

## **APPLICATION REPORT – 22/00213/CB3**

**Validation Date: 24 March 2022**

**Ward: Chorley South East And Heath Charnock**

**Type of Application: Chorley Regulation 3**

**Proposal: Erection of an archery pavilion with associated car park and new vehicle access point from Wigan Lane, following the removal of the existing building**

**Location: Land Adjacent To Londonderry Cottage Wigan Lane Heath Charnock**

**Case Officer: Mike Halsall**

**Applicant: Chorley Borough Council**

**Agent: Steve Wells Associates**

**Consultation expiry: 2 April 2022**

**Decision due by: 27 May 2022 (Extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located on the north western side of Wigan Lane, Heath Charnock, in the Green Belt, approximately half-way between the settlements of Chorley and Adlington. The site forms a large grassed area of public open space that contains a playing field, small area of hardstanding used for car parking and some site cabins / shipping containers. The site surrounds the residential curtilage of Londonderry Cottage on three sides.
3. Site access is currently gained via a narrow track, Shade Lane, that leads from Wigan Lane, between the dwellings of Londonderry Cottage and Hoole Cottage to the car park and also provides access to the dwellings. The existing buildings which are in a poor state of repair is located to the west of the existing car park, parallel to the north western boundary of Londonderry Cottage which is lined by a substantial row of conifers. The site is owned by Chorley Council and is used by Chorley Bowmen Club and Adlington Football Club.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. Whilst there are existing buildings on site for equipment storage, there are no toilet facilities, facilities to make refreshments for visiting teams, or any opportunities for indoor archery which the applicant explains is limiting the club's growth.
5. The application seeks planning permission to replace the existing buildings with a new purpose-built pavilion, install a new site access from Wigan Lane, to the south west of Londonderry Cottage, and create a new car parking area off the new site access. The proposal also includes boundary fencing, new access gates, footpaths and other infrastructure.
6. The proposed building would measure approximately 29.6m long x 5.7m wide, with a roof height of 4.4m, with a single pitch falling to the south. The building would be timber clad to

the front with red brick to the sides and rear. All external doors and windows would be secured by steel roller shutters housed in the soffits. Solar panels would be incorporated into the south facing aspect of the single pitch metal profile roof.

7. The primary purpose of the new building is to provide accommodation for the Chorley Bowmen Archery Club including an 18m indoor archery range to GB Archery design recommendations. The toilet and kitchen facilities have been designed so that they can be accessed by the football club on matchdays without compromising the security of the Archery Club's range and store. The proposed facility would be fully accessible for disabled users.
8. Through occasional managed community use, and when not used for indoor archery, the applicant states that the indoor range area can also be used for other 'passive' community activities such as Weightwatchers, yoga, and Pilates.
9. The proposal includes the provision of a new vehicular access off Wigan Lane leading to a new car park on what is currently land used as an open hayfield. The parking bays would be a cellular paved material providing a sustainable solution to surface water drainage (SuDS). Low level 850mm high LED bollard lighting with frosted diffusers and timers to shut off at 10.00pm would be included in the car park layout along with bollard illumination to the footpaths leading to the pavilion. Parking would be provided for 31no. cars, including two spaces for electric vehicle charging and three for disabled users. Provision would also be made for a further 16no. 'overspill' places in a grass reinforced parking area. Six 'Sheffield' hoops would also be provided for the parking of 12no. bicycles.
10. The proposal would not affect the maintained grass playing field and would be available for use for the archery club, football club and any other managed community use.
11. The site is owned by Chorley Council who are part funding the scheme and the Archery Club has made a successful application to Sport England for additional funding. Both the Archery Club and Football Club have annual licences to use the site. Should planning permission be granted and the development implemented, the Archery Club would be offered a 25 year lease on the building which they would then manage and maintain.

## **REPRESENTATIONS**

12. No neighbour representations have been received.
13. Whilst the application site is not located within the Parish boundary of Heath Charnock, which is located on the opposite side of Wigan Lane, the Parish Council have commented in support of the proposal identifying that the new vehicle access and car parking would enable multiple usage of sports and active recreation to be developed at this local facility beyond the archery proposal. The Parish Council is supportive of this initiative.
14. The occupants of Londonderry Cottage have been in discussion with the Council, as applicant, to move the proposed package sewage treatment plant further from their property. The applicant revised the proposed drainage plan accordingly.

