

# Transport Proof of Evidence Application 21/01028/OUTMAJ

HMP Garth and HMP Wymott, Moss Lane, Ulnes  
Walton, Leyland

Ministry of Justice

June 2022

Stephen Yeates BSc (Hons) MSc CMILT  
Transport Proof of Evidence – Volume 2

TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL BY THE MINISTRY OF JUSTICE  
PROOF OF EVIDENCE ON BEHALF OF THE MINISTRY OF JUSTICE

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# Appendix A – Core Document B1

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Your ref 21/01028/OUTMAJ  
Our ref HDC/AW/21/01028/OUTMAJ  
Date 08/12/2021

**FAO: Iain Crossland**

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Planning Application: 21/01028/OUTMAJ**

**Hybrid planning application seeking: Outline planning permission (with all matters reserved except for means of access, parking and landscaping) for a new prison (up to 74,531.71 sqm GEA) (Class C2A) within a secure perimeter fence following demolition of existing buildings and structures and together with associated engineering works; Outline planning permission for a replacement boiler house (with all matters reserved except for access); and Full planning permission for a replacement bowling green and club house (Class F2(c)) on land adjacent to HMP Garth and HMP Wymott, Leyland. HM Prison Wymott, Moss Lane, Ulnes Walton Leyland, PR26 8LW.**

I refer to your consultation dated 13 September 2021 and the earlier highway comments of 28 September 2021 in respect of the above planning application

**SUMMARY**

Lancashire County Council (LCC) as the local highway authority has been in continuous discussions with Atkins as representative of the applicant, the Ministry of Justice (MOJ) since the pre application stage. I can conclude that with the further Technical Note provided the local highway authority is satisfied with the proposal and its impacts subject to all obligations being satisfied and being in line with the NPPF. The applicant has not offered to deliver all measures requested, in particular a footway or an additional bus stop to overcome a risk of post Public Transport (PT) financial contributions and routeing being changed, making PT usage less attractive than it could be. However, the exclusion of this request still satisfies the requirements of NPPF, as contributions have been offered for 5 years.

**INTRODUCTION**

The local highway authority embraces a one team approach working closely with developers and the planning authority to deliver high quality sustainable development. This development proposal has been subject to highway pre-planning application consultation leading to several meetings pre and post application submission.

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**Phil Durnell**

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

At the meetings, the submitted Transport Assessment (TA) was scrutinised and discussed in detail to ensure adequate measures are taken to deal with adverse implications of the proposed development on the highway network and to ensure access is improved to best support travel to and from the site by walking, cycling and use of public transport.

The meetings have led to the applicant submitting a Technical Note, revision 5, dated 7 December 2021 addressing the issues of highway concern with indicative designs confirming the principles of measures to be implemented (all subject to detail design with minor additions where necessary). LCC considers the information provided at this stage to be adequate to allow the application to be determined while the outstanding measures are included later.

The application submission includes an Outline Travel Plan (OTP) and a Framework Construction Traffic Management Plan (CTMP), but which would require amendments to take account of the final agreed measures as well as detailed discussions with the nominated contractor when appointed on the approach to construction of the proposal.

## **EXISTING CONDITIONS**

### **Existing site information**

The application site is in the village of Wymott within the boundary of two existing prisons, HMP Wymott with 1000 inmates and HMP Garth with 800 inmates. The proposed prison referred to in the TA as Garth Wymott 2 is to be developed with capacity for 1,715 inmates on land to the north of HMP Wymott. with the existing HMP Garth to the west. The prisons site as a whole is bounded to the east by Moss Lane which provides access to the site and serves an existing residential area to the north. Public Right of Way (FP3) lies to the west with open fields to the north and south. The submitted location plan is referenced, 608623-0000-PEV-GHX0011-ZZ-DR-A-9000 rev. P05 (15.08.2021).

### **Existing transport information**

#### **Local Highway Network**

The local highway network comprises of Moss Lane, Ulnes Walton Lane, School Lane, Dunkirk Lane and the A581 Southport Road.

#### **U10674 Moss Lane**

The site is accessed from Moss Lane, which is a single lane, 2-way unclassified local access road with junctions to Ulnes Walton Lane in the south and Willow Road in the north. It has a speed limit of 30mph with street lighting. The footway on the north side of the existing prisons access road is continued along the west side of Moss Lane towards north to Willow Road, but there is no footway on the west side to Ulnes Walton Lane. There is also no footway on the entire east side of Moss Lane.

### C195 Ulnes Walton Lane

Ulnes Walton Lane is part of the classified, C195 single lane, 2-way secondary distributor that extends from Dunkirk Lane in the north to the A581 Southport Road in the south. The northern part of the C195 is School Lane, which extends from Dunkirk Lane to Hedgerows Road. School Lane is in an urban area of Moss Side with speed limit of 20mph and has footways and street lighting. Ulnes Walton Lane starts from the end of School Lane towards south to the A581 Southport Road. It is of rural characteristics with speed limit of 30mph for its first 400m of School Lane, where there is footway and street lighting, but continues as 40mph speed limit road to the A581 Southport Road with no footways and street lighting.

### B5248 Dunkirk Lane

Dunkirk Lane is at the end of School Lane. It is a secondary distributor road that extends from Mill Street in the east to Cocker Bar Road in the west. It has 20mph speed limit from Mill Street to Schleswig Way, but subject to 30mph speed limit for the rest of its length with footway and street lighting provision.

### A581 Southport Road

The A581 is a major through-route at the end of Ulnes Walton Lane in the south and extends from Dawbers Lane in the east to Moor Road in the west. Its speed limit is generally 40mph, but the section between Lydiate Lane and Highfield Road is largely restricted to 30mph. The A581 Southport Road has footway and street lighting provision.

## **Traffic Surveys**

To establish the existing traffic flows and speeds on the local highway network, the applicant conducted automatic traffic counts (ATC) on Moss Lane and Dunkirk Lane in March 2021. Due to the impact of covid-19, it was agreed from pre-planning application stage that the results of the applicant's surveys be validated against 2019 pre-covid LCC Survey data provided the applicant. In the case of the A581, the assessment was based on results of 2013 ATC commissioned by LCC.

The result of the survey at Ulnes Walton/Moss Lane shows an average number of 412 vehicles turned daily from Moss Lane towards the A581 while 414 turned in the direction of Dunkirk Lane. The survey established the 85th percentile speeds of traffic on Moss Lane to be 39mph (northbound) and 41.4mph (southbound).

