

**Item B. 3**                      **07/00715/CB3**                      **Permit Full Planning Permission**

**Case Officer**                      **Caron Taylor**

**Ward**                                      **Chorley North West**

**Proposal**                              **New spillway and blocking up of existing weir, lowering of embankment walls, capping of 5 mineshafts, 500 cubic metres silt removal from reservoir (to be stored temporarily on site, before removal off site and/or use near mineshaft No. 4 at quarry end), and closure of damaged culvert,**

**Location**                              **Copper Works Wood Stansted Road Chorley Lancashire**

**Applicant**                              **Chorley Borough Council**

**Proposal:**                              The application is for a new spillway and blocking up of existing weir, lowering of embankment walls, capping of 5 mineshafts, 500 cubic metres silt removal from reservoir (to be stored temporarily on site, before removal off site and/or use near mineshaft No. 4 at quarry end), and closure of damaged culvert at Big Wood and Copper Works Wood, Stansted Road, Chorley.

**Background:**                              REMADE, which stands for REclamation and MAnagement of DErelict land, has been set up by Lancashire County Council in partnership with the Northwest Regional Development Agency as part of the Agency's commitment to tackling the region's derelict land problem. REMADE's aim is to help tackle regeneration priorities through the reclamation of large brownfield site for soft end uses like sports and recreation, nature reserves, food-growing projects, footpaths and cycleways. REMADE currently have 26 schemes in their programme through the County, including the one the subject of this application.

It should be noted that not all the works require planning permission. Only the elements that do require permission are included in this application as described in the proposal.

**Planning History:**                              There is no planning history relevant to this application.

**Planning Policy:**                              GN1: Main Settlement Policy  
EP2: County Heritage Sites and Local Nature Reserves  
LT8: Valley Park

**Consultations:**                              LCC Strategic Planning  
Have no comments to make on the application  
  
Coal Authority  
Standing advice

**Applicants Case:**                              The area is a top priority to turn into a soft end use i.e. an open woodland area and to be incorporated as part of the Yarrow Valley Country Park. It is currently used as a 'hide-out' amongst the youth, where illegal under-age drinking occurs, illegal tipping etc. The scope is to regenerate the site of approximately 12.75ha (31.5 acres) and to create open spaces, green spaces and woodland area. The work includes reservoir refurbishment, mineshaft

capping, environmental improvement works, creating new footbridges and footpaths, securing access to copper mine works, interpretation and signage boards and habitat creation.

The existing weir is damaged and is in need of repair, however to repair the existing weir would involve felling a number of trees, so the proposal is to have a new service spillway/weir and the existing weir will be blocked with stone/masonry. Increasing the crest wave wall height by 40cm will create a new service spillway.

It is also proposed to remove approximately 500mi of contaminated silt from the reservoir off site for treatment. This will be temporarily stored near to the end of Standsted Road to dry out prior to being taken off site for treatment. The silt will not be stored for more than 28 days on site and this area has been chosen to store the silt as it is the only part of the site that is not a Biological Heritage Site. Once the silt has been treated off site it will be used at the quarry end near mineshaft no. 4 as there is a steep slope that could be a safety hazard.

5 no. mineshafts will be capped, following consultation with the Coal Authority. This will involve removing the topsoil layer, placing a concrete slab over the mineshaft and replacing the topsoil.

Some tree felling is required to allow access for the works. For any tree felled, another will be planted within the site.

**Representations:**

Two representations have been received at the time of writing the report. One letter states they support the works but would comment that the current spillway provides a pleasant background sound to those living within earshot and is a welcome change from road noise on the Yarrow Valley Way. Any new design should if possible provide a rapid water drop in order to maintain this feature. The finish on the new works should maintain the character of the mill pond and visible surfaces should be finished in brick or stone.

A second letter states that as daily walkers of the area over several years, they have been asking for the neglected footpaths to be repaired and made safe, however they never envisaged the destruction of this natural wildlife area by contractors vehicles accessing the Lodge and the mineshafts. Several native trees were lost to the nearby by-pass and more will follow. These will never be replaced. The scale of this plan to de-silt with no present access route or storage area must create extensive damage to the woodland floor and completely destroy the nature wildlife environment. No mention has been made of the noise and disturbance to nearby residents over a considerable length of time.

**Assessment:**

Policy LT8 of the Local Plan covers Valley Parks. This states that development will not be permitted which would detract from the amenity value of the Valley Parks for recreation and wildlife, or which would prejudice the further implementation of the parks. The development of the parks will continue through restoration and enhancement schemes and through extension.

In terms of this policy the proposals aim to improve the amenity value of the site for the community by repairing and improving the

facilities. Therefore it is considered the proposals comply with Policy LT8.

Policy EP2 of the Local Plan refers to County Heritage Sites and Local Nature Reserves. This policy is not in conformity with the Lancashire Structure Plan so the Structure Plan Policy is used in relation to the determination of applications. Policy 21 of Lancashire Structure Plan states that Lancashire's natural and manmade heritage will be protected from loss or damage according to the hierarchy or designations or international, national, regional, county and local importance. Sites, areas, features and species of heritage importance will be conserved and, in appropriate circumstances, enhanced and re-established taking account of:

- a) their rarity, vulnerability, antiquity or complexity;
- b) their contribution to the countrywide network of sites and features, to the character of its location and setting and to national and county biodiversity and the likely implications of climate change on heritage assets;
- c) positive opportunities afforded by development for the conservation, management or enhancement of heritage resources.

Where, in exceptional circumstances, unavoidable loss or damage to a site or feature or its setting is likely as a result of a proposed development, measures of mitigation and compensation will be required to ensure there is, as a minimum, no net loss of heritage value. Such measures may include the creation of appropriate new heritage resources, on or off-site.

The County Ecologist and Environment Agency are both members of the project team, which have met on a monthly basis to work on the scheme. Therefore, all works proposed are to their satisfaction. It is therefore considered that the proposals conform to this policy.

#### Neighbour Amenity

Once finished, it is considered that the proposals will enhance the area for the community. Although a neighbour has raised the issue of noise and disturbance while the works are carried out, this will be temporary and is not a planning issue for consideration as part of the application. The silt removed from the lake is to be placed on the site close to Stansted Road while it dries out. The position has been chosen as it is not within the Biological Heritage Site and will only be stored temporarily for up to 28 days. A condition will be applied to ensure this is the case.

#### Habitat

In response to the concerns raised by residents regarding the destruction of wildlife environments and the woodland floor, the project officer states the effected areas of natural wildlife will be carefully worked around and if required will be relocated within the site. All work has been approved by the County Ecologist and the Environment Agency. Access routes to de-silt the contaminated lodge have been agreed with the County Ecologist and the Environment Agency. Special measures will be taken to avoid any woodland floor damage.

#### **Conclusion:**

The works the subject of this application (along with other works which do not require planning permission), will enhance the amenity value of the site for the surrounding community in line

with the aims of planning policy. The proposals have been developed in close contact with relevant bodies, such as the Coal Authority and County Ecologist. The application is therefore recommended for approval.

**Recommendation: Permit Full Planning Permission  
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall not commence until samples of all visible external facing materials to the new spillway (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

3. Within 28 days of the completion of the desilting of the lake, the stored silt shall be removed from the approved storage area as detailed on drawing no. CBC/05, unless otherwise agreed in writing with the Local Planning Authority..

*Reason: In the interests of neighbour amenity.*

---