



Appeal Decision

Site Visit made on 19 January 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2021

Appeal Ref: APP/F2360/W/20/3261673

Land at Much Hoole Moss, Easting: 350102 Northing: 422774

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Collinge (Paintball Trax Ltd) against the decision of South Ribble Borough Council.
 - The application Ref 07/2019/7066/FUL, dated 17 July 2019, was refused by notice dated 22 September 2020.
 - The development proposed is paintballing activities on land at Much Hoole Moss. Nothing has changed since previous application 07/2012/0253/FUL and photos from 2012 and 2019 Google earth on supporting documents.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A 5 year temporary planning permission was granted in 2012 for the paintballing use on the appeal site. The site remains laid out for such a use at the current time. I determine the appeal on that basis, and in the context of the previous approval that was granted.
3. The appeal site is located within the Green Belt. The Council considers that the appeal scheme does not represent inappropriate development in the Green Belt and I have no reason to take a different view.

Main Issues

4. The main issues are the effect of the development on (i) the Much Hoole Moss Biological Heritage Site and (ii) the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

5. The majority of the appeal site lies within the Much Hoole Moss Biological Heritage Site (BHS) which comprises an area of remnant, lowland raised bog (mossland). This is stated to be one of the few surviving areas of remnant raised bog in Lancashire. Reference is also made in the description of the BHS to the presence of royal fern, a species included in the *Provisional Lancashire Red Data List of Vascular Plants*.
6. The existing paintballing arena is marked out in accordance with the site layout plan that has been submitted, with the central area denoted on the plan as raised bog being cordoned off and not used for activities. The plans further state that the raised bog area is to be restored as recommended in the Phase 2 Habitat Survey Report – Nov 2010 and the Restoration Management Plan 2012.

7. However, there is an absence of documentary evidence to confirm what compensatory measures have taken place to mitigate for the impacts of the paintballing activities on the BHS or if, or what, future measures would need to take place should the use be permitted to continue. Furthermore, up to date surveys have not been submitted in relation to the raised bog. There is also no substantive information provided with respect to royal fern.
8. There is therefore nothing before me to demonstrate if the restoration works have been carried out and whether anything further needs to be undertaken to safeguard the BHS should the use continue. The Management Plan dated 28th July 2020 provides only a limited indication of how the area of raised bog would be managed and whilst updated Water Vole and Great Crested Newt surveys have been provided, these do not compensate for the absence of information relating to the raised bog.
9. The submission is therefore deficient in its assessment of any impacts that the use has had, and may continue to have, on the BHS. There is also inadequate information as to how any impacts would need to be managed.
10. Whilst conditions were imposed on the 2012 temporary planning permission to address ecological matters, it would appear that at that time there were up to date surveys and management proposals available. In the absence of these at the current time, it would not be appropriate to deal with these matters by way of planning conditions.
11. I therefore conclude that insufficient information has been provided with respect to the impact of the development upon the BHS and how any impacts should be managed. Consequently, the proposal fails to accord with Policy G16 of the South Ribble Local Plan 2015 (LP), which seeks to protect and safeguard Biological Heritage Sites.

Highway network

12. The red line site plan submitted does not include a connection to a publicly adopted highway. I was able to observe during my site visit that arrangements appear to be in place to ensure that vehicles follow a one-way system at least part of the way along the single width access tracks that lead to and from the appeal site. However, there is nothing to confirm these arrangements or tie them to the development to which the appeal relates.
13. I can therefore not conclude, on the basis of the information that has been submitted, as to how the development is accessed and where traffic will leave and enter the adopted public highway. Furthermore, there is no substantive evidence before me with respect to the arrangements for paintballers arriving and leaving the site, and therefore it cannot be established what the likely impact would be upon the highway network in terms of the number and frequency of vehicular movements.
14. In conclusion, insufficient information has been provided to demonstrate the impact that the development would have on the highway network in the vicinity of the appeal site. The absence of this means that there is a conflict with Policy G17 of the LP, where it refers to matters relating to the highway network.

Other Matters

15. I acknowledge that a number of letters of support for the paintball operation have been provided and that the business provides outdoor activities for the local community and provides jobs. However, these considerations do not overcome the absence of information relating to the BHS and the highway impact of the development.
16. The appellant makes reference to a number of procedural matters relating to the previous planning application, an application for a lawful development certificate and in respect of the Council's determination of the planning application which is subject to the appeal. However, I must determine the appeal on the planning merits of the case that is before me.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR