



Kim Webber B.Sc. M.Sc.
Chief Executive
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

Monday, 15 April 2019

TO: COUNCILLORS **D EVANS, G OWEN, I ASHCROFT, MRS P BAYBUTT,**
R COOPER, V CUMMINS, T DEVINE, S EVANS, D O'TOOLE,
E POPE, A PRITCHARD, MRS M WESTLEY AND A YATES

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the **COUNCIL CHAMBER - 52 DERBY STREET, ORMSKIRK, L39 2DF** on **THURSDAY, 25 APRIL 2019** at **7.00 PM** at which your attendance is requested.

Yours faithfully

A handwritten signature in black ink, appearing to be "Kim Webber", written over a horizontal line.

Kim Webber
Chief Executive

AGENDA
(Open to the Public)

- 1. APOLOGIES**
- 2. MEMBERSHIP OF THE COMMITTEE**
To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4.
- 3. URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN**
Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

- | | | |
|-----------|--|----------------|
| 4. | DECLARATIONS OF INTEREST
If a member requires advice on Declarations of Interest, he/she is advised to contact the Borough Solicitor in advance of the meeting. (For the assistance of members a checklist for use in considering their position on any particular item is included at the end of this agenda sheet.) | 1463 -
1464 |
| 5. | DECLARATIONS OF PARTY WHIP
Party Whips are not to be used by this Committee in respect of its functions concerning the determination of applications, approval of consents, the taking of enforcement action and the exercise of powers and duties with regard to highways, hedgerows, the preservation of trees and high hedge complaints. When considering any other matter which relates to a decision of the Cabinet or the performance of any member of the Cabinet, in accordance with Regulatory Committee Procedure 9, Members must declare the existence of any party whip, and the nature of it. | |
| 6. | MINUTES
To receive as a correct record the minutes of the meeting held on the | 1465 -
1466 |
| 7. | PLANNING APPLICATIONS
To consider the report of the Director of Development and Regeneration. | 1467 -
1470 |
| 7a | 2018/0213/FUL - Cast North West Eco Centre, Cobbs Brow Lane, Newburgh, Wigan, Lancashire WN8 7SF
To consider the report of the Director of Development and Regeneration. | 1471 -
1480 |
| 8. | PLANNING COMMITTEE 23 MAY 2019
To consider a potential change of date/time for the Committee. | |

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-

Jill Ryan on 01695 585017

Or email jill.ryan@westlancls.gov.uk

**FIRE EVACUATION PROCEDURE FOR:
COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT
(52 DERBY STREET, ORMSKIRK)**

PERSON IN CHARGE:	Most Senior Officer Present
ZONE WARDEN:	Member Services Officer / Lawyer
DOOR WARDEN(S)	Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.
2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

1. Leave the building via the **NEAREST SAFE EXIT**. **Do not stop** to collect personal belongings.
2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE**.
3. **Do NOT** return to the premises until authorised to do so by the **PERSON IN CHARGE**.

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
2. Make yourself familiar with the location of the fire escape routes and inform any interested parties of the escape routes.
3. Make yourself familiar with the location of the assembly point and inform any interested parties of that location.
4. Make yourself familiar with the location of the fire alarm and detection control panel.
5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

1. Ensure that the room in which the meeting is being held is cleared of all persons.
2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, i.e. that the rooms in use have been cleared of all persons.
6. If an Attendance Register has been taken, take a **ROLL CALL**.
7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
3. Ensure that **ALL PERSONS** evacuate **IMMEDIATELY**, in accordance with the **FIRE EVACUATION PROCEDURE**.
4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

1. Stand outside the **FIRE EXIT DOOR(S)**
2. Keep the **FIRE EXIT DOOR SHUT**.
3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE**.
5. Do not leave the door **UNATTENDED**.

