

Proposed development: Full Planning Application for Alteration of zip wire anchor location and installation of wooden pole

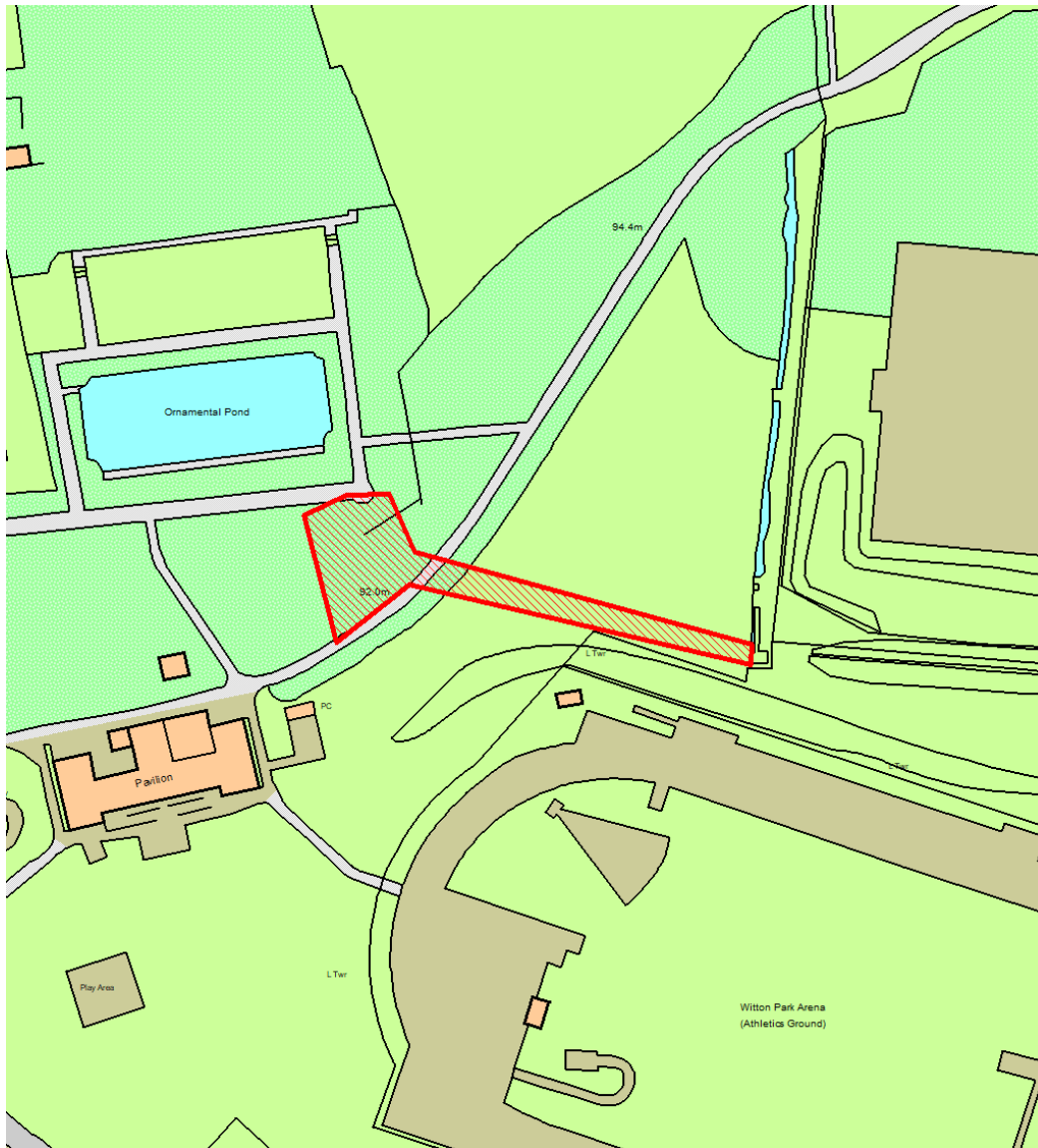
Site Address:

**Witton Country Park Pavilion
Witton Country Park
Preston Old Road
Blackburn
BB2 2TP**

Applicant: Adventure Forest Ltd

Ward: Billinge & Beardwood

**Councillors: Tasleem Fazal
Jackie Floyd
Mohammed Irfan**



1.0 SUMMARY OF RECOMMENDATION

1.1 **APPROVE** subject to the conditions detailed within section 4 of this report

2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE

2.1 This application is before the Planning and Highways Committee, in accordance with the Scheme of Delegation, as the proposal falls under Regulation 4 of the Town and Country Planning Regulations 1992

2.2 Members previously considered and approved planning application 10/22/0897 "*Construction of Go Ape high ropes course and replacement of disused container with reception office*" at the November 2022 meeting of the Planning and Highways Committee. That permission provided for a tree top adventure course comprising; access towers, tree platforms, timber and wire crossings, zip wires and zip wire landing platform. The current proposal seeks to revise the position of the zip wire and associated landing platform.