The survey also established the 85th percentile speeds of traffic on Dunkirk Lane to be 32mph towards east and 31mph towards west. The LCC 2013 ATC established the 85th percentile speeds of traffic on the A581 as 36.5mph in the easterly direction and 36.1mph towards west. The applicant calculated the current average daily traffic flows on the A581 as 9,915 vehicles heading west and 12,028 vehicles heading east.

LCC is satisfied with the above results and the approach adopted to deal with the impact of covid-19 as explained on page 5 of the Technical Note including the application of the traffic factors shown on Table 3 and the assumption made in relation to traffic flows on Moss Lane.

## Traffic accidents

The TA provides analysis of the most recent 5-year personal injury accidents from 2016-2020 on Moss Lane, Willow Road, Ulnes Walton Lane and School Lane which shows a total of 4 (3 slight and 1 serious) recorded accidents within the studied area during the period under review. However, LCC assessment shows more recorded personal injury accidents than analysed in the TA. The breakdown of the accidents are as follows.

- Dunkirk Lane / School Lane – (2018) 1 serious accident involving a pedal cyclist and 1 slight accident.
- School Lane / Wheatfield – (2016) – 1 slight involving a pedal cyclist
- Ulnes Walton Lane (outside Norris Farm) – (2020) 1 serious.
- Ulnes Walton Lane (outside Roe Cottage) – (2017) 1 slight.
- Ulnes Walton Lane (north of Walton Lodge) – (2020) 1 slight.
- Ulnes Walton Lane (south of Walton Lodge) – (2020) 1 serious.
- A581 Southport Road / Ulnes Walton Lane (2020) 1 serious involving a pedal cyclist and (2017) 1 slight.

The above shows there was a total of 9 personal injury accidents, 4 of which were recorded as serious and 5 as slight. 2 of the serious and 1 of the slight recorded accidents involved pedal cyclists.

While it is clear the applicant's accident analysis is deficient, it is considered that the proposed mitigation measures shown on indicative drawing referenced, GARTH ULNES-ATK-HGN-DR-D-001 REV. P1 (20.10.21) included in the Technical Note are adequate to improve conditions for users (as a consequence of the additional impacts that the development will have). As such, no additional measures other than those agreed (in principle) will be required on this corridor.

## ACCESSIBILITY BY NON-CAR MODES

### Walking

The site is not within walking distance of local services, facilities, or amenities and although there are two bus stops near the site on Willow Road and Ulnes Walton Lane, walking distances from the existing prisons and the proposed Bowling Green and Club House to the bus stop on Willow Road far exceeds the preferred maximum walking distance of 1200m and while the bus stop on Ulnes Walton Lane, north east of its junction with Moss Lane is within 1200m of the sites, access to the bus stop is currently hindered due to unavailability of footway from the existing prisons site access road to Ulnes Walton Lane.

*Note: There are 2 existing bus stops within the curtilage of the site (to the west of Wymott) which could serve the bowling green. These stops have previously been used however due to insufficient time within the current timetable to serve bus stops within the existing prisons site and also the bus stop on Willow Road.*

LCC has requested the applicant to consider upgrading the bus stop on Ulmes Walton Lane and providing a footway from the existing prisons access road to the bus stop for improved sustainability of the sites. In response, the applicant has suggested instead that part of the contribution agreed for improvement of bus services in the area should be used to improve routeing within the existing prisons site to enable services to be routed through the site.

The authority could use the agreed public transport contribution to alter wider PT services to enable routeing serve the 2 existing stops, whilst the funding allows (which will be for a minimum of 5 years). However, there is a risk post use of funding that the extended service is not viable and as previous the existing stops be removed from use again, impacting on the long-term access to PT, without a longer walk using footway/grass verge to access a bus stop (whether using the footway to Willow Road or verge to Ulmes Walton Lane)

Without the delivery of a footway to provision on Ulmes Walton Lane which negates the use of a verge being provided from the existing prisons access, the applicant does not do all they can to promote a sustainable development, leaving that risk post 5-year funding to others. An alternative approach suggested would be for the applicant to provide a bus stop (kerbs and shelter) on Moss Lane to the north of the access (replacing the existing on the internal road to the west of Moss Lane), the applicant remains silent on this LCC suggestion.

Whilst in simple terms the applicant does in the short/medium term satisfies the NPPF however does not facilitate access to high quality public transport in the long term, in the event that routeing needs to change again (post 5 years of subsidies). This matter is outstanding however, is not sufficient to oppose the proposal as presented.

## **Cycling**

The section of Ulmes Walton Lane from Holker Lane to the A581 is part of an on-road cycle route extending from Leyland to Croston and beyond. The proposed development is within the suggested 5km acceptable cycling distance of the Croston Railway Station and can be used by cyclists from the prison sites.

To support access to the site for cyclists, the applicant has agreed to a s106 contribution of £50,000 for improvement of the surface condition of Nixon Lane and provision of signage to facilitate cyclists access from School Lane to the site. This is in line with the county councils long term cycle strategy for the area. It should however be noted that as Pump House Lane would be stopped up by the proposed development, there would be need for a developer delivered route to negate against this closure to enable the improved cycle route to be integrated within the site environment.

## **Public Transport**

### Bus

As stated above, there are two existing bus stops near the prison sites that needs to be upgraded to high quality disability compliant standard. It is confirmed on page 7 of



the Technical Note that the the bus stop on Willow Road will be improved. But the upgrade of the bus stop on Ulnes Walton Lane (or a new stop/shelter on Moss Lane) has not been confirmed as the applicant prefers the existing bus stop facilities within the prisons site to be improved for services to be extended into the site. As stated before there is funding for 5 years of diversions, however consideration needs to be given to post funding, that enables services to be reasonably accessed, if required in the long term. As stated above that offer is in line with the NPPF, however is a disappointing position.

All improvements and other highway changes to be carried through the s278 agreement of the highway act 1980 with the applicant responsible for all costs. The existing bus stop on Willow Road is currently on an unadopted section road shown as part of the applicant's wider boundary. Should the improvements be carried out in-situ, then any future maintenance of the bus stop facility is the landowner's responsibility.

The applicant has agreed to s106 contribution of £100,000 per annum for a period of 5 years to fund the enhancement of existing bus service provision (not infrastructure), with any revenue received from additional patronage to be utilised to sustainably maintain the service levels beyond the contribution period. The secured funding to deliver:

- Monday to Saturday daytime – support the improvement to service frequency from current hourly between Leyland and Croston, to ideally every 30mins.
- Monday to Saturday evening – support the extension the current period of operation to provide later journeys up to approximately 20:30hrs between Leyland and Croston.