Agenda Item 4

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	You cannot speak or vote and must withdraw unless you have also ticked 5 below
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	You may speak and vote
3.	<p>I have a pecuniary interest because</p> <p>it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p> <p>or</p> <p>it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest</p>	<input type="checkbox"/> <input type="checkbox"/>	<p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p> <p>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</p>
4.	<p>I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of:</p> <p>(i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.</p> <p>(ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.</p> <p>(iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay.</p> <p>(iv) An allowance, payment or indemnity given to Members</p> <p>(v) Any ceremonial honour given to Members</p> <p>(vi) Setting Council tax or a precept under the LGFA 1992</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p> <p>You may speak and vote</p>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/9/16-19/09/20)	<input type="checkbox"/>	See the terms of the dispensation
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	You may speak but must leave the room once you have finished and cannot vote

‘disclosable pecuniary interest’ (DPI) means an interest of a description specified below which is your interest, your spouse’s or civil partner’s or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Prescribed description

Employment, office,
trade, profession or
vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI; "relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

Agenda Item 6

PLANNING COMMITTEE

HELD: Thursday, 21 March 2019

Start: 19.00PM

Finish: 19.06PM

PRESENT:

Councillor: D. Evans (Vice-Chairman)

Councillors:	I Ashcroft	V Cummins
	T Devine	S Evans
	I Moran	D O'Toole
	G Owen	A Pritchard
	D Westley	Mrs M Westley
	J Witter	A Yates

Officers: Ian Gill - Assistant Director of Development & Regeneration
Cath Thomas – Head of Development Management
Matthew Jones – Deputy Borough Solicitor
Rob Hitchcock – Principal Planning Officer
Jill Ryan – Member Services/Civic Officer

In attendance: Councillor G Dowling (Knowsley Ward)

112 APOLOGIES

There were no apologies for absence received.

113 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillors Mrs P Baybutt, R Cooper and E Pope and the appointments of Councillor Mrs J Witter, I Moran and D Westley for this meeting only, thereby giving effect to the wishes of the Political Groups.

114 URGENT BUSINESS, IF ANY INTRODUCED BY THE CHAIRMAN

There were no items of urgent business.

115 DECLARATIONS OF INTEREST

There were no Declarations of Interest received.

116 DECLARATIONS OF PARTY WHIP

There were no Declarations of Party Whip.

117 MINUTES

RESOLVED: That the minutes of the meeting held on the 21 February 2019 be approved as a correct record and signed by the Chairman.

118 PLANNING APPLICATIONS

The Director of Development and Regeneration submitted a report on planning applications (all prefixed 2019 unless otherwise stated) as contained on pages 1445 to 1461 of the Book of Reports and on page 1463 of the Late Information Report.

119 2019/0106FUL - SOUTHVIEW LODGE CARE HOME

RESOLVED: That planning application 0106/FUL relating to Southview Lodge Care Home, 92 Station Road, Hesketh Banks be approved subject to the conditions as set out on page 1448 to 1449 of the Report.

120 2018/0721/FUL - GIBBONS BARN, PLEX LANE, HALSALL, ORMSKIRK, LANCASHIRE, L39 7JZ

RESOLVED: That planning application 2018/0721/FUL relating to Gibbons Barn, Plex Lane, Halsall be refused for the reasons as stated on page 1456 of the Report.

121 2019/0101/FUL - LAND REAR OF NORTH MOOR COTTAGE, NORTH MOOR LANE, HALSALL

RESOLVED: That planning application 0101/FUL relating to Land rear of North Moor Cottage, North Moor Lane, Halsall had been withdrawn by the Applicant.

.....
- CHAIRMAN -



AGENDA ITEM: Agenda Item 7

PLANNING COMMITTEE
25 APRIL 2019

Report of: Director of Development and Regeneration

Contact: Mrs. C. Thomas (Extn.5134)
Email: catherine.thomas@westlancs.gov.uk

SUBJECT: PLANNING APPLICATIONS

Background Papers

In accordance with Section 100D of the Local Government Act 1972 the background papers used in the compilation of reports relating to planning applications are listed within the text of each report and are available for inspection in the Planning Division, except for such documents as contain exempt or confidential information defined in Schedule 12A of the Act.

Equality Impact Assessment

There is no evidence from an initial assessment of an adverse impact on equality in relation to the equality target groups.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from Article 8 (the right to respect for private and family life, home and correspondence) and Article 1 of Protocol 1 (the right of peaceful enjoyment of possessions and protection of property).

CONTENT SHEET

<u>Report No</u>	<u>Ward</u>	<u>Appn No</u>	<u>Site Location & Proposal</u>	<u>Recommendation</u>
1	Newburgh	2018/0213/FUL	<p>Cast North West Eco Centre, Cobbs Brow Lane, Newburgh, Wigan, Lancashire WN8 7SF</p> <p>Change of use of land to form an Extension to an Eco Centre comprising Horticultural and Animal Husbandry Training and Educational uses, Access Track and use of a separate parcel of land as a construction Training Facility.</p>	Planning permission be granted.