2.3 The proposed leisure facility is identified as an appropriate exception for development within the Green Belt, as defined by Local Plan Policy 3 and the National Planning Policy Framework (NPPF). Furthermore, the proposal will not harm the openness of the Green Belt, nor conflict with the purpose of including land within it.

2.3 The proposal is also satisfactory from a technical point of view, with all issues relative to the assessment having been addressed through the application process, or capable of being controlled or mitigated through appropriately worded planning conditions

3.0 RATIONALE

3.1 Site and Surroundings

3.1.1 The application site is located within Witton Country Park. The site comprises an irregular shaped area of woodland and open grassed area to the north and north east of the pavilion building and athletics track, and south of the former service buildings and ornamental pond associated with Witton House.

3.1.2 The site and immediate surroundings are located within the green belt.

3.2 Proposed Development

3.2.1 Full planning approval is sought for a revised location for the zip wire and zip wire landing platform associated with the tree top adventure course approved under planning application 10/22/0897.

3.2.2 The proposal will reorient the zip wire southward from the previously approved position. Due to the absence of a suitable tree to anchor the zip wire in its new location, a wooden pole will be sunk into the ground, with support provided by a retained chestnut tree. A timber landing platform will also be provided.



Fig 1: Location plan from application 10/220897



Fig 2: Location plan for current application

3.3 Development Plan

3.3.1 The Development Plan comprises the Core Strategy and adopted Local Plan Part 2 – Site Allocations and Development Management Policies. In determining the current proposal the following are considered to be the most relevant policies:

3.3.2 Core Strategy

- CS14 – Green Belt
- CS15 – Protection and Enhancement of Ecological Assets
- CS16 – Form and Design of New Development

3.3.3 Local Plan Part 2

- Policy 3 – The Green Belt
- Policy 7 - Sustainable and Viable Development
- Policy 8 – Development and People
- Policy 9 - Development and the Environment
- Policy 10 – Accessibility and Transport

- Policy 11 – Design
- Policy 41 - Landscape

3.4 Other Material Planning Considerations

3.4.1 The National Planning Policy Framework 2021 (NPPF), is a material consideration in planning decisions. The document should be considered as a whole, though *Chapter 13: Protecting Green Belt Land* is of particular relevance to the assessment of this application

3.5 Assessment

3.5.1 Principle of Development: The principle of development was established under planning application 10/22/0897. The proposed use was identified as being consistent with local green belt policy, as set out within Local Plan policy 3 and national policy set out within the NPPF.

3.5.2 In accordance with the presumption in favour of sustainable development detailed in the Framework, and Local Plan policy 7, development proposals should proceed without delay, unless impacts which significantly and demonstrably outweigh the benefits of the proposal are identified; subject to assessment of the following matters;

3.5.3 Design and Appearance: In general terms, Policy 11 requires all development proposals to represent a good standard of design through demonstrating an understanding of the sites wider context, and making a positive contribution to visual amenity.

3.5.4 The proposal includes the provision of a zip wire landing platform. The platform would be exposed to view given its position on the grassed area outside the woodland.

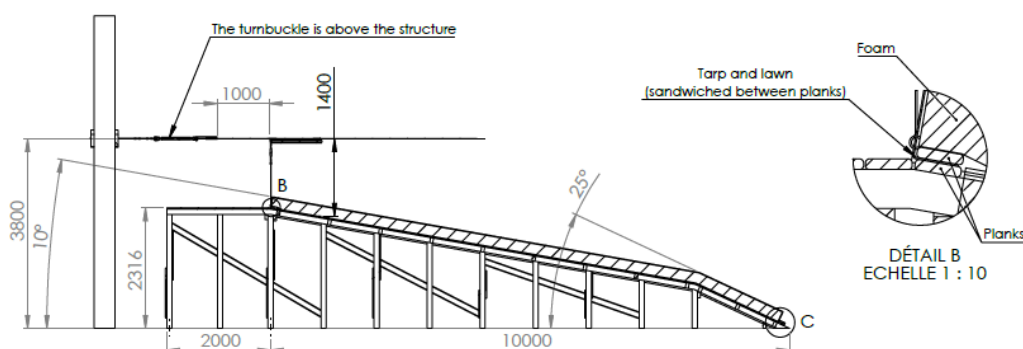


Fig 3: Zip wire landing area details

3.5.9 Notwithstanding the revised position, the landing platform would be consistent with that previously agreed within planning application 10/22/0897. The proposed landing platform will be constructed in timber and covered in fake grass to provide a safe surface for participants to land on. The material choices are considered to assimilate well with the immediate setting and reduce the overall visual impact of the structure within the Green Belt setting.