*Note: LCC intent to work with the Prisons authorities with regard to suitable timetable to allow staff and visitors the option of using public transport to access the site.*

#### Train:

Croston Railway Station is within commuting distance of the proposed development. Based on the applicant's assessment, only 1.3% (7, 2-way person) trips a day will be undertaken to and from the site by train combined with either taxis or buses. No improvement measures are therefore proposed at the Railway Station.

## **PROPOSED DEVELOPMENT**

The development proposals covered by the submitted hybrid planning application are as follows:

Outline planning permission (with all matters reserved except for means of access, parking and landscaping) for a new prison (up to 74,531.71 sqm GEA) (Class C2A).

The new prison referred to in the TA as Garth Wymott 2 will be developed within a secure perimeter fence following the demolition of existing buildings and structures on site to hold 1,715 prisoners with up to 858 staff on site. The development will include 7no. four-storey houseblocks each of which will accommodate 245 prisoners and facilities such as kitchen, workshops, kennels, entrance resource and central services

hubs, support buildings and associated infrastructure to include 525 space capacity car park. The layout of the proposed Garth Wymott 2 Prison and the associated car park is shown on drawing no. 608623-0000-PEV-GHX0011-ZZ-DR-A-9100 rev. P07 (19.11.2021).

Outline planning permission for a replacement boiler house (with all matters reserved except for access).

The existing boiler house is one of the structures to be demolished on site to make way for the proposed development, therefore, a replacement boiler house is proposed at the location of the existing Portacabin office at the north west corner of the existing HMP Wymott. The existing Portacabin office with its associated car park will be relocated further south near the south west corner of the existing HMP Wymott. The layout of the proposed replacement boiler house and its associated car park is shown on drawing no. 608623-0000-PEV-GHX0021-ZZ-DR-C-0700 rev. P02 (2021.07.08).

Full planning permission for a replacement bowling green and club house (Class F2(c))

The demolition of buildings and structures on site will include the existing Bowling Green and Club House which are currently accessed from Willow Road and Pump House Lane. Following the demolition, a new Bowling Green and Club House will be built on land south of the existing mini-roundabout and accessed using the existing internal access road from Moss Lane. The layout of the proposed bowling green, the club house and the associated car park is shown on drawing no. 608623-0000-PEV-GHX0031-ZZ-DR-C-0700 rev. P02 (2021.07.08).

**Access:**

The existing prisons are accessed from Moss Lane via an unadopted access road at a simple priority junction approximately 80m north of Ulnes Walton Lane/Moss Lane. The proposed Garth Wymott 2 Prison is to be accessed from a new access to be formed to Moss Lane north of the existing. The new access will be a simple priority junction located approximately 300m north of the existing and provided initially as a temporary construction access with footways on both sides including dropped kerbs and tactile paving and a traffic island.

The temporary access will then be improved after the construction period into a permanent access by removing the traffic island and providing a pedestrian refuge with road markings. The arrangement as shown on drawing referenced GARTH MOSS-ATK-HGN-DR-D-0001 rev P2 (30.03.21) and the associated tracking referenced, GARTH MOSS-ATK-SPA-DR-D-0001 rev P1 (30.03.21) is acceptable.

Formation of the temporary construction access to the public highway and its subsequent alteration to a permanent access will be undertaken through the s278 agreement with the associated costs borne by the applicant.

## **Internal Layout / Parking**

The indicative layout of the overall proposed development is shown on 'Comprehensive Landscape Masterplan' referenced 608623-0000-PEV-GHX0011-XX-DR-L-0301 rev P06 (12/07/ 2021). As shown, the 7no. houseblocks are on the western part of the application site adjoined to the east by the Entrance Resource and the Central Services Hubs. The Workshop, Kitchen and the Support Buildings are to the north of the site. The new access to be formed to Moss Lane directly leads to the proposed Prison car park with capacity for 525 spaces including 24 for the disabled located near the Entrance Resource Hub. Storage provision is made for 51 cycles north of the disabled parking spaces but appears not to be covered and secure as required.

It is indicated that the new access to Moss Lane will be used for servicing the proposed prison, however, no access appears to have been provided from the car park to the area of the Workshop, Kitchen and the other buildings for the purpose of servicing in terms of loading and unloading deliveries.

The single disabled parking space proposed for the relocated Portacabin office is not proportionate to the 30no regular parking spaces proposed and should be increased to 2no. The 37no car parking spaces proposed for the Bowling Green should include disabled components based on the local authority car parking standard.

During discussions on the proposed development, LCC requested information on car parking provision at the existing Garth and Wymott Prisons, but the applicant was unable to provide this information as was considered sensitive.

Car park accumulation has been undertaken; the scale of car park that has been proposed is sufficient to satisfy demand from the proposal.

## **TRIP GENERATION AND DISTRIBUTION**

In the TA, trip generation of the proposed development was based on assumptions used in three other HMP Prisons elsewhere in the country. As estimated, the proposed development will generate up to 223, two-way trips in the AM peak of 07:00-08:00 and 253, two-way trips in the PM peak of 17:00-18:00. The trips were the distributed in proportions of 31% and 13% towards east and west respectively of the B5248 Dunkirk Lane and 37% and 18% towards east and west respectively of the A581 Southport Road.

LCC raised queries about the proposed trip distribution presented in the TA and requested use of the turning proportions at Ulnes Walton Lane/Moss Lane to validate the trip distribution and assignment presented within the Transport Assessment.

The comparison of the figures is shown in Table-1 (page 2) and Table-2 (page 3) of the Technical Note and shows net differences of 13 and 16 trips from the figures in the TA during the AM and PM peaks respectively which is not considered significant as to warrant further assessment.

As requested by LCC, the applicant was unable to validate the trip distribution in the TA by origin destination data from the existing two Prisons due to the reasons given on page 3 of the Technical Note.

The applicant's clarification of the forecast trip generation figures and assumptions made in respect of visitor trips in response to LCC queries is on page 4 of the Note. This is not unreasonable.

## **TRAFFIC IMPACT ASSESSMENT**

The applicant undertook turning counts at three junctions and automatic traffic counts at two locations and validated the results against the results of automatic traffic counts commissioned by LCC in October 2019. This was agreed during pre-planning consultation to take account of low flows due to covid-19. The applicant's surveys were conducted in March 2021 at the locations shown on Table 7-2 (page 36) of the submitted TA.

