the serious traffic congestion problems that occur on the highway network that would be affected by traffic generation from the proposed development at the following locations :

- Junction of Briercliffe Road / Casterton Avenue (roundabout)
- Junction of Briercliffe Road (leading to Marsden Road) / Briercliffe Road, and
- Junction of Briercliffe Road / Halifax Road (traffic signals)

2.4 Observations have been carried out at these junctions during the weekday peak periods and show that there is severe traffic congestion at these junctions resulting in long traffic queues with high levels of vehicle emissions. The addition of development traffic at these locations would exacerbate existing traffic congestion and the associated air pollution. It is known that when a highway network operates at, or close to, its capacity minor increases in traffic volume create a disproportionately high increase in congestion and associated air pollution. The occurrence of severe traffic congestion and poor air quality at these locations also serves to discourage active travel (walking and cycling), and also affects the reliability of public transport services.

- 2.5 The additional development traffic at these congested junctions would increase the frequency, and duration, of traffic queues and air pollution in the vicinity of local schools, such as Burnley St. James' Lanehead Primary School, Burnley General Hospital and residential properties. **Policy IC2 of the Burnley Local Plan** requires the TA to assess the impact of the development on air quality for residential developments of more than 80 dwellings. This has not been carried out.
- 2.6 In February this year, the National Institute for Health and Care Excellence (NICE), published a Quality Standard that covers road traffic related air pollution and its impact on health. Statement 2 of the standard requires local planning authorities to assess proposals to mitigate road traffic related air pollution in planning applications for major developments. The standard states that the proposals to mitigate road traffic related air pollution must be evidence based. The potential adverse health impacts that would arise from additional traffic from the proposed development at the locations referred to above has not been considered, or mitigated, in the planning application.
- 2.7 Therefore, the highway network that has been examined in the TA is not considered to be satisfactory and the cumulative impact of the development traffic at existing severely congested locations would exacerbate existing traffic congestion and air pollution. The Burnley Local Plan identifies peak hour traffic congestion on the borough's roads as one its main challenges (Section 2.8 of the Local Plan), and Section 5.5.53 of the Local Plan states that 'wherever possible, all forms of pollution are considered, controlled and mitigated against as part of the development process'.



Weekday morning peak traffic congestion on Briercliffe Road that has not been considered in the Transport Assessment

### Traffic Analysis

- 2.8 The traffic analysis that has been carried out in the TA for the 3 junctions referred to in paragraph 2.2, above, does not take account of the traffic increase that will occur as a result of other developments in the Briercliffe area. This means that the highway network will be more congested than the traffic analysis in the TA. These developments are as follows :
- Proposed residential development at Talbot Street, Briercliffe,
  - Proposed residential development at Jubilee Street, Briercliffe,
  - Proposed residential development at Maytree Close, Briercliffe
- 2.9 The traffic analysis that has been carried out in the TA uses average rates of traffic generation for the proposed development. Because the operation of the highway network is at, or close to, its design capacity a sensitivity check should be carried out to assess if the highway network could accommodate the proposed development traffic if the traffic generation rates are higher than average (using an 85<sup>th</sup> percentile level of traffic generations as recommended for a sensitivity check). The traffic distribution estimates should also be checked to ensure a robust traffic assessment at each junction on the highway network.
- 2.10 The traffic models that have been used to predict how the junctions will work with the extra development traffic have not been checked (calibrated), to show that they are reliable by modelling existing traffic conditions. It is normal good practice to use the traffic models to check that existing traffic queues and delays are accurately predicted before testing the traffic models with the development traffic. The traffic surveys that have been carried out for the TA did not include traffic queue lengths at the junctions so it is not possible to check that the traffic modelling is accurate. There has also been no independent traffic modelling carried out by Lancashire County Council to ensure that the information that has been submitted with the planning application is robust for this major development.