PLANNING COMMITTEE

25th April 2019

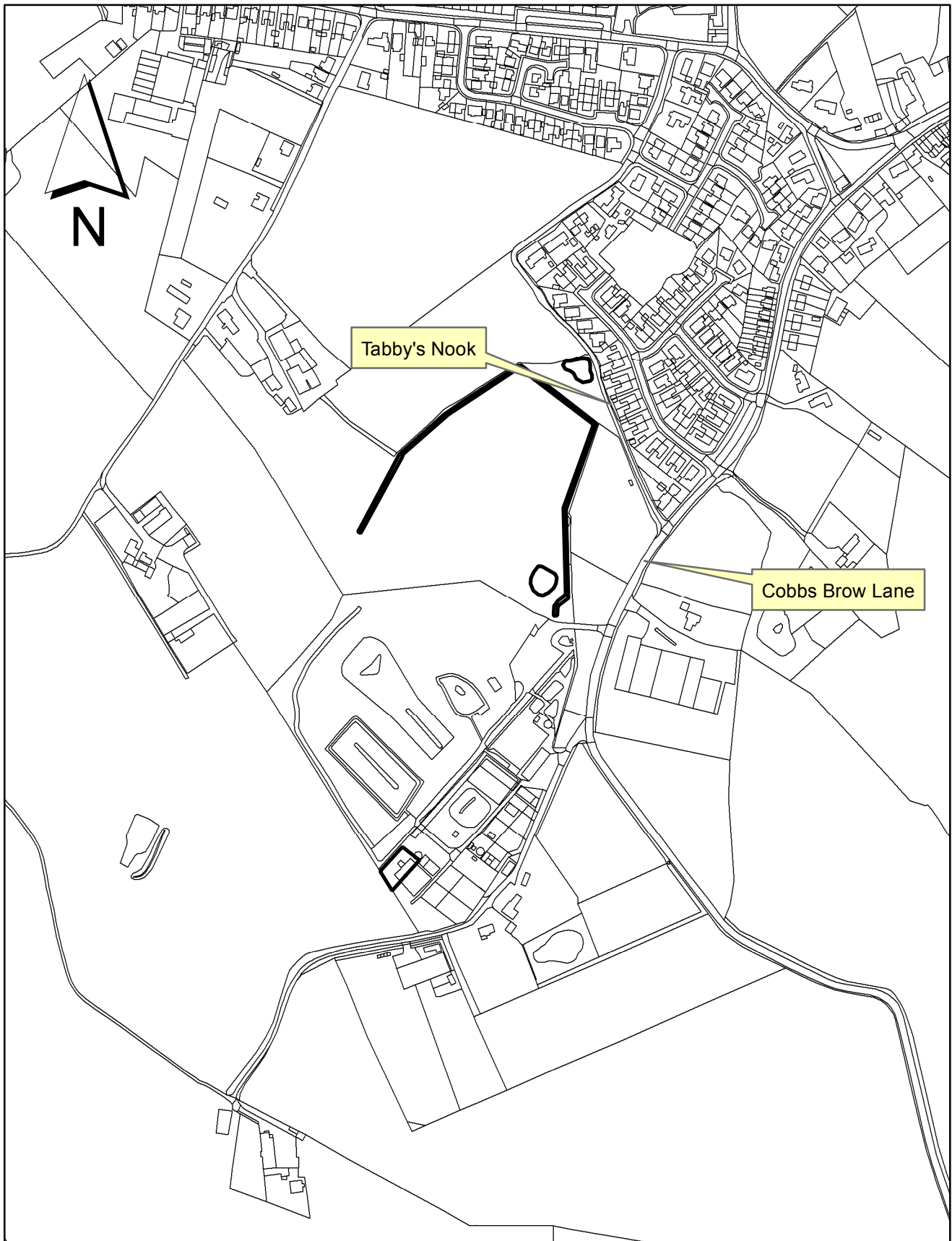
(Agenda Item 7)