### **Committed developments**

As the TA took no account of committed developments in the area, the applicant was requested by LCC as to why impact of the Leyland Test Track development was not considered in the TA. The applicant explained the study area for the Leyland Test Track does not to the current proposed site and that the development peak hours for Leyland Test Track were not the same as that of the Garth Wymott 2 development. The detailed explanation is on page 5 of the Technical Note. Whilst this slightly underestimates the background conditions would not influence the mitigation package secured.

### **Junction capacity assessment**

The assessment identified impacts on the junction of the A581 Southport Road and Ulnes Walton Lane which will exceed capacity in the opening year of 2025, thus requiring measures to improve network operation. As indicated above LCC is developing changes for this section of Southport Road to improve conditions for users. An outline concept has been produced at this location by the applicant, its purpose is to determine a level of contribution towards the LCC works, rather than the works that will be delivered at this location. Assuming support is given, delivery of the LCC scheme incorporating the financial contribution from this proposal will be delivered prior to the opening of the new prisons.

## **MITIGATION MEASURES**

The following measures, some of which are detailed in the Technical Note were agreed with the applicant for delivery to deal with the anticipated residual impacts of the proposed development.

## Measures to be delivered through S278 agreement

- Provide traffic calming measures as shown on indicative drawing no. GARTH ULNES-ATK-HGN-DR-D-001 REV. P1 (20.10.21) from Dunkirk Lane/School Lane to Ulnes Walton Lane/Moss Lane.
- Provide traffic calming measures similar to the above on the 130m section of Ulnes Walton Lane on its approach to Moss Lane from south as agreed and confirmed in an email of 3 December 2021 and indicated on the scheme plan.
- Provide improved carriageway markings at Ulnes Walton Lane/Moss Lane for improved forward visibility and to facilitate safe right turns into Moss Lane.
- Provide traffic calming measures on Moss Lane as shown on drawing no. Garth Moss-DR-D-0002 rev P2) (30.03.21). It is agreed that in the detailed design, the traffic calming features should be provided at 60m centres instead of the 90m shown on the above quoted plan.
- Carry out improvements to the existing bus stop on Willow Road to high quality disability compliant standard to include provision of a raised kerb, boarding platform, new shelter, and the required carriageway markings.
- Carry out improvements to the existing bus stop at on Ulnes Walton Lane north east of its junction with Moss Lane to high quality disability compliant standard to include provision of a raised kerb, boarding platform, new shelter, and the required carriageway markings.
- Provision of the proposed temporary construction access and its subsequent alterations for permanent use.

Note: the following is not agreed/developer is silent.

- Provide 2.0m wide footway on the west side of Moss Lane from its junction with the existing Prisons site access road to the bus stop on Ulnes Walton Lane to include the provision of dropped kerbs and tactile pavings at Moss Lane/Existing Prisons site access road and Ulnes Walton Lane/Moss Lane to facilitate safe crossing of the roads.
- Or alternatively provide a bus shelter and raised kerbs north of the existing access into the prison

As indicated earlier in these statutory comments the above item (either or) would ensure improved access can be provided to access bus provision in the event that post 5 years of contributions service provision is changed. Without them the site would still be in line with the NPPF.

## Measures to be delivered through S106 agreement

- Provide s106 contribution of £100,000 per annum for a period of 5 years to fund the enhancement of existing bus service provision as described above.
- Provide s106 contribution of £50,000 for improvement of the surface condition of Nixon Lane and provision of signage to facilitate cyclists access from School Lane to the proposed site. Further changes are required, not forming part of this contribution, as indicated earlier to ensure that a developer delivered route is delivered to enable the improved cycle route to be integrated within the site environment. This has not yet been agreed and need to be conditioned.
- Provide s106 Planning Contribution of £18,000 to enable LCC to provide the following services in relation to travel plan.
  - Appraise the Workplace Travel Plan submitted to the Council pursuant to the planning permission and provide constructive feedback.
  - Oversee the progression from Interim to Full Workplace Travel Plan in line with agreed timescales.
  - Monitor the development, implementation and review of the Workplace Travel Plan for a period of up to 5 years.
- Provide S106 contribution to mitigate the impact of the proposed development at A581 southport Road/Ulnes Walton Lane. LCC would request the S106 contribution to help support the development of a wider corridor scheme along the A581 to be delivered by LCC. The value of the S106 contribution is to be determined by the level of funding required to deliver the signalised mitigation option proposed by Atkins. **This cost is currently being reviewed by LCC.** The current estimated cost at 2021 levels is £485,834.

*Note: Section 106 contributions to be index linked to ensure that they do not devalue over time.*

As highlighted earlier, highway works are indicative and are subject to change during detail design and also to satisfy safety audits at various stages, which may result in further changes.

Trigger points for all s278 works and the provision of s106 contributions are prior to commencement of development.

## OUTLINE TRAVEL PLAN

The Outline Travel Plan was submitted prior to some of the agreed measures. As such, there is need for it to be amended to reflect the current positions relating to the agreed sustainable transport measures, namely, cycling, bus etc. This can be linked to the relevant planning condition.

## **PUBLIC RIGHTS OF WAY**

The applicant has confirmed that any proposed stopping-up or diversion of Public Rights of Way will be subject to an Order under the appropriate Act and that the grant of planning permission will not entitle the applicant to obstruct a right of way. This matter links to the cycle provision, as referenced above.

## **FRAMEWORK CONSTRUCTION TRAFFIC MANAGEMENT PLAN (FCTMP)**

The proposed site access to Moss Lane will be used initially as a construction access following which it would be altered for use as permanent access for the proposed development. As currently proposed construction traffic will be routed from Moss Lane to either north or south of Ulnes Walton Lane. As LCC's preference will be for construction traffic to be routed through the B5248 Cocker Bar Road, it is indicated that the applicant will soon update LCC as to the feasibility of this route.

## **CONCLUSION**

The proposal is acceptable in principle subject to the delivery of all the agreed s278 works and honouring of all the agreed s106 planning obligations. As stated above, due to time factor, the highway works have only been agreed in principle with some shown on the plans attached to the Technical Note. It was agreed that the full details will be finalised at reserved matters application stage.

## **SUGGESTED CONDITIONS AND ADVICE NOTES**

Please attached the following suggested conditions and advice notes to the approval of the outline elements of the planning application.

### **Conditions:**

1. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. Reason: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.
2. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in Condition 1 has been constructed and completed in accordance with the scheme details. Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.
3. Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which

means the wheels of vehicles may be cleaned before leaving the site. The roads adjacent to the site shall be mechanically swept as required during the full construction period. Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

4. Prior to commencement of development, Construction Environment Management Plan (CEMP) shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - the parking of vehicles of site operatives and visitors.
  - hours of operation (including deliveries) during construction.
  - loading and unloading of plant and materials.
  - storage of plant and materials used in constructing the development.
  - siting of cabins.
  - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
  - wheel washing facilities.
  - measures to control the emission of dust and dirt during construction.
  - a scheme for recycling/disposing of waste resulting from demolition and construction works.
  - the routing of construction vehicles and deliveries to site.

