

No.5	APPLICATION NO.	2020/0510/WL3
	LOCATION	Land To The West Of The River Tawd Summer Street Skelmersdale Lancashire
	PROPOSAL	Installation of a mountain bike track within Tawd Valley Park, Skelmersdale. The area of woodland has informal mountain bike use currently. Land will continue to be used for recreation.
	APPLICANT	West Lancashire Borough Council
	WARD	Skelmersdale North
	PARISH	Unparished - Skelmersdale
	TARGET DATE	21st December 2020

1.0 SUMMARY

1.1 This is an application for the installation of a mountain bike track within Tawd Valley Park in Skelmersdale. This area of woodland currently has informal mountain bike use. The track will measure 510m long with a variable width, maximum 1.2m and will be a circular track set within 0.69ha area of woodland. Subject to appropriate conditions, the development would not have an adverse impact on the ecological value of the site, trees, or highway safety. I therefore recommend that planning permission be granted.

2.0 RECOMMENDATION: APPROVE with Conditions

3.0 THE SITE

3.1 The site comprises of woodland located in the northern zone of Tawd Valley Park in Skelmersdale. The site is bounded by Our Lady Queen of Peace High School to the West and the River Tawd to the East and North. There is a residential property to the South on Summer Street, a further property to the North on Cobbs Clough Road with further properties on Melbreck to the east. The site is designated as Green Infrastructure and Open Recreation Space.

4.0 THE PROPOSAL

4.1 Permission is sought for the installation of a mountain bike track within Tawd Valley Park in Skelmersdale. This area of woodland currently has informal mountain bike use. There will be two trails – a blue grade trail measuring 400m long and a red trail measuring 344m long. The track will measure 510m long with a variable width, maximum 1.2m and will be a circular track set within 0.69ha area of raised woodland. The trail will incorporate seven jumps, an unsealed stone start ramp and the utilisation of a natural hollow for a crater style hole known as a 'bombhole'. The proposed track will follow existing paths from current informal biking but a new access track will be constructed from the existing main footpaths which run through the meadow from Summer Street. The trail will be constructed from stone.

5.0 PREVIOUS RELEVANT DECISIONS

5.1 None.

6.0 OBSERVATIONS OF CONSULTEES

6.1 LCC Highways (02.12.20) – No Objections.

- 6.2 Sport England (24.11.20) – No Objections.
- 6.3 MEAS (19.01.21) – No Objections; Conditions recommended.

7.0 OTHER REPRESENTATIONS

- 7.1 Merseyside and West Lancashire Bat Group (MWLBG) (08.11.20) – Unclear which, if any, trees are to be felled (conflicting statements in the Ecology reports). In order to avoid any potential impact to bat roosts due to tree removal, MWLBG recommends a condition is attached to any consent that if any trees are removed/pruned then they should be subjected to a detailed inspection by a qualified bat ecologist prior to felling or pruning. Bat monitoring over 3 years is recommended. Consider there is enough information to determine the application in relation to bats.

8.0 SUPPORTING INFORMATION

- 8.1 Design and Access Statement
Ecological Impact Assessment
Preliminary Ecological Appraisal with Management Recommendations
Coal Authority Report
Proposal Letter
Arboricultural Survey
Construction Phase Plan

9.0 RELEVANT PLANNING POLICY

- 9.1 The National Planning Policy Framework (NPPF) and the West Lancashire Local Plan 2012-2027 DPD provide the policy framework against which the development proposals will be assessed.

The site is designated as Green Infrastructure and Open Recreation Space and Tawd Valley Park is designated as Improved Existing Countryside Recreational Facilities in the West Lancashire Local Plan 2012-2027 DPD.

West Lancashire Local Plan 2012-2027 DPD

GN1 - Settlement Boundaries
GN3 - Criteria for Sustainable Development
EN2 - Preserving and Enhancing West Lancashire's Natural Environment
EN3 – Provision of Green Infrastructure and Open Recreation Space

Supplementary Planning Advice

SPD – Design Guide (January 2008)

10.0 OBSERVATIONS OF CORPORATE DIRECTOR OF PLACE AND COMMUNITY

Principle of Development

- 10.1 Policy EN3 of the West Lancashire Local Plan supports the provision of a network of multi-functional green space including open space, sports facilities, recreational and play opportunities. Policy EN3.2(f) specifically seeks to protect and improve facilities in Tawd Valley Park. Paragraph 96 of the NPPF states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

- 10.2 Tawd Valley Park provides a longstanding recreational amenity for the local area. There are both formal and informal paths and as such bike riding is already common throughout grassland and woodland areas. The installation of a formal mountain bike track in an area of woodland already informally used for mountain bike use would allow the space to continue to be used more for recreation purposes. The development would therefore result in an improvement to recreation facilities within Tawd Valley Park. As such, the principle of the proposal would comply with the requirements of policy EN3.
- 10.3 I have consulted Sport England who consulted British Cycling on the proposal and they support the proposed development as it will add value to the area and enhance and formalise an area which is currently used informally for recreational mountain biking. The proposal would also encourage physical activity in the local area.

Siting and Appearance

- 10.4 In terms of its siting, it is accepted by virtue of its nature, that the development requires a woodland/park location. The proposal will also encourage enjoyment of Tawd Valley Park which complies with the aims of policy EN3.2(f). Due to being sited within existing woodland, the wider impact of the development would be low. The site is accessed via a series of existing footpaths and cycleways in the area and a small 10m long path will be created to link the trail to the existing footpath and improve accessibility for users. The track would follow current informal paths within the site to minimise its impact. The track would be surfaced with stone aggregate materials providing a natural and appropriate finish in keeping with its setting. All features forming the technical trail features at points along the track – such as the start ramp, bumps or small ramps would be formed from natural materials including boulders and logs. Any engineering works to re-profile the site will be minimal as the trail will generally follow the existing levels across the site but where re-profiling of the levels is required to create ramps, they would be no more than 1m high. Overall, the siting and appearance of the trail in this location is considered to be acceptable and in accordance with policy GN3 of the Local Plan.

Impact on Ecology

- 10.5 The site is within Tawd Valley Park Biological Heritage Site (BHS) which is designated in part for ancient semi-natural woodland and species-rich meadows. An *Ecological Impact Assessment* has been undertaken at the application site and an additional *Preliminary Ecological Appraisal with Management Recommendations* has been undertaken at the adjacent site known as Summer Street Meadow.
- 10.6 The bike track has been designed to minimise potential impacts by largely reusing informal tracks and by locating the proposed bike track location to an area of lesser ecological value and by using sensitive construction methods to reduce ecological impacts. This is welcomed by MEAS. However, it is acknowledged the introduction of a bike track will lead to a more intensive use of the area. There is potential for construction-related traffic and materials to damage habitats in the immediate vicinity of access tracks, and whilst much of this activity is likely to be small-scale and short-term, it is not known what vehicle size will be used and if large shrubs or trees will require removal along the access track. The storage compound and works access track will be located along a footpath which also requires a new 10m haul road. This area is outside of the BHS and proposed construction methods are not likely to significantly impact upon nearby woodland or grassland habitats. The proposal has been designed to avoid areas of dense native holly scrub and more mature woodland. However, as the submitted ecological and Arboricultural reports do not contain tree and habitat losses from the proposed development, it must be assumed trees within the woodland may be felled to facilitate the

bike track. The loss of trees within the woodland and inclusion of the bike track would lead to an area of BHS becoming degraded.

- 10.7 This application proposes direct compensation for habitat losses as a result of this development, by enhancing an unmanaged grassland, known as Summer Street Meadow, which is located immediately east of the site, across the River Tawd. The plans aim to use a mixture of managed woodland succession, scrub and grassland planting to provide 3.4ha of semi-natural woodland and meadow/glade. MEAS advise the proposed compensation measures can be accepted but a full and detailed Habitat Management Plan for both the woodland and compensation site, which covers management of the site in perpetuity (or a minimum of 25 years) is required. This can be secured by planning condition.
- 10.8 Trees along the line of the access roads and the proposed bike track were assessed as of negligible bat potential. This is accepted, however, identification of trees to be felled for the proposal is yet to be finalised and due to the dynamic nature of trees and transient roosting habits of bats, pre-commencement checks by a licensed ecologist for those trees due for felling will be secured by planning condition. Subject to an appropriate condition to secure this MEAS are satisfied that the development would not have a harmful impact on protected species.
- 10.9 Subject to appropriate planning conditions, I am satisfied that the development would not have an unacceptable impact on protected sites or species and that the proposal complies with Policy EN2 in the Local Plan.

Impact on Trees

- 10.10 An Arboricultural Impact Assessment (AIA) has been submitted as the site consists of woodland in Tawd Valley Park. Historically, the site has been agricultural up to the middle of the 20th century, prior to the new town development and comprises of semi natural woodland with 1960's plantation woodland, typical of the New Town development, accounting for the majority of the site. There will be no direct impact to ancient woodland. The proposal will lead to a more intensive use of the area and mitigation measures for the woodland surrounding the bike track will be required as part of a Habitat Management Plan. It is considered the recommended measures of thinning and sycamore removal, contained within the Arboricultural Survey report are appropriate, alongside more general monitoring to determine required actions throughout the lifetime of the development and can be undertaken alongside any existing woodland management. The AIA concludes that, although some root damage is inevitable, the potential loss is low. Overall, the benefits to the community, will outweigh any possible damage to the trees. The Council's Tree Officer concurs with this conclusion due to the young age of the woodland and tree species involved. The proposed compensation measures at Summer Street Meadow, along with a long term woodland management plan will ensure the character and visual amenity of the woodland will be retained.

