

**Item** 10/00131/FULMAJ

**Case Officer** Caron Taylor

**Ward** Adlington & Anderton

**Proposal** Retrospective application for continued use of land for recreational paintball games, retention of ancillary structures and car parking (resubmission of withdrawn application 09/00525/FUL)

**Location** Land 400m East of 41 Wigan Lane, Coppull, Lancashire

**Applicant** Mr Duncan Gass

**Consultation expiry:** 15 April 2010

**Application expiry:** 20 May 2010

### **Proposal**

1. The application is a retrospective application for continued use of land for recreational paintball games, retention of ancillary structures and car parking (resubmission of withdrawn application 09/00525/FUL).

### **Recommendation**

2. It is recommended that a site visit to be made by the Committee.

### **History**

3. The site history of the property is as follows:

### **Background**

4. The paintballing operation is already taking place without the benefit of planning permission. The site is in the Green Belt.
5. The application site is situated on an area of woodland between Wigan Lane, Coppull and Castle Drive/Castle House Drive, Adlington. It is known as Yankeewood Paintball Centre and is operated by Delta Force. The site is approximately 4.89 hectares in area. It is accessed via a track off Wigan Lane and a gravel carpark is provided at the top east end of the track.
6. There are six 'game zones' within the site and a central 'base camp' from which the games are organised. In the base camp area are kitchen, toilets and lockers, equipment store, kiosk and briefing podium/scoreboard stand.
7. There are a large number of structures/buildings/paraphernalia associated with the use. These include:
  - Tents/marquees
  - Containers x4
  - Scoreboard/stage
  - Gen rack
  - Gas store
  - 'Church' structure
  - 'Village' huts x5
  - 'Castle' structure
  - 'Fortress' structure
  - Howitzer gun (for display)

8. As well as paintball guns, pyrotechnics are available for use by participants, including paint and smoke grenades.
9. A previous application at the site was withdrawn to allow a noise assessment to be undertaken.
10. Directly to the east of the east/southeast is Rigby and Houghton House Quarry a landfill site.

### **Representations**

11. 18 letters of objection have been received to the application. These can be summarised as:
  - The paintballing is noise and disruptive, it destroys enjoyment of their home and garden. Their garden can't be used when it is going on and it can be heard inside the house even with double-glazing;
  - There is shouting, the noise of guns, paintballs hitting oil drums, yelling and offensive language from the site and what sound like grenades;
  - It is too close to residential properties;
  - Concern for wildlife and flora and fauna;
  - Concerns over highway safety and parking;
  - Paintballing goes on at weekends and several days in the week and almost continually in school holidays;
  - It destroys the pleasure of walking in the countryside;
  - The access is a dangerous junction on a busy road;
  - Cars wait to get into the site on the main road before the gates are opened;
  - A new carpark has been built but 40 spaces are not enough;
  - The landfill is not allowed to operate on Saturday afternoons and Sundays. The paintballing site is most used at weekends;
  - Weekends should be quiet times for residents;
  - Staff test the guns early e.g. 8.30am on a Sunday morning;
  - The noise survey submitted was done on a weekday, not a weekend when noise levels would have been lower;
  - Householders already have to endure the sand extraction and landfill;
  - There has been an increase in litter;
  - The site is in the Green Belt;
  - The noise is made worse as the site is in a hollow which acts as an amphitheatre;
  - Noise causes alarm and distress;
  - Trees have been cut down;
  - Paint will get into water courses;
  - If approved sound barriers should be erected.

### **Consultations**

12. Adlington Town Council objects to the application on the following grounds:
13. Traffic – there could be an extra 40/80 cars a day or more entering and leaving the site together at the busiest periods of the day. When the applicant's noise survey was undertaken there were 250 people on site which may have resulted in over 100 cars using the entrance/exit at peak times. The sight lines at the junction of the site with Wigan Lane are poor in both directions, traffic tends to speed along this winding country lane and it has been the scene of several accidents in the past. The supporting statement at paras 4.15 and 5.12 are therefore incorrect.
14. Drainage – The application states that the proposal is not within 20m of a watercourse. However there is a ditch shown at the edge of the site. This section also indicates that surface water drainage will be by a sustainable urban drainage system and soakaway. Will the buildings and parking affect surface water run off?
15. Supporting Statement - The Town Council disagree with parts of the Supporting Statement and argue that other parts are wrong:

16. They cannot see that this development would offer any benefit to the community. It states that there are no rare or protected habitat or species nor does it have an significant conservation interest, but how is this known if a survey has not been done? A tree survey has not been done. The development has already been detrimental to the quality of life of residents in the area who have complained about the noise from this facility. The nearest houses are only 2-300m from the site and residents are subjected to the constant noise of bullets, explosion or grenades, machine gun fire and loud shouts/screams on site operation days.
17. The proposal is contrary to Local Plan Policy LT12 - criterion (e) as it already harms the amenity of residents by creating noise pollution, (f) the only way to access the site is by car (h) public right of way no. 13 runs through the site. What protection is therefore people using these footpaths? A risk assessment is included however is flawed as any members of the public using paths will not be wearing protective clothing that participants must be and therefore are exposed to injury which is unacceptable.
18. The applicant is applying for use 365 days a year therefore it would appear they wish to expand the business. Noise is disturbing residents now – continuously throughout a day of operation especially at weekends when they are entitled to some peace and quiet. Properties are closer to the site than specified in the application as it is measured from the centre of the site. The application underestimates the time that paintballing takes place
19. The number of carparking spaces specified is different in different parts of the application– 40 and 45, which is correct? The statement states the traffic generated is low based on surveys at other sites – other sites should not be used to generalise about this site. There is poor visibility. There are other anomalies in the Statement.
20. The Town Council believe this is an inappropriate use of the Green Belt. Paintballing is not a sport recognised by the Sports Council.
21. LCC Ecology – state that insufficient information has been provided to demonstrate that the proposals are compliant with planning policy, guidance and legislation, to establish impacts and demonstrate adequate mitigation and compensation in terms of protected species, a full tree survey and information to demonstrate adequate mitigation and compensation or loss and damage to wildlife.
22. Chorley and District Natural History Society – object to the application. The area is adjacent to Ellerbeck reclaimed opencast site which has become one of the most valuable wildlife sites locally. They are concerned that frequent use of the adjacent land for a noisy activity such as paintball is harmful to breeding birds and mammals. Cocks have bred nearby and deer are regularly seen, neither of these will tolerate noisy neighbours.
23. **Wigan Council** – Have no objection in principle providing there is no adverse impact on the amenity of any nearby existing or proposed land uses with regard to noise, smells, fumes, light spillage, traffic or on-street parking, visual intrusion or other nuisance.

### **Main Issues**

24. The main issues for consideration in respect of this planning application are:
  - Principle of the proposal
  - Access and parking
  - Impact on neighbour amenity in terms of noise
  - Impact on ecology
  - Impact on public right of way

### **Conclusion**

25. Given the unusual nature of the application is it considered it would be beneficial for the Committee to view the layout, location and the structures/buildings and paraphernalia that exist on the site. It is therefore recommended that a site visit is undertaken.

## **Planning Policies**

### 26. National Planning Policies:

PPS1, PPG2, PPS4, PPS9, PPG17, PPG24

### Adopted Chorley Borough Local Plan Review

Policies:

DC1, EP4, EP9, TR4, LT12.

**Recommendation: Defer for Site Visit**