Reason: In the interest of highway safety and to protect the amenities of the nearby residents.

5. Prior to the commencement of the development hereby approved, full details of the pedestrian/cycle connection to the site from Nixon Lane shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. Thereafter the approved connection shall be provided in accordance with the approved plan. Reason: To ensure safe and suitable access to the development for pedestrians and cyclists.
6. The Outline Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years. Reason: To ensure that the development provides sustainable transport options.

**Advice Notes:**

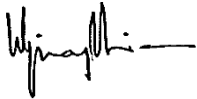
- The grant of planning permission will require the applicant to enter into an appropriate Legal Agreement, with the County Council as Highway Authority. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant should be advised to contact the Community Services for further information by emailing the County Council's Highways Development



Control Section on [lhscustomerservice@lancashire.gov.uk](mailto:lhscustomerservice@lancashire.gov.uk) or by writing to the Highways Development Control Manager, Lancashire County Council, Cuerden Depot, Cuerden Way, Bamber Bridge, Preston, PR5 6BS, quoting the planning application number in either case.

- The grant of planning permission does not entitle a developer to obstruct a public right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
- Traffic Regulation Orders, diversions of Public Rights of Way, Stopping Up of existing highway, changes to public transport scheduling/routing and other activities require separate statutory consultation processes beyond the planning application process. The applicant will be obliged to meet all the costs associated with these of works and ensure that any works which rely upon them do not commence until all legal processes have been satisfactorily completed.

Yours faithfully,



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

# Appendix B – LCC Correspondence

**From:** [Stevens, Neil](#)  
**Sent:** 14 June 2022 15:59  
**To:** 'Claire Pegg/GBR'  
**Cc:** [Rogers, Timothy](#); [Yeates, Steve \(CSDP\)](#)  
**Subject:** RE: Garth Wymott 2 - Planning Appeal

---

Claire

Thank you for your email. I can confirm that Lancashire County Council as the Local Highway Authority is satisfied with the contents of the statutory comments as provided to Chorley Council (as Local Planning Authority) and that the highway position has not changed since. For the avoidance of doubt LCC is satisfied with the proposal and its impacts and won't result in severe highway impact, subject to the obligations and mitigation measures proposed being suitably secured.

Kind regards

Neil

Neil J. Stevens  
Highway Development Control Manager  
Highways and Transport  
Lancashire County Council  
Tel: (01772) 534057  
Mobile: 07825 063548  
[www.lancashire.gov.uk](http://www.lancashire.gov.uk)

---

**From:** Claire Pegg/GBR <Claire.Pegg@eur.cushwake.com>  
**Sent:** 14 June 2022 15:42  
**To:** Stevens, Neil <Neil.Stevens@lancashire.gov.uk>  
**Cc:** Rogers, Timothy <Timothy.Rogers@atkinsglobal.com>; Yeates, Steve (CSDP) <Steve.Yeates@atkinsglobal.com>  
**Subject:** Garth Wymott 2 - Planning Appeal  
**Importance:** High

Afternoon Neil,

As you will be aware, planning application ref. 21/01028/OUTMAJ was refused by Chorley Council in December 2021 contrary to officer recommendation. Reason 2 for refusal stated that *"the proposed development would have an unacceptable impact on highway safety by virtue of the increased traffic movements and inadequate highway infrastructure"*.

The Ministry of Justice submitted an appeal against the refusal in March 2022 (ref. 3295556). The inquiry is scheduled to open on 12<sup>th</sup> July 2022.

Lancashire County Council as the local highway authority submitted statutory consultee comments on 8<sup>th</sup> December 2021 (attached for reference). These comments set out that the County Council was satisfied with the proposal and its impacts, subject to the obligations and mitigation measures proposed being suitably secured.

I would be grateful if you could confirm that there have been no material changes in the time since your consultee comments were made, and thus the local highway authority's position is unchanged and you do not object on highway grounds.

Thanks,

Claire

**Claire Pegg MRTPI MRICS**

Associate, Planning, Development & Strategic Advisory

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**Advanced Notice of Leave: I will be on leave from 23<sup>rd</sup> June – 4<sup>th</sup> July inclusive**

