



**PLANNING COMMITTEE: Thursday,
21 November 2024**

Report of: Assistant Director Planning & Regulatory Services

Contact for further information: Rachel Lightfoot (Extn. 5177) (E-mail: plan.apps@westlancs.gov.uk)

SUBJECT: PLANNING APPLICATION REF: 2024/0414/FUL

PROPOSAL: Extension to overflow car park, erection of agricultural building, installation of log burning stove and pergola in café, replacement sewerage treatment plant, 2 new water viewing platforms, erection of pergola, natural play area and mud kitchen, bat roost, installation of fence to yard area

APPLICANT: Lancashire Wildlife Trust

ADDRESS: Mere Sands Wood Nature Reserve, Holmeswood Road, Rufford

REASON FOR CALL IN: Application has been called in by Cllr Gordon to consider the whether the development results in over development and the impact on highways

Wards affected: Burscough Bridge & Rufford;

1.0 PURPOSE OF THE REPORT

- 1.1** To advise Planning Committee on an application which seeks planning permission for extension to overflow car park, erection of agricultural building, installation of log burning stove and pergola in café, replacement sewerage treatment plant, 2 new water viewing platforms, erection of pergola, natural play area and mud kitchen, bat roost and installation of fence to yard area.
- 1.2** It is considered that subject to planning conditions, the proposed development is acceptable in terms of design, access, amenity and ecology matters. The works and buildings will support the existing nature reserve and the development is considered to be compliant with the NPPF and Local Plan.

2.0 RECOMMENDATION TO PLANNING COMMITTEE

- 2.1** That planning permission be APPROVED subject to conditions

3.0 THE SITE

- 3.1 The proposed development would be located within the existing Mere Sands Nature Reserve which extends for and manages an area of 42ha. The nature reserve is a popular visitor location and offers a range of recreational walking trails and educational activities, forming part of The Wildlife Trust for Lancashire, Manchester and North Merseyside.
- 3.2 Mere Sands is located and accessed south off Holmeswood Road via an existing track. The proposed developed would be located within the nucleus of the existing built development on site, namely centred around the existing visitor centre and café, with the other works located in scattered locations across the site.

4.0 PROPOSAL

- 4.1 Planning permission is sought for an extension to the overflow car park, erection of agricultural building, installation of log burning stove and pergola in café, replacement sewerage treatment plant, 2 new water viewing platforms, erection of pergola, natural play area and mud kitchen, bat roost, and installation of fence to yard area.

5.0 PREVIOUS RELEVANT DECISIONS

- 5.1 2018/1174/FUL – Installation of a prefabricated modular building adjacent to the front section of the current visitor centre to provide toilets, community space, café and kitchen. Installation of a green roof on the front section of the current visitor centre. Creation of an overflow parking area – APPROVED
- 5.2 2016/1103/FUL – Demolition of a timber framed section of the existing visitor centre, internal reorganisation of existing office and retail space, and the siting of a prefabricated modular building to house classroom facilities - APPROVED
- 5.3 2010/0035/FUL – Siting of a metal storage container - APPROVED
- 5.4 1992/1290 – Extension to existing Visitor Centre; associated landscaping including a pond and boardwalk and improvements to car parking area - APPROVED
- 5.5 1993/0425 – Siting of an underwater viewing hide – APPROVED

6.0 OBSERVATION OF CONSULTEES

- 6.1 LCC Highways (14.07.24) – No objection. Consider that the proposal will have a negligible impact on highway safety and capacity.
- 6.2 WLBC Environmental Health (27.06.24) – No objection.
- 6.3 WLBC Drainage (26.06.24) – No objections.
- 6.4 Natural England (21.08.24) – Based on the plans submitted, Natural England considers that the proposed development will not have significant impacts on the ecological sites of significance and therefore raises no objections.

6.5. MEAS (17.10.24) – No objections subject to BNG condition for a Habitat Management and Monitoring Plan (HMMP) and advisory notes attached.

7.0 OTHER REPRESENTATIONS

7.1 No responses received at the time of writing.

8.0 SUPPORTING INFORMATION

8.1 Surface Water Management Plan

8.2 Tree Method Statement

8.3 Arboriculture Report

8.4 Bio-Diversity Net Gain Information

9.0 RELEVANT PLANNING POLICIES

9.1 The National Planning Policy Framework (NPPF), and the West Lancashire Local Plan 2012-2-27 provide the policy framework against which the development will be assessed. National Planning Practice Guidance (NPPG) is also relevant.

