

<b>Item 3</b>	<b>09/00112/FUL Permit Full Planning Permission</b>
<b>Case Officer</b>	<b>Mr Andy Wiggett</b>
<b>Ward</b>	<b>Pennine</b>
<b>Proposal</b>	<b>Creation of two fishing lakes and associated car-parking, office / store and habitat improvement</b>
<b>Location</b>	<b>Land 120m South East Of Samron Copthurst Lane Whittle-Le-Woods</b>
<b>Applicant</b>	<b>Mr J E Downs</b>
<b>Proposal</b>	The proposal involves the creation of two small mixed coarse fishing lakes. There will be a smaller family lake for beginners and a larger lake for experienced fishermen. The lakes will be screened from each other by planting. There will be an office/store room building in the form of a timber structure. Access will be taken from the original entrance to the site off Copthurst Lane and parking at the lakes will be on the old quarry roadway.
<b>Policy</b>	<p><b>Regional Spatial Strategy</b>  Policy L1 – Health, Sport, Recreation, Cultural and Education Services Provision  EM1 – Integrated Enhancement and Protection of the Region’s Environmental Assets</p> <p><b>Chorley Borough Local Plan Review</b>  DC1 – Development in the Green Belt  LT13.22 – Playspace Allocations  EP4 – Species Protection  LT12 – Golf, Other Outdoor Sport and Related Development  TR4 – Highway Development Control Criteria  <b>Planning Policy Statement 9</b> – Biodiversity and Geological Conservation  <b>Planning Policy Guidance 2</b> – Green Belts</p>
<b>Planning History</b>	<p><b>92/514</b> – Change of use of land to form playing fields, informal recreational area and nature conservation site, with associated car park- approved</p> <p><b>92/599</b> – Change of use to trout farm and fishery to include car parking and leisure area – refused</p> <p><b>97/00627/COU</b> – Change of use of land to form playing fields, informal recreational area and nature conservation area, with associated car parking (renewal of 92/514) – approved</p> <p><b>02/00875/COU</b> – Change of use of land to form playing fields, informal recreational area and nature conservation site, with associated car park (renewal of 97/627) - approved</p> <p><b>07/00768/OUT</b> – removal of remains of quarry building, erection of single storey cafe with landscaping to create a picnic area – approved</p> <p><b>08/00296/FUL</b> – Creation of two fishing lakes, wetland area and enhanced woodlands with associated car parking and the erection of offices and store room for management of the facility - withdrawn</p>

## Consultations

**Parish Council** – wish to see neighbours consulted for their opinions. May wish to submit additional comments later.

**County Council Ecology Service** – Main concerns were not to damage the marshy grassland areas but do not wish to see planting between the lakes as this could dry out and shade the area. Access areas to the lakes may again reduce the area of marshy grassland. The amended proposals offer the opportunity to secure appropriate management for wildlife across the whole site.

**County Highways** – no comments available yet

## Representations

Letters of objection received from 25 people, 12 being standard letters. The following matters have been raised:

- Proposal will attract too much traffic for the local road network to cope with
- Development would conflict with the Local Plan allocation
- Fishing lakes could adversely impact on biodiversity of the site
- Parking fields etc would have more community benefit
- Offices and store will become a focus for anti-social behaviour
- Danger to children from lakes
- Scheme for a trout farm and fishery refused on appeal in 1993
- Danger of water running on to Kenyon Lane
- Overlooking of property by users of lakes

## Applicants Case

- Proposal will improve area of land neglected for over 25 years
- Proposal is of modest scale and will provide a leisure facility as well as increasing biodiversity
- Facility uses an already boggy area and will retain and extend the ecological strengths
- Access would use the existing one off Copthurst Lane
- As a small scheme it will not preclude other uses on the site
- The revised application follows an ecological survey of the site

## Assessment

The main issues involved with the proposal concern local plan policy, ecological factors, access and impact on neighbouring property.