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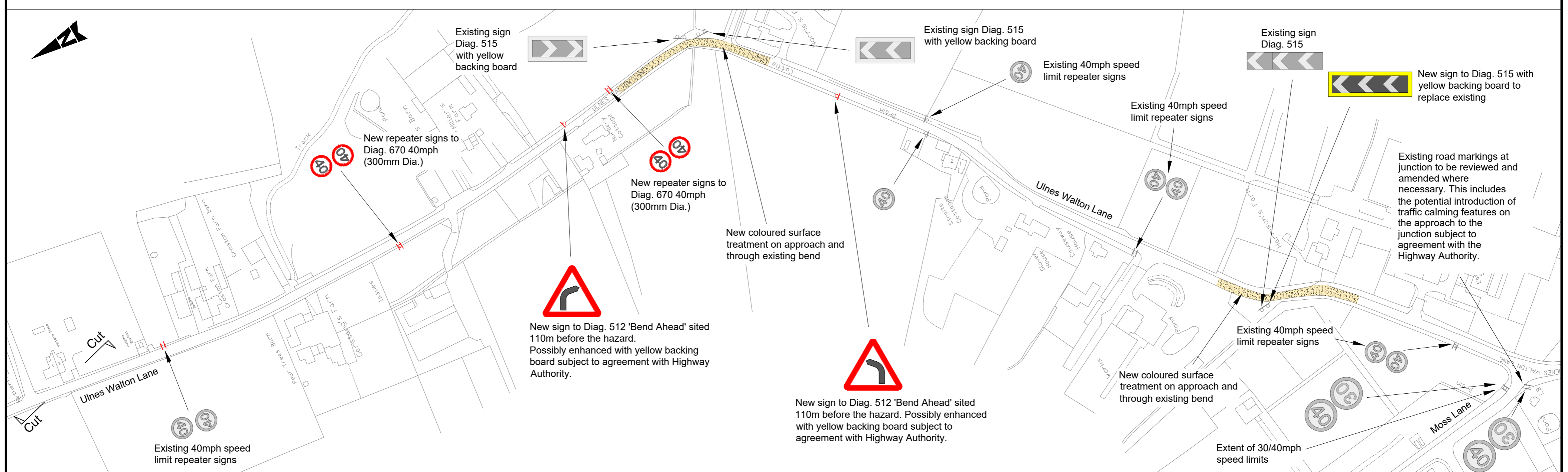
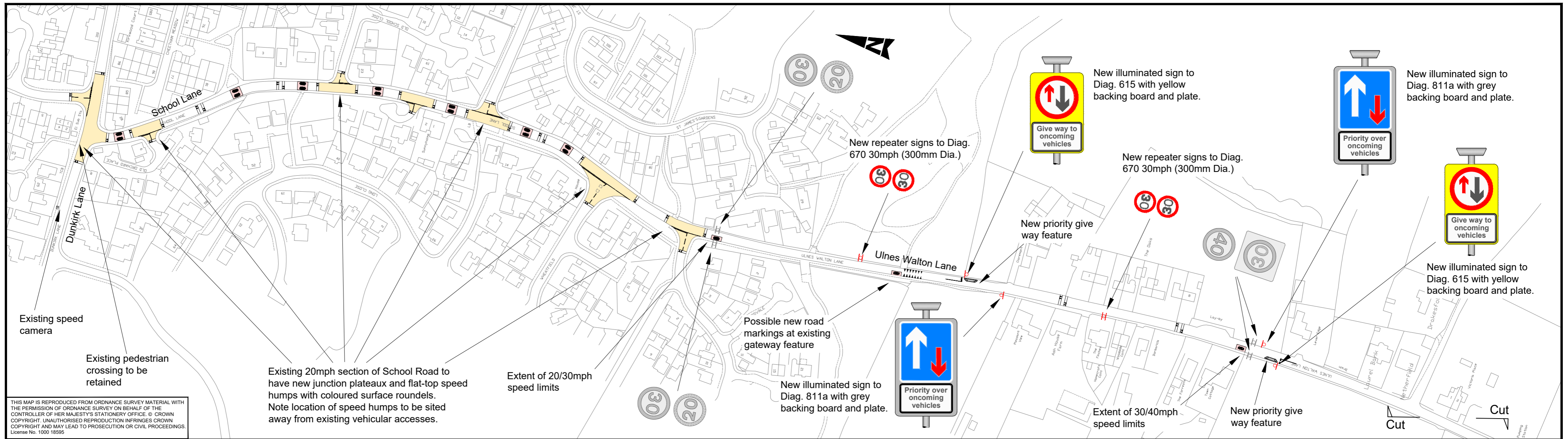
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# Appendix C – GARTHULNES-ATK-HGN-DR-D-001



- Notes:
- All new and modified existing traffic signs and road markings to be in accordance with the 'Traffic Signs Regulations and General Directions' (TSRGD) 2016
  - Frequency and location of maximum speed limit repeater signs to be at the discretion of the Local Highway Authority
  - All speed humps and priority kerb build-outs to incorporate channel gaps to maintain carriageway drainage continuity.
  - All speed humps within 20mph speed limits to be at centres not exceeding 60m. Humps to be 75mm high with 1:20 ramp gradients suitable for bus use and located away from private drive accesses.
- Key:
- EXISTING ROAD SIGNS
  - POSSIBLE NEW ROAD SIGNS

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION		It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement	
In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:			
<b>CONSTRUCTION</b>			
Live traffic Live utilities, Presence of soil contamination, asbestos, Hazardous tar and breaking of concrete not known			
<b>MAINTENANCE/CLEANING</b>			
NONE			
<b>DECOMMISSIONING/DEMOLITION</b>			
NONE			
P1	20.10.21	DRAFT DESIGN FOR REVIEW	AE PDE
Rev.	Date	Description	By Chkd App'd