PLANNING APPLICATION ITEMS

LOCATION PLANS



Cast North West Eco Centre, Cobbs Brow Lane, Newburgh,
Wigan WN8 7SF



No.1	APPLICATION NO.	2018/0213/FUL
	LOCATION	Cast North West Eco Centre, Cobbs Brow Lane, Newburgh, Wigan, Lancashire WN8 7SF
	PROPOSAL	Change of use of land to form an Extension to an Eco Centre comprising Horticultural and Animal Husbandry Training and Educational uses, Access Track and use of a separate parcel of land as a construction Training Facility.
	APPLICANT	Mr Neil Farnworth
	WARD	Newburgh
	PARISH	Newburgh
	TARGET DATE	17th May 2018

1.0 REFERRAL

- 1.1 This application was to be determined under the Council's delegation scheme, however, Councillor Pope has requested that it be referred to Planning Committee to consider the impact upon the Green Belt.

2.0 SUMMARY

- 2.1 It is considered that the principle of an extension to the existing eco centre comprising use of the land for grazing animals, animal husbandry and horticulture training at this community venture site is acceptable. I am satisfied that there will be no significant detrimental impact upon the open character of the area, amenity of neighbouring properties, trees, flood risk or highway implications. The development is considered to be compliant with relevant planning policies and the application is therefore recommended for approval.

3.0 RECOMMENDATION: APPROVE with conditions.

4.0 THE SITE

- 4.1 The site at present constitutes a 2.9 hectare parcel of agricultural land on the south-western edge of Newburgh within the Green Belt. To the north-east the site is bound by Tabby's Nook with residential development beyond; to the north-west and west is open agricultural land; to the east is Cobbs Brow Lane and to the south is the existing Cast Eco Centre, a charitable angling, land based and horticultural training and educational centre for excluded young people and adults with special educational needs and disabilities. The site slopes in a northerly direction towards Tabbys Nook.

5.0 THE PROPOSAL

- 5.1 It is proposed to change the use of the land to form an extension to an Eco Centre comprising horticultural and animal husbandry training and educational uses, access track and use of a separate parcel of land as a construction training facility. It is proposed to utilise the existing access to the site and car park and to create a 3m wide gravel path around an area used to house sheep, ponies, goats etc. The remainder of the land would be used for crop growing. In addition, and on a separate parcel of land to the south of the Eco Centre, a presently grassed area is proposed to be used as a training area for the construction of temporary timber buildings.

6.0 RELEVANT APPLICATIONS

- 6.1 2017/0350/FUL - Phase 2 extension to the existing CAST facility. Creation of 1 No. additional large fishing lake. Creation of a 31 space hard surfaced car park. A 16 x 30m indoor complex needs angling building. A timber clad 7.5m x 10m community angling club house. Timber Storage Shed (located in phase 1), 2 No. log cabins to form respite holiday accommodation. Informal landscaped areas. Gardens/picnic/ animal area (sensory area). GRANTED
- 6.2 2016/0249/FUL - Demolition of temporary office block and erection of extension of existing building to allow classroom accommodation and associated facilities - Granted
- 6.3 2015/0490/FUL - Replacement of the temporary training/staff accommodation with a purpose built facility for training, staff and canteen facility. Cedar cladding to replace the box profile steel sheets on the existing adjoining workshop - Refused
- 6.4 2014/1147/FUL - Erection of a glasshouse for training purposes and creation of a fishing pond - Granted
- 6.5 2012/0990/FUL - Siting of a free standing portable building for use as staff rest room and canteen and occasional meeting/training room - Granted
- 6.6 2011/0111/NMA - Non Material amendment to planning permission 2010/1030/FUL - Alterations to profile/elevation of polytunnel - Approved
- 6.7 2010/1030/FUL - Erection of polytunnel - Granted
- 6.8 2009/1122/ADV - Display of non-illuminated advertisement board - Granted
- 6.9 2009/1121/FUL - Erection of training building and provision of 3 polytunnels - Granted
- 6.10 2002/1390 - Application for determination as to whether prior approval of details is required - Three bay blocks of polytunnels - Details not required

7.0 CONSULTEE RESPONSES

- 7.1 LCC Highways (05.04.2018) - no objection.
- 7.2 Cadent Gas (08/04/2018) – there is apparatus in the vicinity of the site, recommend advisory notes.
- 7.3 United Utilities (25/04/2018) – no objection subject to conditions.
- 7.4 Lead Local Flood Authority (05/11/2018 and 21/03/19) – No objection.