## **CONSULTATIONS**

15. Greater Manchester Ecology Unit: Have responded with no objection to the proposal and have suggested that an informative note and planning conditions be attached to any grant of planning permission that seek to safeguard protected species during construction work and deliver biodiversity enhancements.
16. Lancashire County Council Highway Services (LCC Highway Services): Initially responded to request that vehicle access on Shade Lane is closed and only available for pedestrians and cycles. They also requested a Stage 1 Road Safety Audit to ensure the removal of chevrons on Wigan Lane to install the new site access is not detrimental to road safety.

Additional information on the use of the site was also requested to ensure the level of proposed car parking is adequate and to ensure pedestrian safety from stray arrows.

The applicant has submitted a Transport Statement in response to the comments from LCC Highway Services which is currently being reviewed by them and they have verbally informed the case officer that they have no objection to the proposal, subject to conditions. It is anticipated that the formal response from LCC Highway Services will be received prior to planning committee and will be detailed within the committee report addendum.

17. Waste & Contaminated Land Officer: Have responded with no comments on the proposal.
18. Regulatory Services - Environmental Health Officer: Have responded with no objection to the proposal.
19. United Utilities: Have responded with information for the applicant should they wish to receive water and / or waste services from them and steps to take should the proposal be located close to one of their assets.
20. Sport England: Originally responded in objection to the proposal and requested further information from the applicant to demonstrate that the proposal would not prejudice the use of the sports field. The applicant responded accordingly to the queries from Sport England and they have subsequently withdrawn their objection to the proposal. Sport England are of the opinion that the proposal will support and enhance the playing field's archery use, making it a more attractive proposition for its potential new users. Additionally, the provision of toilets, kitchen and parking facilities could also be to the benefit to the users of the football pitch on matchdays. Adlington Juniors FC, the Football Foundation and the County FA have all responded via Sport England raising no objection to the proposal.

## **PLANNING CONSIDERATIONS**

### Principle of development

21. The application site is located wholly within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

*137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

*138. Green Belt serves five purposes:*

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

*147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

*149. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to this including the following:*

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

22. The proposal would provide a new pavilion, site access and car park to support the existing use of the site for archery and other sports, the same as the existing buildings that are proposed to be replaced. The proposal is therefore considered to be appropriate facilities for outdoor sport and recreation. To fall under the above exception there are two considerations in respect of the appropriateness of the development in the Green Belt as follows:

1) Will the proposal preserve the openness of the Green Belt?

Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. Whether the proposed building, car park and new site access would preserve the openness of the Green Belt is a subjective judgment which is considered further below. Objective criteria could include the volume of existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the application site and it is important to note that merely the presence of an existing building on the application site currently does not justify any new buildings.

As noted above, openness is not defined in the Framework but is generally seen to mean freedom from development. It is largely therefore seen as a spatial designation and whilst it is not a landscape designation in terms of landscape impact, there is a visual component to it.

The existing buildings consist of separate cabins/containers, they sit side-by-side and at approximately 17m in total length are a substantial size. They have also been in situ for a considerable amount of time. These structures are therefore considered to be buildings due to their size and degree of permanence.

It is considered that in respect of the Framework that the existing buildings have an impact on the openness of the Green Belt. Although the buildings have no visibility from the main vantage points in the area due to their position in the site there is an impact to openness simply because the building exists. That said, the proposed building would represent an increase in built volume at the site of 483 cubic metres (270%) and would be approximately 2m taller than the existing buildings at its highest point. As such, it would be unreasonable to suggest that this element of the proposal would preserve the openness of the Green Belt, even given the limited visibility of the proposed building location.

The proposed site access and car park would be at ground level and so it is considered these would preserve the openness of the Green Belt.

2) Will the proposal conflict with the purposes of including land in the Green Belt?  
Paragraph 134 of the Framework sets out the five Green Belt purposes, which the scheme is assessed against as below:

Purpose 1 (to check the unrestricted sprawl of large built-up areas).

The proposal is not located within or on the edge of a large built up area and so there would be no conflict with this purpose.

Purpose 2 (to prevent neighbouring towns merging into one another)

Development of the site would not lead to the coalescence of neighbouring towns as the proposal is well separated from Chorley and Adlington.