Drawing Status: **FIT FOR INFORMATION**

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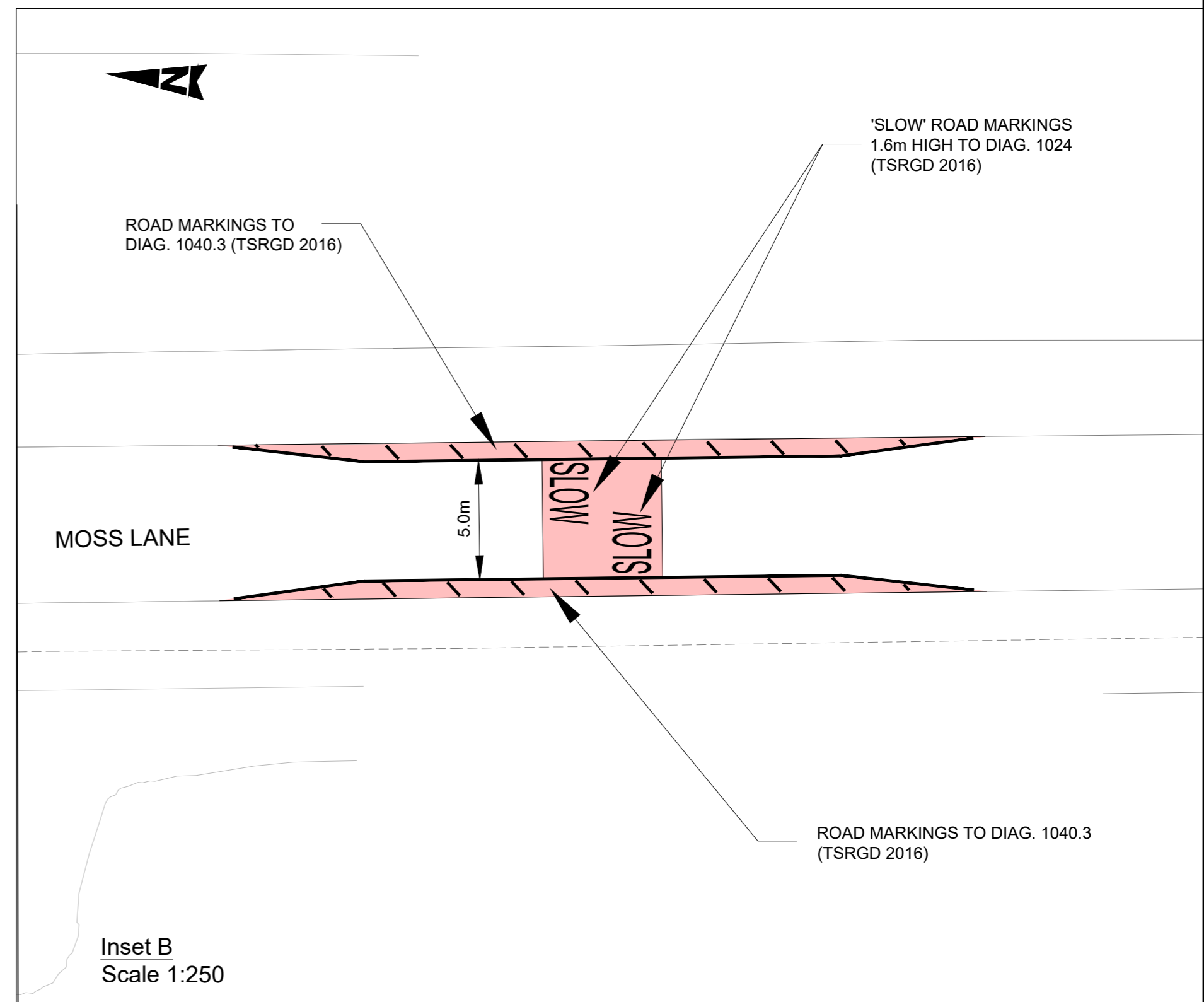
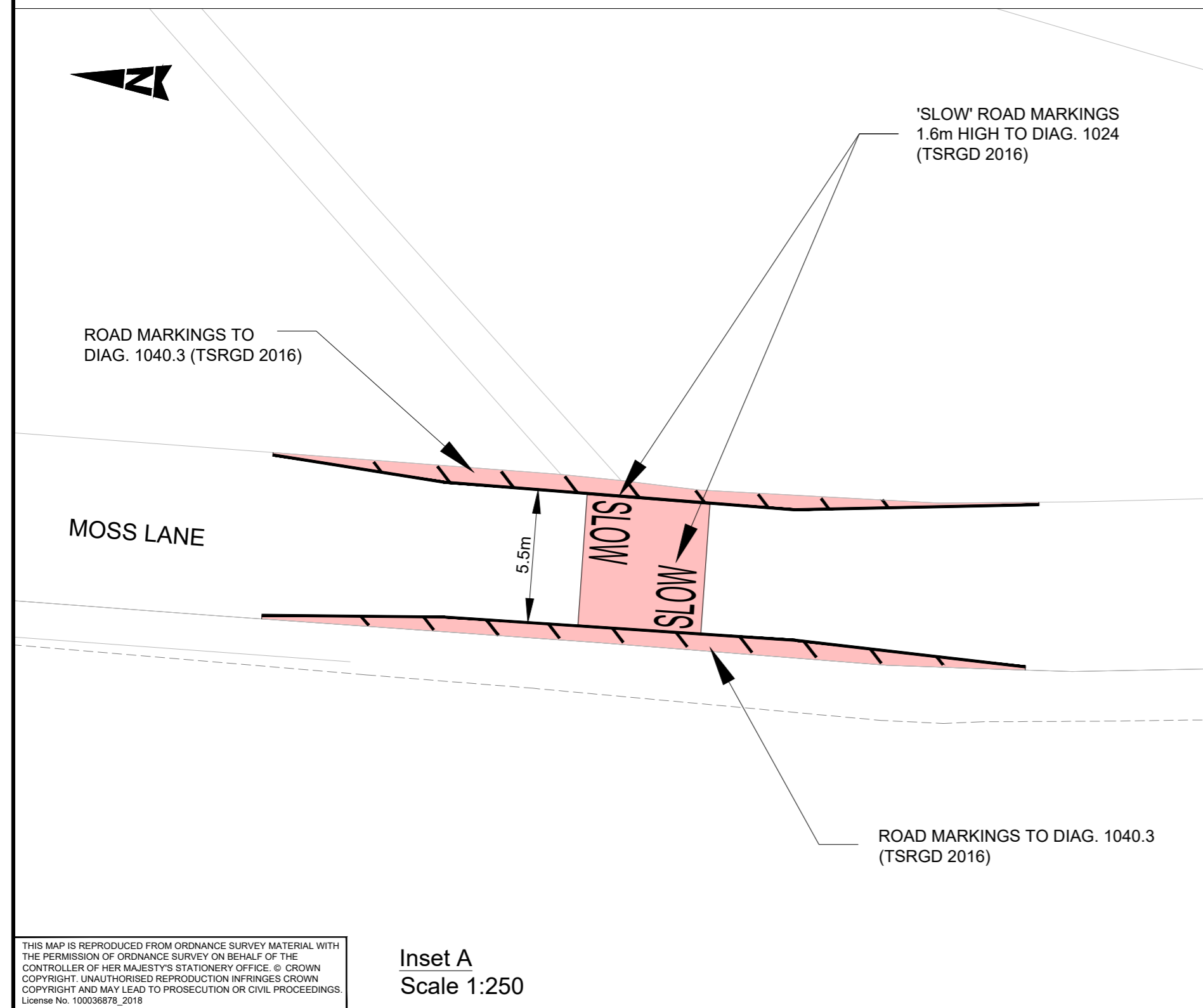
Client: **MINISTRY OF JUSTICE**

Project Title: <b>HMP GARTH</b>		Sustainability: <b>S2</b>	
Drawing Title: <b>POSSIBLE NEW TRAFFIC CALMING MEASURES</b>			
Scale: NTS	Designed: AE	Drawn: AE	Checked: PDE
Original Size: A2	Date: 20.10.21	Date: 20.10.21	Date: 20.10.21
Drawing Number: GARTH	Originator: - ATK	Volume: - HGN	Project Ref. No: 5165616
HA PIN: ULNES	- DR - D	- 001	Revision: P1
Location:	Type:	Role:	Number:

# Appendix D – GARTHMOSS-DR-D-0002 rev P2



100  
Millimetres  
10  
0



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**Key:**

	Red carriageway surfacing
	Proposed / Existing 90m visibility splay

- Notes:**
- Layout is preliminary design 'for information' only and subject to approval from Highway Authority.
  - Layout is based on Ordnance Survey. Subject to detailed design on Topographical Survey base.
  - All proposed road markings and signage to be in accordance with the 'Traffic Signs Regulations and General Directions 2016'.
  - On completion of works all affected infrastructure including hedging, fencing, ditches, footways, kerbing, verges and road surfacing shall be reinstated in accordance with the Overseeing Organisation's requirements.