Furthermore, the planting secured by condition within the extant permission around the platform will help to screen the structure, though full benefits would not be obtained for a number of years until the planting has matured.

3.5.10 The proposed zip wire anchor would be a simple timber pole sunk in to the ground. Its position and form assimilate well with the setting and raise no concerns.

3.5.11 Given the above factors, compliance with Policy 11 is achieved.

3.5.11 Arboricultural Considerations: Local Plan policy 9 advises that development will be expected to incorporate existing trees in to the design and layout of schemes.

3.5.12 The application is supplemented by a tree report that indicates that some minor pruning will be required to the branches of the adjacent trees to the zip wire launch in order to provide for a safe gap for users. Overall, the amended location will require a lower level of tree works than the previously approved scheme.

3.5.13 Consistent with the extant approval, the amended zip wire crossings also require cables and/or brace attachments to the trees. None of the cabling or braces come into contact with the trees but are held away from the bark by sacrificial wooden 'full round' battens. The battens are kept in place with nails to ensure the correct position during construction however no loading is placed on the nails and penetration is kept to a minimum. As the tree grows it pushes these battens out into the metal cables and braces, which eventually dig into and crush the battens instead of the tree. During annual tree inspections these battens are inspected and can be replaced if necessary.

3.5.14 The Council's tree officer agrees that the new proposal would require less pruning to create a clearway for the zip wire than the previous scheme. This approach is welcomed. Further, the proposed method of fixing the zip wire platform to the launch tree is consistent with the approach previously agreed within the consented scheme. No objections are offered.

3.5.15 Compliance with Policy 9 (parts 11 to 14) is achieved.

3.5.16 Ecological Considerations: Further requirements within Policy 9 state that all development proposals must avoid unacceptable impacts on environmental assets or interests, including habitats and species.

3.5.17 The potential for adverse impacts upon ecological interests are limited. Consideration of the previous application established that the launch trees do not provide potential for bat roosts. The landing area will now utilise a timber pole as the anchor. The timber landing platform will be on an area that is currently open grass without ecological interest.

3.5.18 The Council's ecological advisor GMEU has considered the proposal and offered no objection subject to the application of a standard condition restricting tree works within the bird nesting season (1st March to 31st August)

unless the absence of nesting birds has been established by a suitably qualified ecologist.

3.5.19 Subject to the suggested condition, compliance with Policy 9 (parts 6 to 9) is achieved.

4.0 RECOMMENDATION

4.1 Delegated authority is given to the Strategic Director of Growth and Development to approve planning permission, subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan, received 23/05/2023

Schematic Drawing: Foam Landing Area, received 23/05/2023

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. The removal of vegetation from the site shall be conducted outside the bird nesting season (1st March to 31st August) or within 48 hours of a suitably qualified ecologist having confirmed the absence of any nests. If present, any nests must be protected from works until they are no longer in use.

REASON: To safeguard biodiversity interests, in accordance with the requirements of Policy 9 of the Blackburn with Darwen Borough Local Plan Part 2.

5.0 PLANNING HISTORY

10/22/0897 - Construction of Go Ape high ropes course and replacement of disused container with reception office

6.0 CONSULTATIONS

6.1 Public Consultation: 32 properties have been individually consulted by letter, site notices displayed and a press notice issued. No comments have been received.

6.2 Highways: No comment.

6.3 Tree Officer: I have inspected the site and considered the information in the supporting statement. The new proposal would require less pruning to create a clearway for the zip wire than the previous scheme. Two trees in the vicinity of the path would require some light pruning to provide sufficient clearance for the use of the zip wire as detailed in the supporting statement. The location of the proposed amended zip wire would be more visible within the parkland setting.

Conclusions: The proposed alteration will have less impact on the main body of the woodland but would lead to some visual intrusion on the openness and setting of the parkland.

6.4 Ecology (GMEU): I have no objection to the relocation of the zip wires location. The only potential ecological would be nesting birds, which could be dealt with via a standard bird nesting condition.

7.0 CONTACT OFFICER: Martin Kenny, Principal Planner

8.0 DATE PREPARED: 30th June 2023