- 2.11 The traffic capacity figures that are shown in the TA for the existing roads are considered to be significant over-estimates because they do not take account of existing on-street parking and single track operation of the roads at certain times e.g. along Hillingdon Road and Hillingdon Road North.
- 2.12 Therefore, the traffic modelling that has been submitted in the TA is not considered to be reliable or robust for the forecast design year of 2024 when the proposed development will increase traffic on the highway network. This will result in higher levels of traffic delay and air pollution than has been predicted in the TA as a result of the proposed development.

Proposed Traffic Calming Measures on Standen Hall Drive

- 2.13 Road humps and raised junction platforms are proposed by the developer along Standen Hall Drive from its junction with Hillingdon Road to the proposed site access. These measures, coupled with the predicted increase in traffic levels from the proposed development and the on-street parking along this section of Standen Hall Drive, will result in an increase in traffic related air pollution. The proposed development of 120 houses will result in an additional 800 vehicle movements per day (minimum), using this section of Standen Hall Drive based on a typical traffic generation rate of 3.5 vehicle trips per day per dwelling.

Therefore, the traffic that will be generated by the proposed development and the proposed highway layout will result in a significant deterioration in the air quality for local residents along Standen Hall Drive.

#### Design of Site Access from Standen Hall Drive

- 2.14 It is understood that there has been no consultation with existing residents who live off Standen Hall Drive about the proposed highway access layout for the proposed residential development and the vehicular access requirements for these properties. The proposed highway layout would adversely affect the vehicle access to the properties that are served from the existing access road. Lancashire County Council have stated that the proposed access layout will be further scrutinised as part of the detailed design phase but the highway proposals should already be finalised as part of this detailed planning application. The lack of consultation with local residents about the proposed development layout does not comply with the guidance in the Manual for Streets in relation to the need for Quality Auditing for new developments.
- 2.15 Therefore, the detailed highway design of the residential site access has not been satisfactorily completed for the planning application.

#### Inclusive Mobility

- 2.16 **Policy IC1 of the Burnley Local Plan** states the following in relation to the requirements for safe and convenient access at new developments :

*Development schemes should ensure convenient and inclusive accessibility to all sections of the community to, from and within developments*

- 2.17 The proposed development scheme cannot be considered to have convenient and inclusive accessibility for all sections of the community. The proposed development is located on a steeply sloping site with access via existing roads with long, steep, gradients. These access roads that serve the proposed development from the bus stops and local services (Saxifield Street and Standen Hall Drive), also have pavement parking which would obstruct a wheelchair user at certain locations. The condition of the existing footways that serve the site have broken paving and no dropped kerbs at junctions. Whilst these are existing problems, the existing transport infrastructure is not suitable for access by all sections of the community and there are no proposals to address these problems in the planning application. The distance to the nearest bus stops from the proposed development would also not be convenient for many residents.



Pavement parking on the roads serving the site obstructs the footway for pedestrians and wheelchair users

- 2.18 The detailed design of the proposed internal highway layout and footways have not been included with the planning application so it is not possible to establish the gradients and whether they would comply with the recommendations for inclusive mobility. The planning application seeks detailed permission for access so this information should have been submitted.
- 2.19 Therefore, the proposed development would not have convenient and inclusive accessibility to all sections of the community and this would make access to bus services and local services difficult for persons with a mobility impairment or other disability.

Diversion of Public Footpath No. 174 within the Proposed Development

- 2.20 The proposed residential development layout shows the existing public footpath from Standen Hall Drive being diverted on an oblique line across the carriageway of the proposed access road and along surfaced footpaths. This will change the character and attractiveness of the public footpath for the existing users who use the footpath for recreational walking. The Ramblers Association and Defra Circular 1/09 recommend that a diverted footpath should avoid the use of estate roads and take a separate route through landscaped or open spaces away from vehicular traffic.
- 2.21 Therefore, the proposed diversion of the existing public footpath within the proposed residential development would change the footpath beyond recognition and this would be detrimental to existing residents and walkers who use this public footpath.