8.0 OTHER REPRESENTATIONS

- 8.1 Newburgh Parish Council comment that the importance of the work undertaken by CAST NW is recognised in helping young people with a variety of disadvantages to achieve their potential and prepare for later life. We welcome the proposal to create a pond and reed bed designed to alleviate flooding on the adjacent Tabby's Nook.
- 8.2 One letter of objection has been received from a neighbouring resident which can be summarised as follows:
- clarification on constructional training activity;

- whole project has grown massively creating a big environmental impact for such a small village. Looking from my window it takes up a large part of the countryside;
- the landscape has been altered;
- the pond will be a danger to local children;
- most farmers don't make access roads round agricultural fields. I feel this may be a prelude to having organised trips round for the public;
- loss of privacy;
- large public influx it would cause to this small village;
- increased traffic;
- impact on local wildlife;

9.0 SUPPORTING INFORMATION

9.1 The application is accompanied by the following supporting information:

Design and Access Statement
Flood Risk Assessment

10.0 RELEVANT PLANNING POLICIES

10.1 National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG) and the West Lancashire Local Plan 2012-2027 DPD (WLLP) provide the policy framework against which the development proposals will be assessed.

10.2 The site is located within the Green Belt.

10.3 Relevant West Lancashire Local Plan policies:
SP1 – A Sustainable Development Framework for West Lancashire
GN1 – Settlement Boundaries
GN3 – Design of Development
IF2 – Enhancing Sustainable Transport Choice
IF3 – Service Accessibility and Infrastructure for Growth
EC2 – The Rural Economy
EN1 – Low Carbon Development and Energy Infrastructure
EN2 – Preserving and Enhancing West Lancashire's Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space
EN4 – Preserving and Enhancing West Lancashire's Built Environment

In addition the following supplementary document is a material consideration:

SPD – Design Guide (Jan 2008); and
SPD – Development in the Green Belt

11.0 OBSERVATIONS OF DIRECTOR OF DEVELOPMENT AND REGENERATION

Background

11.1 The site is at present an agricultural field that has been acquired by the owners of the adjacent Cast NW Eco Centre. The use of the Eco Centre has developed over the years as a training and educational centre for young people which uses horticulture, angling, land based studies and respite to engage "hard to reach" young people. The site is operated by a registered charity. The existing Centre contained several buildings and polytunnels related to angling and horticulture (Phase 1). Phase 2 gained planning permission in 2017 and is almost complete, providing fishing lakes, angling buildings, respite lodges, picnic area, sensory garden, small animal section, cycle and pedestrian

path, a new main access off Cobbs Brow Lane and a car park.

- 11.2 The Eco Centre has been successful in helping young disadvantaged people and providing a community facility. The applicant states that the proposed Phase 3 works will expand upon and complement the existing Centre, by providing more space, together with disabled access for the development of agricultural-based skills. In addition, a small parcel of land within Phase 1 will be used as a training facility for learning how to erect simple timber panel buildings (SIP buildings), which will be erected and dismantled on a repetitive cycle to teach young people basic building skills.

Principle of Development – Green Belt

Use of the land

- 11.3 Paragraph 146 of the NPPF advises that changes in the use of land that preserve its openness and do not conflict with the purposes of including land within it are not inappropriate in the Green Belt. In my view, the use of the “Phase 3” land for the keeping of farm animals and for the growing of crops are appropriate activities in the Green Belt. In using the land as a training facility and providing animal shelters and fences between the animal paddocks, there will be some perceived loss of openness. However, this is limited in nature and not uncommon on smallholdings.

Access track

- 11.4 Paragraph 146 of the NPPF also includes engineering operations as being a form of development that is not inappropriate within the Green Belt providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. In my view the formation of the 3m wide access track around part of the site introduces a more urban form of development. Whilst farm tracks are a visible form of development within the Green Belt, the track proposed is approximately 250m long, 3m wide and formed of gravel on a terram mat base. Its function is to provide farm vehicle access to service the field and as a firm base for disabled buggy access. I consider that the form, length and purpose of the track constitutes inappropriate development in the Green Belt.