Purpose 3 (to assist in safeguarding the countryside from encroachment;).  
It is considered that the proposed car park would result in encroachment into the countryside as it would introduce an area of hardstanding to an undeveloped part of the Green Belt, extending the built form of development in this location.

Purpose 4 (to preserve the setting and special character of historic towns;).  
This does not apply as the site is not located near a historical town.

Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).  
It is not considered that the proposal conflicts with this purpose.

23. In light of the above, the proposal is considered to be inappropriate development in the Green Belt for which very special circumstances are required to overcome the definitional harm to the Green Belt, harm to the openness of the Green Belt, harm from encroachment of the countryside and any 'other harm'.
24. The following sections of this report assess whether there is any 'other harm' from the proposal that could not be adequately mitigated through the imposition of planning conditions.
25. Policy HW1 of the Chorley Local Plan 2012 – 2026 states that ancillary development for an existing open space, sport or recreational facility will be permitted if all of the following criteria are met:
  - i. It is in connection with and will enhance the recreational and/or amenity value of the open space.
  - ii. It is of a size and scale which does not detract from the character of the open space.
  - iii. It will not have a detrimental effect on any site of nature conservation value.
  - iv. It does not result in the loss of any other sporting facility on the site.
26. The proposal would demonstrably meet the above criteria, as outlined later in this report.

#### Design, amenity and access

27. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):
  - a) *The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials;*
  - b) *The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or overbearing;*
  - c) *The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;*
  - d) *The residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction;*
  - g) *The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses;”*
28. The proposed single storey pavilion has been sympathetically designed to have the appearance of a large stable block using timber cladding to its main visible elevation and red brick to the rear and end elevations. The existing hedge to the Wigan Lane frontage to the parcel of land identified for the new access and parking would need to be breached only sufficient to create the new access which would be secured by a lockable double leaf

vehicle access gate. The proposal is considered to be acceptable in terms of design and appearance.

29. The proposed replacement building would be substantially larger than the existing buildings but would still only be single storey and would be well screened from view from Londonderry Cottage and Hoole Cottage by existing vegetation. No windows are proposed in the rear elevation of the building that would face Londonderry Cottage.
30. Whilst the application site surrounds the residential property of Londonderry Cottage on three sides, the dwelling itself is located approximately 55m to the south of the proposed location of the new building. Hoole Cottage is located slightly further at 60m the south east. The proposed car park would be located approximately 70m and 100m from the dwellings, respectively. A close-boarded timber fence is proposed to be erected along the shared boundary of Londonderry Cottage and the car parking area for security and privacy purposes. This would also assist in reducing the potential for noise disturbance to be experienced by the occupiers of the dwelling.
31. It is proposed that access to the site via Shade Lane is closed with access for residents only which would have a positive upon the residential amenity of the aforementioned dwellings due to previous issues in relation to inconsiderate parking and turning on the lane. This can be secured by planning condition.
32. As noted above, LCC Highway Services have provided verbal confirmation that they have no objection to the proposal and confirmation of their formal response will be provided in the addendum to the committee report.
33. The proposed location for the package sewage treatment plant has been relocated at the request of the occupier of Londonderry Cottage, to be further from their property. The Council's Environmental Health Officer has reviewed the proposal and has raised on objection. It is not considered that the proposal would result in any notable increase in noise disturbance to surrounding land uses and is considered to be acceptable in this regard.
34. The proposal is considered to be acceptable in terms of its design, appearance, landscaping, impacts upon residential amenity and safe access. The proposal therefore complies with policy BNE1 of the Local Plan.

#### Flood risk and drainage

35. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
36. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
  1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
37. It is proposed that foul water is managed via a purpose built below-ground package sewage treatment plant and surface water is managed by infiltration to ground via a network of soakaways. The application documents confirm that this method of drainage has been confirmed as achievable via historic borehole information undertaken of the site. This is considered to comply with the aforementioned policies and can be controlled by planning condition.

### Ecology

38. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
39. The Council's ecological advisors have responded with no objection to the proposal and have recommended conditions and an informative note for safeguarding protected species and the provision of biodiversity enhancement measure. It is, therefore, not considered that any further assessment is required of the proposed ecological impacts of the proposal and it is considered acceptable in this regard. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

### Parking

40. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development will need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for new development.
41. The proposal would provide an enhanced car park with a level of parking spaces that meets the Council's parking standards and LCC Highway Services have raised no objection to the proposal. The proposed parking arrangement is considered to be acceptable and an improvement on the current situation at the site.