9.2 The application site is located within the Green Belt as designated in the West Lancashire Local Plan 2012-2027.

9.3 West Lancashire Local Plan 2012-2027

GN1 – Settlement Boundaries

GN3 – Criteria for Sustainable Development

EN2 – Preserving and Enhancing West Lancashire's Natural Environment

9.4 Supplementary Planning Document

Development in the Green Belt

Design Guide

10.0 OBSERVATIONS OF ASSISTANT DIRECTOR OF PLANNING AND REGULATORY SERVICES

10.1 The main considerations for this application are:

- Principle – Green Belt
- Openness
- Design and Appearance
- Ecology
- Drainage
- Highways

Principle of Development – Green Belt

- 10.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, development proposals must be considered in accordance with the development plan unless material considerations indicate otherwise. The development plan for West Lancashire consists of the West Lancashire Local Plan 2012-2027. Policy GN1 advises that proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.
- 10.3 The National Planning Policy Framework (NPPF) in paragraph 154 notes that: *A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- a) Buildings for agriculture and forestry; and*
 - b) the provision of appropriate facilities (in connection with the use of land or a change of use) for outdoor sport, outdoor recreations, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'*
- 10.4 As the development relates to the existing site as a nature reserve it is considered that the principle of development is acceptable within the Green Belt.

Openness

- 10.5 The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The openness of the Green Belt has a spatial aspect as well as a visual aspect.
- 10.6 In spatial terms the site has been developed with a number of structures to aid in the enjoyment of visitors to the site. In terms of impacts on openness, different elements of the proposal have different impacts.

Extension to car park

- 10.7 The existing car park is to be extended by approximately 234m² which will allow car parking for an additional circa 10-15 cars. It is immediately adjacent to the existing car park which lies to the front of the café and is surrounded by mature landscaping which is to remain. It is considered there would be an insignificant impact on openness in this regard.

Installation of agricultural building

- 10.8 A storage building is to be erected in the existing storage area for the Reserve there are other buildings immediately adjacent such as the wood shed, workshop and shipping containers. It is considered that due to the surrounding development and the location within the existing workshop area, the proposed building will not encroach on unbuilt areas and will not have a detrimental impact on the openness of the Green Belt.

Water Viewing Platforms

- 10.9 This will be at ground level to allow access to the waterside. It is not considered that these will have an impact on the openness of the Green Belt.

Bat Roost

- 10.10 Whilst 4m tall, this is the conversion of an existing hide in the Nature Reserve and is considered to have no impact on openness.

Pagoda

- 10.11 The pagoda design allows views through the structure. It is situated in an area of the reserve which is already heavily influenced by the café and car parking area and therefore has a higher ability to accept change without significant impacts on the openness of the Green Belt.

Fence

- 10.12 The fence will be erected to the existing yard area to improve security and screen the area from wider public view. The impacts of this will be localised to standing adjacent to the area and it is considered that this would not have an impact on openness of the Green Belt.
- 10.13 As such, it is considered that the development represents appropriate development in the Green Belt where harm to the openness of the Green Belt is limited.

Design and Appearance

- 10.14 Policy GN3 of the West Lancashire Local Plan requires proposals for development to be of a high quality design and have regards to the Design SPD.
- 10.15 The proposals are largely driven by the function of the purpose for example the car park, bat roost and viewing platforms. It is considered that the proposals maintain the natural appearance of the Nature Reserve and will add to the ability of visitors to enjoy it.
- 10.16 It is considered that the proposals meet the requirements of Policy GN3 of the adopted West Lancashire Local Plan.

Ecology

- 10.17 Ecology information has been submitted as part of the application and has been reviewed by the Council's ecology advisors MEAS. They have advised that there are no objections to the proposal. Natural England have likewise concluded that there are no objections to the works.
- 10.18 The site is a Biological Heritage Area and on this occasion the development is unlikely to harm the features for which the site has been designated.

10.19 In terms of biodiversity net gain, the proposed development will result in a net increase in 0.49 habitat units (10.03%) to be delivered by onsite woodland enhancement. This would be secured through a planning condition which will also include for the Habitat Management and Monitoring Plan.

10.20 It is considered that the proposal meets the requirements of Policy EN2 of the adopted West Lancashire Local Plan in relation to ecological interests.