### Local Plan Policy

The site is allocated in the Local Plan for the provision of play space on the basis of a shortfall in the area. Planning permission was granted in 1992 for such a use and renewed in 1997 and again in 2002. The site is within the Green Belt and PPG2 states that development for outdoor sport and outdoor recreation is appropriate as are small scale buildings associated with such uses. It is considered that the proposal conforms with Green Belt and does not adversely impact on the openness of it.

The fishing lakes and associated works will cover about 0.8ha or about 10% of the area of the former sand quarry. A substantial area of land would remain to provide playing pitches etc. should the Parish Council ever be in a position to bring any project

forward. It should be noted that the land is still in private ownership. The planning history indicates that the playspace project has been at the gestation stage for over 15 years and the probability of it happening must be low. As a result to refuse planning permission on the basis that it would pre-empt the use of the land for playspace would be difficult to support at appeal.

The project dismissed on appeal was substantially larger than that contemplated now. The Inspector stated that there was no conclusive evidence that the Local Plan proposal could or would not be implemented but time has shown that there must be doubts about this matter. The scale of car parking put forward at that time at 120 spaces, could have given rise to noise and disturbance. This contrasts with the current application which proposes 20 spaces.

### **Ecological Factors**

The applicant commissioned an ecological survey of the site following a previous application for the same use, having been advised that the Local Planning Authority could not consider the scheme without such information. The survey did not identify any protected species or special sites or features but the advice from ecologists resulted in the scheme being amended so as to limit the disturbance of the most species rich area. The proposal will be implemented in association with an ecologist so as to ensure that any affected species will be transplanted elsewhere in the quarry area. The site has regenerated over the years but has not become a site of significant wildlife significance. New habitats will be created by the proposal such as lakes for fish, submerged and floating leaf and emergent plants and in particular, reedbed margins will be created.

Extensive planting will take place but the comments of the County Ecology Service are that there should be no additional planting between the lakes. This can be dealt with by condition. The bankings around the site are partially wooded and it is proposed to thin out sycamores and replant with native species.

### **Access**

The County Highway Authority have not yet responded but did not raise any objection to the more intensive use of the site as playing fields so that it is unlikely that a relatively small scale proposal such as is proposed would result in an objection. Conditions were attached to improve the visibility at the access as part of the conditions attached to the approval for the café and these could be similarly attached.

### **Neighbour Amenities**

Other than the movement of cars up to the parking area there is unlikely to be disturbance from the use as fishing lakes which is a sedentary activity. This is in contrast to the prospective use as playing fields which might give rise to noise whilst matches are in progress. The nearest properties to the car park, Samron and HighTorr would be about 60m away and screened by trees. It is not considered that the proposal will adversely impact on residential amenity.

### **Conclusion**

The scheme now contemplated would use only a small proportion of the allocated site for playspace. Allowing it would not prevent the remainder being available for that development. The ecological survey shows that the project can go ahead with minor

amendments and not harm wildlife. It will introduce an element of biodiversity. The site can be accessed from the existing entrance to the site and there will be no adverse impact on the amenity of adjacent residential property.

**Recommendation    Permit**

**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. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. It should be noted that the scheme should omit the proposed planting between the two lakes to avoid an adverse impact on the boggy area.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

3. A scheme shall be submitted to and approved in writing by the Local Planning Authority in respect of the provision of off-street parking and servicing and for the improvement of the access to the car park in terms of width, gradient, surface and visibility at its junction with Copthurst Lane. The approved scheme shall be implemented prior to the first use of the site as hereby permitted, the parking area thereafter to be kept freely available for such use and the visibility splays kept free of all obstruction above a height of 1metre.

*Reason: To ensure adequate access, onsite parking provision and manoeuvring areas in accordance with Policy TR8 of the Adopted Chorley Borough Local Plan Review.*

4. Notwithstanding the submitted plans no development shall take place until full details, including design, appearance and materials of the proposed office/store have been submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of the amenity of the area and in accordance with Policy GN5 of the Adopted Chorley Local Plan Review.*

5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.*

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

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