Highways

- 10.11 The site is accessed via a series of existing footpaths and cycleways in the area. Approx. 400 tonnes of stone will need to be imported to the site and will be stored on Summer Street in a fenced compound. The stone will be transported to the site along the existing footpath. Access off the existing path onto the trail would be via the creation of a 10m stone path which will remain after the works and be used as the entrance to the trail to improve accessibility. LCC Highways have been consulted and have no objection as they are of the opinion that the proposed development would have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site.

10.12 The nearest vehicular access is from Summer Street but it is anticipated the majority of users will travel to the facility via bicycle as the site is connected to nearby cycle routes and footpaths. The nearest car parks for the site are located in the Town Centre (such as the concourse) where users can then travel along the signposted cycleway within the park to the proposed mountain bike track. As a result it is not considered that the new track would be likely to result in a significant increase in demand for parking near the site, as the majority of riders would be using the track as part of a wider route. As a result, the development is considered acceptable with regards to parking impacts.

Impact upon neighbouring properties

10.13 The site is situated immediately to the north east of Our Lady Queen of Peace Catholic High School and Engineering College, and to the north of Glenburn Cottage on Summer Street and to the south of Rogers Farm on Cobbs Clough Road. Whilst the site is visible from these properties, given the existing use of the site and taking into account the distance from the two residential properties, I consider the bike track, once operational will not have an adverse impact on the amenity of surrounding residential properties and complies with Policy GN3 of the Local Plan.

Drainage

10.14 The site is located within Flood Zone 1 and is bound by the River Tawd to the north of the site. The Councils Principal Engineer is of the view that due to the nature of the proposal there would be no unacceptable flood risk or drainage issues relating to this development.

Conclusion

10.15 In summary, the proposal satisfactorily meets the requirements of Policies GN1, GN3, EN3, EN2 and IF2 of the West Lancashire Local Plan 2012-2027 DPD and is therefore recommended for approval.

11.0 RECOMMENDATION

11.1 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.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be carried out in accordance with details shown on the following plans:
Plan reference Site Location Plan received by the Local Planning Authority on 19th June 2020
Plan reference Sections TAW002 Rev 1 received by the Local Planning Authority on 14th July 2020
Plan reference Track Sections TAW003 Rev 1 and Site Layout Plan TAW001 Rev 6 received by the Local Planning Authority on 20th January 2021.
Reason: 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. No development shall commence until a Habitat Management Plan for both the application site and Summer Street Meadow compensation site has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan shall cover management of the site in perpetuity (or a minimum of 25 years). The Plan should include the following:
 - Description and evaluation of the features to be managed;
 - Ecological trends and constraints on site which may influence management;
 - Aims and objectives of management;
 - Appropriate management options for achieving aims and objectives;
 - Prescriptions for management actions;
 - Preparation of a work schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
 - Personnel responsible for implementation of the plan;
 - Confirmation of funding and ownership; and
 - Details of a programme of monitoring and remedial measures triggered by monitoring.The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development to as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

4. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall propose measures to mitigate environmental biodiversity effects during the construction phases of the proposed development and, amongst other things, should include details of ecological mitigation, and pollution prevention.

The EMP will be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts:

 - Reasonable Avoidance Measures for protection of hedgehog;
 - Treatment and removal of the invasive species Himalayan balsam;
 - Measures to reduce dust, waste and pollution to sensitive habitats, in particular the River Tawd;
 - Breeding birds - no tree or scrub removal between 1 March and 31 August inclusive, unless informed by a suitably qualified ecologist;
 - If lighting is proposed - a lighting scheme designed to protect ecology and does not result in excessive light spill onto retained habitats.The development shall be implemented in accordance with the approved details.

Reason: These details are required prior to the commencement of development to as the proposed development may result in the loss of ecological habitat and as such precautions are required during the construction phase in order to comply with the provisions of Policies GN3 & EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

5. No tree shall be felled, uprooted, lopped, topped or removed until a pre commencement check by a licensed ecologist has been carried out.

Reason: To safeguard protected species and so ensure that the development complies with the provisions of Policy EN2 in the West Lancashire Local Plan 2012-2027 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:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN2 - Preserving and Enhancing West Lancashire's Natural Environment

EN3 - Provision of Green Infrastructure and Open Recreation Space

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.