Structural Insulated Panels (SIP) building training area

- 11.5 Paragraph 145 of the NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. Exceptions to this are buildings for agriculture and forestry. The proposed SIP buildings are intended to be used to help train young people in building skills and are therefore not for agricultural use. This element of the proposed development constitutes inappropriate development in the Green Belt.
- 11.6 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight is given to any harm to the Green Belt and 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.
- 11.7 It has been indicated above that the proposed development contains some individual elements that are judged “inappropriate” and some that are “not inappropriate”; however, these do not make the proposed development as a whole appropriate. The Council’s SPD advises that development cannot be seen as acceptable in terms of

Green Belt policy, merely because part of it is “not inappropriate”. In accordance with the NPPF, it is necessary for the applicant to put forward very special circumstances to prove that the exceptional nature of the proposal outweighs the potential harm to the Green Belt by reason of inappropriateness, and any other harm.

Very Special Circumstances

- 11.8 The applicant claims that a number of considerable benefits would result from the proposals. There are no defined criteria for assessing what constitutes very special circumstances and each case must be judged on its own merits.
- 11.9 The Eco Centre is a registered charity that assists in the development and training of young disadvantaged people and provides them with the skills necessary to gain education, employment and self-esteem. It has been very successful in engaging with local schools, youth offending teams, disability groups and Myerscough College. Additional land has been acquired to expand the agricultural/horticultural and animal husbandry element of the business.
- 11.10 In terms of the impact on the Green Belt of the “inappropriate” development, I consider the proposal to result in limited harm. This is due to the location of the proposed development being close to the built up settlement boundary of Newburgh and in addition, a large part of the site would remain in an appropriate use. The justification for the track is well-founded in that safe disabled access would be provided to the animal paddocks and the crop growing areas so that people with accessibility issues can readily engage in the facility. The track will be constructed of bound gravel which provides a suitable surfacing material for this rural location. The harm caused to openness and visual amenity is therefore limited. Likewise, although a construction training centre on initial consideration appears as a clear form of inappropriate development, the area intended for its use measures only 80sqm and is located to the south of the site adjacent to an existing track, polytunnels and an amenity cabin. The buildings to be erected and dismantled are of timber form and will not be permanent features in the landscape. In my view, the case put forward does amount to very special circumstances.
- 11.11 It is necessary to weigh the total harm to the Green Belt (including inappropriateness, loss of openness and encroachment) against the considerations put forward in support of the scheme. Given the business model and the need for the charity to operate in a rural area, together with the fact that the design and layout seeks to limit the impact on the character of the area, I consider that in this case, the total harm to the Green Belt is clearly outweighed by the other considerations such that very special circumstances exist and inappropriate development in the Green Belt can be justified.

Loss of Agricultural Land

- 11.12 Policy EC2 in the Council's adopted Local Plan, along with the NPPF and NPPG, indicates that the irreversible development of open agricultural land will not be permitted where it would result in the loss of best and most versatile agricultural land, except where absolutely necessary to deliver development allocated within the Local Plan or strategic infrastructure, or development associated with the agricultural use of the land. In terms of Defra's Agricultural Land Classification (ALC) map of England and Wales, the application site is classified as Grade 1 excellent quality.
- 11.13 I conclude that the land within Phase 3 remains largely associated with agricultural use, save for the access track, and the land take within Phase 1 for the construction training facility is limited. On balance I do not consider that this loss would be so significant to warrant a refusal of planning permission on this basis. I therefore consider the application

is compliant with the NPPF, NPPG and policies EC2 and EN2 of the West Lancashire Local Plan in this regard.

Design and Appearance

- 11.14 Policy GN3 of the WLLP states that proposals for development should have regard to visual amenity and complement or enhance any attractive attributes and / or local distinctiveness within their surroundings through sensitive design. The Council's SPD Design Guide requires that new development, regardless of location, should be a focus to promote high quality design in order to enhance the overall quality of the built environment, both aesthetically and functionally.
- 11.15 With regards the construction training area, its location within the context of the layout of the overall site is logical in that it takes account of the existing positioning of buildings/polytunnels and paths and sits within the more "built-up" area of the site and is screened from neighbouring residential properties by vegetation. The proposed agricultural element and associated access track are sited within the more "open" area of land to the north which is highly visible. As such, the proposal assimilates well into the surrounding countryside. No details of fencing or animal shelters have been provided and it is important that these are limited to post and rail and small open-fronted buildings to ensure that minimal and appropriately designed structures are implemented so as not to result in a proliferation of inappropriate and visually prominent development. Provided this is controlled by condition and the area of construction training is limited to that indicated and to the construction and dismantling of SIP buildings only that are not retained permanently, then I consider the proposal to be acceptable and in compliance with Policy GN3.