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION			
In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:			
CONSTRUCTION			
NONE			
MAINTENANCE/CLEANING			
NONE			
DECOMMISSIONING/DEMOLITION			
NONE			
It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement			

Rev.	Date	Description	By	Chkd	App'd
P2	05.07.21	TRAFFIC CALMING FEATURES MODIFIED	AE	PDE	
P1	30.03.21	DRAWING CREATED	AE	PDE	

Drawing Status: **FIT FOR INFORMATION**

Suitability: **S2**

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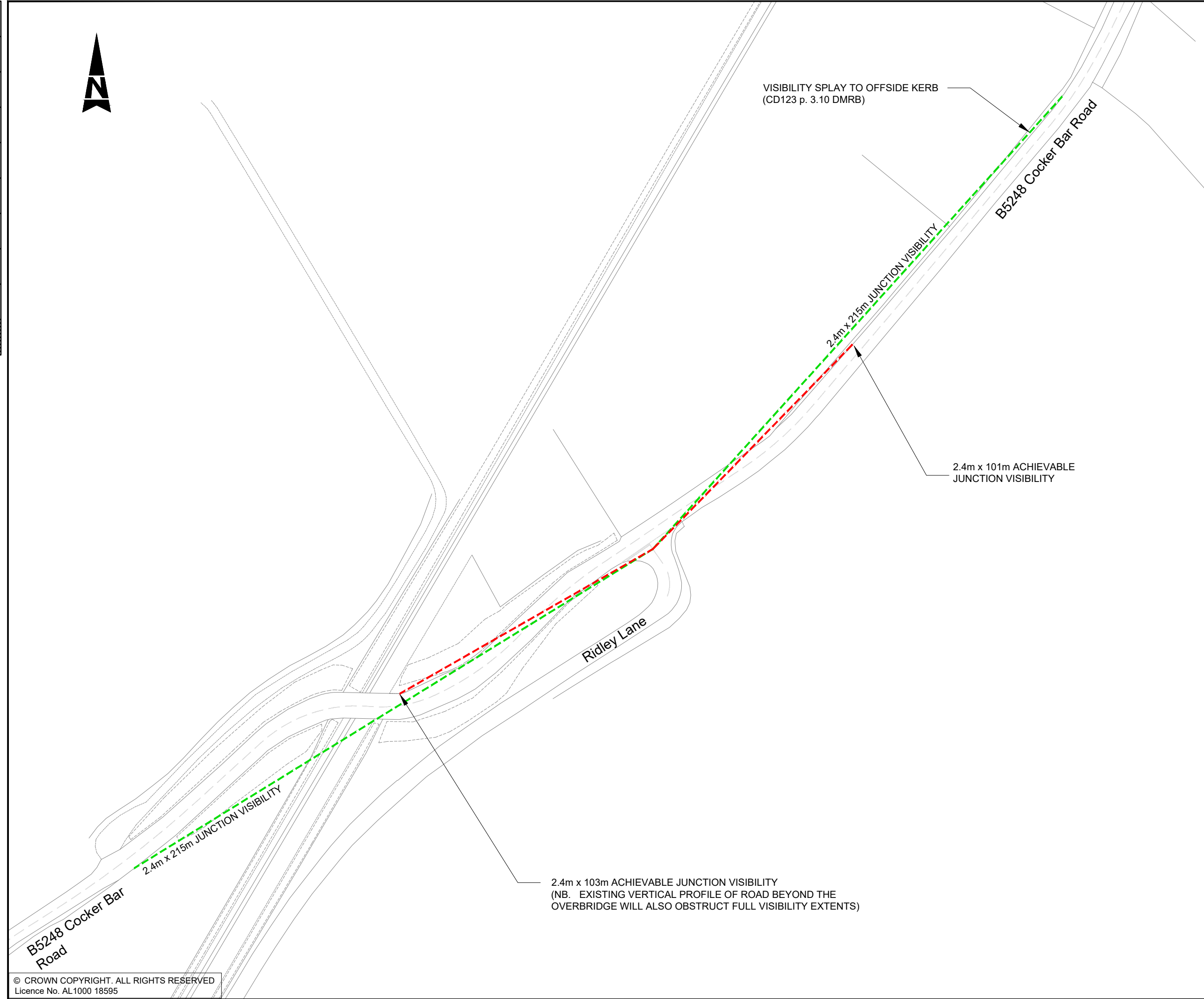
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Client: **MINISTRY OF JUSTICE**

Project Title: <b>HMP GARTH</b>					
Drawing Title: <b>PROPOSED NEW TRAFFIC CALMING</b>					
Scale: AS SHOWN	Designed: AE	Drawn: AE	Checked: PDE	Authorised:	
Original Size: A2	Date: 30.03.21	Date: 30.03.21	Date: 30.03.21	Date:	
Drawing Number: HA PIN: GARTH	Originator: - ATK	Volume: - HGN	Project Ref. No. 5200124		
MOSS	-DR - D	- 0002	Revision P2		
Location:	Type:	Role:	Number:		

# Appendix E – GARTH\_ATK\_VIS\_RIDL\_DR\_D\_0001

100  
Millimetres  
10  
0



DO NOT SCALE

- Notes:**
1. Approximate measurements only - based on Ordnance Survey data.
  2. All dimensions are in METRES unless otherwise stated.
  3. Full SSD visibility criteria based on the provisions of, and in accordance with CD123 'Geometric Design of at grade Priority and Signal Controlled Junctions' (DMRB).
  4. Existing design speed for B5248 Cocker Bar Road taken as 100 kph. (60mph Speed Limit).

- Key:**
- Full DMRB Safe Stopping Distance visibility sight lines
  - Achievable visibility sight lines (assumed from Ordnance Survey base information)

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION**

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following:

**CONSTRUCTION**  
NONE

**MAINTENANCE/CLEANING**  
NONE

**DECOMMISSIONING/DEMOLITION**  
NONE

It is assumed that all works will be carried out by a competent contractor working, where appropriate, to an approved method statement


Rev.	Date	Description	By	Chk'd	App'd
P1	10.05.22	DRAWING CREATED		AE	PDE SY

Drawing Status: **FOR INFORMATION** Suitability: **S2**

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Client: **MINISTRY OF JUSTICE**

Project Title: **HMP GARTH**

Drawing Title: **RIDLEY LANE / B5248  
EXISTING JUNCTION VISIBILITY**

Scale	Designed	Drawn	Checked	Authorised
1:1250	AE	AE	PDE	SY
Original Size	Date	Date	Date	Date
A3	10.05.22	10.05.22	10.05.22	10.05.22

Drawing Number	Originator	Volume	Project Ref. No.
GARTH	ATK	VIS	5200124
RIDL	DR - D	0001	Revision
			P1

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