Drainage

10.21 Whilst the site lies within Flood Zone 2, the application is supported by a Surface Water Drainage Plan which has been reviewed by the Council's Drainage Engineer. The majority of the proposed works are decorative in nature or aid in the creation of wildlife habitat and therefore would have a negligible impact on the existing surface water drainage capacity for the site. The extension to the car park would be constructed in permeable material to match the existing parking area. Surface water flows from the car park drain via the surface water run off to the existing lake and sub sole to the woodland areas. The additional area would be graded to ensure the resultant surface water is channelled to the natural soak aways. The proposed building will be accompanied with a drainage system, to be located to the rear of the building ensuring surface water is directed to the adjacent ditch retaining the existing level of water management. The new drainage system supported by the proposed works is considered to result in an overall betterment for the site as a whole. The Council's Drainage Engineer is satisfied with the sustainable approach to drainage and therefore raises no objections to the scheme. It is considered that the proposals meet Policy GN3 of the West Lancashire Local Plan.

Highways

10.22 LCC Highways have been consulted on the application and confirmed that there is no objection to the application. It is therefore considered acceptable in regard to highway impact.

10.23 Concerns have been raised over the highway impacts of the development. The extension of the car park would allow for up to an additional 15 cars, Paragraph 115 of the NPPF notes that

Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network is severe.

10.24 There is no evidence to suggest that the additional cars would lead to any impacts on the transport network or highway safety, The Highway Authority raises no objection on this basis.

10.25 It is considered that the application is in accordance with Policy GN3 in regard to impacts on nearby land uses.

Other Matters

10.26 Concerns have been raised in relation to impacts on overdevelopment.

10.27 Whilst the proposed site is located within the Green Belt, the elements comprising the works are focused to the existing areas of built development or located within the wider site. It is not considered that harm to the openness would arise nor is it considered that they are of such a scale that would represent as overdevelopment. The works proposed are to support the Nature Reserve and the ongoing costs associated with running it. They will also aid in the visitor experience which overall supports the conservation and maintenance work carried out at the site both in the short and long term.

11.0 CONCLUSION

11.1 The development would support the ongoing evolution of the site and aims of the Nature Reserve. It is considered that the development is acceptable in relation to impacts on the Green Belt, ecology, drainage, design and highways impacts in accordance with national and local policy.

12.0 RECOMMENDATION

12.1 That planning permission is APPROVED subject to 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:

Location Plan
Car Park Extension and Cafe Improvements
Play Area, Pagoda
Viewing Platforms
Yard Building
Bat Roost Conversion
Trellis to Cafe

received by the Local Planning Authority on 13th May 2024.

Reason: For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 of the adopted West Lancashire Local Plan 2012-2027.

3. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to the local planning authority.

has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Note(s)

1. The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act. The applicant should be advised to contact Lancashire County Council's Public Rights of Way section by email on PROW@lancashire.gov.uk, quoting the location, district and planning application number to discuss their proposal before any development works begin.
2. Tree felling, scrub clearance, vegetation management, ground clearance should not take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then all trees, scrub, hedgerows and vegetation are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected are required to be submitted to the Local Planning Authority.
3. The following reasonable avoidance measures should be put in place to ensure that there are no adverse effects upon ecological features during works, this shall include:
 - a. A pre-commencement check for small mammals, amphibians and breeding birds;
 - b. Existing vegetation on the site will gradually cut and removed under ecological supervision to encourage amphibians/reptiles to move away from the affected areas;
 - c. All trenches and excavations should have a means of escape (e.g. a ramp);
 - d. Any open excavations (e.g. foundations/footings/service trenches etc) will be covered with plywood sheet (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar to prevent small mammals and amphibians from seeking shelter beneath. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to small mammals and amphibians.
 - e. Any exposed open pipe systems should be capped to prevent mammals and amphibians gaining access; and

- f. The working area, together with any storage areas, will be kept clear of debris and any stored materials will be kept off the ground on pallets so as to prevent amphibians/reptiles from seeking shelter or protection from within.
4. Notice in writing shall be given to the Council when the:
 - (a) [HMMP] has been implemented; and
 - (b) habitat creation and enhancement works as set out in the [HMMP] have been completed.

Reason for Approval

The Local Planning Authority has considered the proposed development in the context of the Development Plan including in particular the following policies in the adopted West Lancashire Local Plan 2012-2027:

GN1 - Settlement Boundaries

GN3 - Criteria for Sustainable Development

EN2 - Preserving and Enhancing West Lancashire's Natural 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.

13.0 SUSTAINABILITY IMPLICATIONS

- 13.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

14.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 14.1 There are no significant financial or resource implications arising from this report.

15.0 RISK ASSESSMENT

- 15.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant risk registers.

16.0 HEALTH AND WELLBEING IMPLICATIONS

- 16.1 There are no health and wellbeing implications arising from this report.

Background Documents

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

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, no Equality Impact Assessment is required.

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).

Appendices

None.