### Green Belt balancing exercise

42. As the proposal represents inappropriate development in the Green Belt, there would have to be very special circumstances to justify the grant of planning permission that would outweigh the harm. It has been demonstrated that there is no 'other harm' and so the benefits of the proposal would have to outweigh the definitional harm to the Green Belt, harm to the openness of the Green Belt and harm from encroachment of the countryside.
43. The applicant has put forward a case for the proposal to demonstrate that very special circumstances exist, which includes the following:

*'Chorley Council has aspirations to provide healthy lifestyle opportunities for its residents. The largest participation sport both nationally and locally is football and this project seeks to improve facilities to play football on this site.*

*The Chorley Bowmen have used the site for archery for many years but it has poor quality amenities currently. The proposed scheme provides an appropriate level of amenities that a modern sports club should expect in the twenty first century to allow the sport to develop and flourish on this site.*

*The new archery range is designed for use by archers with disabilities. They can access both the indoor range and then when the doors are opened, they can fire from inside the building to external targets. This approach allows archers in wheelchairs to use the indoor and outdoor ranges in the same manner as their able-bodied colleagues.*

*Accessible toilet facilities are provided on site within the building along with appropriate car parking provision and associated circulation paths. For the first time disabled archers are able to participate in the sport on this site which explains why there is an essential need of this development. There are no other accessible archery ranges in the district for a sport which is particularly suited to wheelchair users.*

*The current lack of good quality toilet facilities and the lack of a small kitchen on site has been identified by Adlington JFC as restricting growth of the club. This particularly applies to the clubs aim of increasing participation by girls and women where the current facilities*

*do not encourage this. The current facilities are sub-standard, and the development is required to meet modern standards.*

*As discussed in the previous section the site is developed as a publicly accessible sports facility to meet the needs of the local residents. The scheme helps the Council deliver its healthy community aspirations and policies. The scheme is not dominated by a specific group and it serves to deliver participation opportunities to men and women, boys and girls along with a range of disability groups.*

*The proposed facility developments are solely for community benefit; while they are 'archery led' and will benefit the footballers, they will occasionally be available for other small scale daytime managed community use for example, small Pilates classes, yoga, weight-watchers and other similar 'passive' activities.*

*The new facilities will be managed by Chorley Bowmen. The project is a non-profit making scheme built around serving the needs of the local community. The scheme is the definition of a project that provides wider community benefits.*

#### Summary

- *The scale of the development has been minimised to the point that it is the smallest size possible to meet the design guidance.*
- *The facility delivers an amenity that is not provided for within the Chorley Council area;*
- *The proposed development provides much needed facilities to achieve Chorley Council's healthy living objectives;*
- *The scheme is designed to deliver wider community benefits that can be realistically achieved within the next 12 months;*
- *The project has national and local support.'*

44. It is clear that the proposal would result in substantial benefits to the local and wider community in the Borough by introducing a vastly improved facility at this site so it can be enjoyed by a wider range of the population, most notably, disabled users.
45. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. On the other hand, the Framework aims to increase opportunities for access to outdoor recreation.
46. Policy 24 of the Central Lancashire Core Strategy seeks to ensure that everyone has the opportunity to access good sport, physical activity and recreation facilities.
47. Paragraph 145 of the Framework states that once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.
48. The material considerations put forward provide sufficient weight in favour of the proposal and in terms of the Framework in this case it is considered the social benefits outweigh the environmental dimension from Green Belt harm. Very special circumstances exist sufficient to clearly outweigh the harm that would be caused by reason of inappropriateness, harm to the openness of the Green Belt and harm from encroachment of the countryside. The proposal is therefore considered to be acceptable.

#### Community Infrastructure Levy

49. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

## CONCLUSION

50. The proposed development is inappropriate development in the Green Belt and, therefore, harmful by definition. The factors put forward as very special circumstances are considered to outweigh the harm to the Green Belt by reason of its inappropriateness, harm to the openness of the Green Belt and harm from encroachment into the countryside. The proposal therefore complies with the National Planning Policy Framework with regards to Green Belt policy. The local planning authority is confident that issues identified by LCC Highway Services will be overcome prior to planning committee and any further response from them will be detailed in the committee report addendum. There are no other material considerations weighing against the proposal and the application is recommended for approval.

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

### Suggested conditions

To follow.