Highways and parking

- 11.16 The proposed site access and parking to the site is off an existing access from Cobbs Brow Lane approximately 100m south of Tabby's Nook. This leads to a large car park of suitable size to accommodate the additional vehicles anticipated to be required as a result of the proposed development. LCC Highways confirm that the proposal will not result in any highway capacity or safety concerns and I therefore consider the proposal to be acceptable and in accordance with Policy GN3 of the Local Plan.

Surface Water, Drainage and Flood Risk

- 11.17 In terms of the principle of development relating to flood risk, the application site lies entirely within Flood Zone 1, the least susceptible to flood risk. However, the NPPF requires that a site specific Flood Risk Assessment (FRA) is provided for proposals of 1 hectare or greater. As the site is presently greenfield, the NPPF and Policies GN3 and IF3 of the Local Plan require that any development upon the land should not result in unacceptable flood risk or drainage problems and should achieve a surface water run-off rate to that equivalent of the greenfield run-off rate. A Flood Risk Assessment has been submitted by the applicant which confirms the site has a low probability of flooding from fluvial, ground water and sewer sources. However, there is a high risk of pluvial (surface water) flooding on the northern boundary and this is evidenced by frequent events of existing flooding along Tabby's Nook, where existing field drains meet, the ground is low and water enters a culvert as Tabby's Nook watercourse passes beneath Tabby's Nook (road).
- 11.18 In terms of surface water drainage, the site lies wholly within the catchment of Tabby's Nook watercourse before joining the River Douglas, approximately 1km to the north. The FRA confirms that no surface water will be discharged into the public sewerage system

but will infiltrate to ground as at present. As the only development proposed within the area for Phase 3 is a porous gravel track, there will be no change in run-off volumes or flow routes as a result of the development. The proposed construction training area within Phase 1 is a small area located on grass which will result in some new areas of hardstanding. However, surface water from this area will run into an existing ditch immediately to the north, within the centre of the site.

- 11.19 In terms of foul drainage, United Utilities has confirmed that they have no objection to the development, provided the site is drained on a separate system. I am satisfied that the proposed development demonstrates compliance in principle with the NPPF and Local Plan Policy regarding drainage and flood risk and that a detailed surface water scheme and its management can be provided by condition.

Ecology/Trees and Landscaping

- 11.20 Policy EN2 in the Local Plan requires that development proposals must seek to avoid impacts on significant ecological assets and protect and improve the biodiversity value of sites. If significant impacts on biodiversity are unavoidable, then mitigation or as a last resort, compensation, is required to fully offset impacts.
- 11.21 The application site is located in an area (known as an Impact Risk Zone) which could have the potential to support qualifying features within or in close proximity to the designated European protected sites of the Martin Mere SPA, Ramsar and SSSI site. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitat Regulations').
- 11.22 MEAS previously carried out a Habitats Regulations Assessment for Phase 2 which concluded that there was no pathway that could give rise to likely significant effects on the European site and it did not warrant a detailed Habitats Regulations Assessment report for the following reasons:
- The site is unvegetated, therefore it does not provide suitable feeding habitat for passage and wintering birds;
 - The Atlas of Breeding & Wintering Birds of Lancashire has no records of the species listed on the Martin Mere SPA citation for the grid reference; and
 - The site is close to arable fields that offer more suitable habitat.
- 11.23 In my view, the Phase 3 site is closer to the built up area of Newburgh and less likely to give rise to significant effects than Phase 2. No built development is proposed on the Phase 3 land, which is to be retained essentially for intensive agricultural/horticultural and animal grazing use. The existing hedgerow running along the eastern boundary of the site is to be retained. The area of land to be used for the construction training facility is presently used for adhoc Eco Centre uses and has little ecological value.
- 11.24 Having regard to the above, I am satisfied that the proposed development complies with Policy EN2 of the Local Plan as well as the Habitat Regulations.