Road Safety

- 2.22 An examination of the road safety information for the local highway network within 800 metres of the proposed development shows that there have been a, relatively, high number of recorded injury accidents during the most recent 5 year data period 2014 – 2018 inclusive, as summarised in Table 1, below :

<b>Section of Road or Junction</b>	<b>No. of recorded injury accidents</b>
Hillingdon Road / Hillingdon Rd. North	4 no. (1 serious)
Junction of Hillingdon Road / Standen Hall Drive	1 no.
Junction of Hillingdon Rd. North / Marsden Road	1 no.
Junction of Standen Hall Drive / Briercliffe Road	1 no.
Briercliffe Road (Standen Hall Drive – Casterton Ave.	7 no. (1 serious)
Burnley Road (Finsley Street – Townley St.)	2 no.
Briercliffe Road / Casterton Ave. (roundabout)	5 no. (2 serious)
<b>Total</b>	<b>21 no. (4 serious)</b>

Source : [www.crashmap.co.uk](http://www.crashmap.co.uk)

Table 1 : Recorded Injury Accidents on the Local Highway Network  
(within 800 metres of the proposed development)

2.23 Table 1 shows that there have been 21 recorded injury accidents on the highway network within 800 metres of the proposed development site including 4 serious accidents. The TA does not examine the details of these accidents or propose any mitigation for the additional traffic movements that will be generated onto this highway network.

2.24 Therefore, there is evidence of highway safety problems on the local highway network that would be increased as a result of the traffic generation from this major development.

#### Sustainable Transport and Travel Plan

2.25 It is considered that the TA and Travel Plan significantly overestimate the potential for sustainable transport to replace private car trips at the proposed development. The existing pedestrian and cycle infrastructure is of a, relatively, poor standard (as described in the previous sections of the report), and the high levels of traffic and congestion in the local area, including the poor air quality, will discourage active travel for future residents and visitors. The low frequency and limited number of direct destinations that are available using existing bus services along Standen Hall Drive and Briercliffe Road means that the potential number of trips by public transport will also be low. Observations show a very low number of people use the existing bus services in the area.

2.26 Therefore, the proposed development will result in a low number of trips by sustainable transport (walking, cycling and public transport), and will have a high level of car dependency. This will undermine the objectives of the Burnley Local Plan and the National Planning Policy Framework to promote sustainable transport.

### **3. Conclusions and Recommendation**

- 3.1 The report reviews the highway and transport impacts that would result from the proposed residential development of 120 dwellings on land off Saxifield Street and Standen Hall Drive in Burnley.
- 3.2 The report shows that the Transport Assessment (TA), that has been submitted with the planning application does not consider the full traffic, road safety and air quality impacts on the highway network within 800 metres of the proposed development site. There are existing severe levels of traffic congestion and traffic related air pollution on the highway network that would be exacerbated by traffic that would be generated by the proposed development. These impacts would undermine the policies in the Burnley Local Plan that relate to reducing traffic congestion and improving air quality in the borough including Local Plan Policy IC2 requiring the investigation of air quality impacts for major developments. The impacts would also exacerbate potential health problems that are related to traffic emissions along Briercliffe Road and Standen Hall Drive and as described in a recent National Health and Clinical Excellence (NICE) Quality Standard report (QS 181).
- 3.3 The report shows that the existing highway and transport infrastructure in the vicinity of the proposed development is poor and there would be a low number of trips by sustainable transport (walking, cycling and public transport). This would result in high levels of car dependency especially for residents and visitors with mobility impairment or a disability and contrary to the Burnley Local Plan policy on inclusive accessibility (Policy IC1).
- 3.4 The report shows that there are a number of detailed design matters that have not been included with the planning application despite the planning application being a full planning application for access. These include the site access layout and the access arrangements for local residents who have not been consulted about their access requirements.

- 3.5 Overall, the highway and transport impacts that would arise from the proposed development, as submitted, are considered to be unacceptable and would not be in accordance with the policies of the Burnley Local Plan and the National Planning Policy Framework (NPPF). It is, therefore, recommended that the planning application should not be approved.

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