Mineral Safeguarding Area

- 11.25 The Lancashire County Council Minerals and Waste Site Allocation and Development Management Policies DPD was adopted in September 2013. This plan provides policies for minerals and waste planning in Lancashire. Policy M2 of this document identifies the site as falling within a Minerals Safeguarding Area. Within these areas, planning permission will generally not be granted for any form of development that is incompatible by reason of scale, proximity and permanence with working the minerals found on the land, unless the applicant can demonstrate that the mineral concerned is no longer of any

value or has been fully extracted, or there is an overarching need for the incompatible development that outweighs the need to avoid the sterilisation of the mineral resource.

- 11.26 On the basis of sterilisation of the land due to its close proximity to existing housing development to the east, the potential environmental impact to the groundwater and surface water regime along with the likely environmental impacts it is considered that pre-extraction of the mineral would not be sustainable. As such the exemption requirements of Policy M2 of the Lancashire Minerals and Waste Local Plan have been engaged so it is not necessary to undertake prior extraction in advance of the proposed development.

Impact on Neighbouring Land Uses

- 11.27 Policy GN3 of the Local Plan states that development should retain or create reasonable levels of privacy and amenity for occupiers of neighbouring properties. The nearest residential properties to Phase 3 are along Doe Meadow. No buildings are proposed within Phase 3 and the access track is a considerable distance from these properties. The nearest residential properties to the construction training facility are Mug House Farm and Mug House Barn. A substantial tree and hedgerow line exists between the site and the dwellings and it is proposed that the training facility will only take place during "school" hours. The greatest impact on neighbouring amenity would be from noise generated by users and visitors to the site. Activities at the site will be restricted by daylight hours and hours of operation can be controlled through the imposition of the same conditions already imposed for Phase 2 (08.00 to 20.00 on any day). I am satisfied that the proposed development would not cause any significant harm to neighbouring residential amenity through loss of privacy, noise or disturbance in accordance with Policy GN3.

Summary

- 11.28 The site is located within the Green Belt and the majority of the proposed development is appropriate to the Green Belt. The proposed access track and construction training facility constitute inappropriate development. However, very special circumstances have been demonstrated to outweigh the total harm to the Green Belt, the visual impact of the development is considered acceptable, as is the impact on neighbouring residential amenity, highways, ecology and drainage. I am therefore satisfied that the proposal complies with all relevant NPPF and Local Plan policies.

12.0 RECOMMENDATION

- 12.1 That planning permission be GRANTED subject to the following conditions:

Conditions

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:-
Plan reference 3460-18-61 B (Location plan) received by the Local Planning Authority on 13th March 2019;
Plan reference 3460-16-60 A (Proposed site plan) received by the Local Planning Authority on 14th March 2019;
Plan reference Shelters for Applecast received by the Local Planning Authority on 14th March 2019;
Plan reference 3460-18-55 (Sip Buildings) received by the Local Planning Authority on 5th November 2018;
3. The erection and dismantling of SIP buildings shall only take place between the hours of 08.00 and 20.00 on any day and no permanent SIP building shall be erected on the site.

4. This site must be drained using a total separate drainage system in full accordance with the FRA submitted. For the avoidance of doubt, no surface water flows generated from the site will be allowed to connect with the public sewerage system via direct and or indirect means.
5. The development shall be implemented in accordance with the Flood Risk Assessment Ref: 2018.192 received by the Local Planning Authority on 14th March 2019.
6. Prior to any fencing or animal shelters being erected on the land, details shall be submitted to and approved in writing by the Local Planning Authority. Thereafter fencing and shelters provided shall be in accordance with the approved details.

Reasons

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To safeguard the occupiers of the surrounding area from excessive noise intrusion and so ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. To reduce the risk of flooding to the proposed development and future occupants in accordance with the provisions of Policy GN3 in the West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. To prevent harm to the visual amenity of this part of the green belt and to comply with the provisions of GN1 and GN3 of the West Lancashire Local Plan 2012-27 Development Plan Document.

Reason for Approval

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:
 SP1 - A Sustainable Development Framework for West Lancashire
 GN1 - Settlement Boundaries
 GN3 - Design of Development
 IF2 - Enhancing Sustainable Transport Choice
 IF3 - Service Accessibility and Infrastructure for Growth
 EC2 - The Rural Economy
 EN1 - Low Carbon Development and Energy Infrastructure
 EN2 - Preserving and Enhancing West Lancashire's Natural Environment
 EN3 - Provision of Green Infrastructure and Open Recreation Space
 EN4 - Preserving and Enhancing West Lancashire's Built Environment
 together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.

