

Development Control Committee
Meeting to be held on 7 June 2023

Electoral Division affected:
West Lancashire North

West Lancashire Borough: application number LCC/2022/0066

**Construction of four control kiosks and associated landscaping.
Mere Brow Wastewater Treatment Works, Mere Brow Lane, Tarleton**

Contact for further information:
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Brief Summary

Application – Construction of four control kiosks and associated landscaping Mere Brow Wastewater Treatment Works, Mere Brow Lane, Tarleton.

Recommendation

That planning permission be **Granted** subject to conditions controlling time limits, working programme and landscaping

Applicant's Proposal

The proposal is for the construction of four control kiosks on an existing waste water treatment works site. The proposed kiosks would be as follows:

- Ferric Dosing Storage Kiosk measuring 10 metres by 4.05 metres and 4 metres in height
- Chemical dosing kiosk measuring 7.4 metres by 4.05 metres and 4 metres in height
- Motor Control Kiosk measuring 8 metres by 4 metres by 4 metres in height.
- A low voltage (LV) kiosk measuring 8 metres by 4 metres by 3.2 metres in height.

All kiosks would be constructed from glass reinforced plastic coloured holly green. The kiosks would provide chemical storage facilities or contain electrical control equipment that is required as part of new plant being installed at the site to improve the quality of the treatment process.

The proposal also includes a landscaping scheme to provide appropriate levels of mitigation landscaping.



Description and Location of Site

The application site is located at Mere Brow Wastewater Treatment Works which is located off Mere Brow Lane approximately 400 metres east of Mere Brow village. The site is accessed via a single-track road which leads from Mere Brow Lane.

The land surrounding the treatment works is in agricultural use with several glasshouses located on land to the east of the works. The nearest houses are located on Mere Brow Lane approximately 100 metres north of the treatment works.

The site is located in the Green Belt.

The treatment works is comprised of a number of tanks and filter beds and associated plant and equipment. The proposed kiosk buildings would be located close to the southern boundary and in the centre of the treatment works site.

Background

History: The site is an existing wastewater treatment works. Planning permission ref LCC/2022/0015 was granted on this site in 2022 for the construction of three control kiosks, a contractor's compound and associated landscaping works. This permission was granted under delegated powers.

Planning Policy

National Planning Policy Framework (NPPF): The following paragraphs of the National Planning Policy Framework (NPPF) are considered relevant: - 11 (presumption in favour of sustainable development), 130 (design) and 147 – 150 (Green Belts).

Joint Lancashire Minerals and Waste Local Plan (JLMWLP).

Policy DM2 – Development Management.

West Lancashire Local Plan.

Policy SP1 – A sustainable development framework for West Lancashire

Policy GN3 – Criteria for sustainable development

Policy EN2 – Preserving and enhancing West Lancashire's Natural Environment

Consultations

West Lancashire Borough Council: No objection.

Environment Agency (EA): No objection.

Tarleton Parish Council: It has been brought to the Parish Council's attention that the proposed kiosks would be 9 metres high and would therefore be visible to residents of Mere Brow. The Parish Council consider that the height of these kiosks cannot be determined from the application. The Parish is also concerned that the proposed



structures fall outside of the term 'kiosk'. The Parish asks if the structures can be sunk into the ground, if proper screening can be provided and if the kiosks can be located out of sight of the residents. The Parish consider that the development will result in a loss of amenities to residents of Mere Brow as their views will be restricted by these structures.

Representations: The application has been advertised by press and site notice, and neighbouring residents informed by individual letter. No representations have been received.

Advice

Planning permission ref LCC/2022/0015 was granted in August 2022 for the erection of three control kiosks on this site together with a temporary construction compound and associated landscaping works. As a result of further design work, it is now necessary to modify the location of the three kiosks that were approved under that permission and to provide a fourth low voltage (LV) kiosk.

Three control kiosks on this site already benefit from planning permission. The new locations for these kiosks proposed in this application are not materially different from those that have already been approved and the buildings would be the same size. The impacts on the Green Belt would be the same and the justification for their being located in the Green Belt would continue to apply.

The new low voltage (LV) kiosk building would also not be appropriate development in the Green Belt according to paragraphs 148 and 149 of the National Planning Policy Framework (NPPF). Therefore very special circumstances must be demonstrated in order to justify the new building within the Green Belt. The new development including the proposed low voltage (LV) kiosk is required to upgrade the treatment processes to permit a higher standard of phosphorous within the effluent discharge as stipulated by the Environment Agency in the permit for the treatment works. The new kiosk has to be located within the treatment works and there is no area where it could be located outside of the Green Belt. It is therefore considered that very special circumstances exist to justify the location of the low voltage (LV) kiosk within the Green Belt.

A response has been received from Tarleton Parish Council the details of which are set out above. In response to the comments made by the parish council, the following comments are made:

- The base levels of the kiosk buildings are set at a level of around 5 metres above ordnance datum (AOD) and their maximum heights will reach a level of approximately 9 metres above ordnance datum (AOD). However, all buildings would be approximately 4 metres in height. The height of the low voltage (LV) kiosk has now been reduced to 3.2 metres high and is no longer sited on stilts which will reduce its height further.
- It is possible that parts of these buildings would be visible from the nearest houses on Mere Brow Lane. However, there is existing landscaping located on the northern side of the works which will reduce any visual impacts to acceptable levels. It



should also be recognised that three kiosk buildings have already been approved on this site and the relocation of these structures as proposed in this application would not have any significant additional visual impacts.

- The structures are termed 'kiosks' as they are pre-fabricated structures that are purpose designed to store treatment chemicals or house electrical control equipment for waste water treatment sites.
- Due to the purpose of these buildings, it is not possible to sink the structures further into the ground as there would be a risk of water ingress or flooding issues. Three of the kiosks are sited on small concrete plinths so that they are slightly raised above ground level for this reason.

In conclusion, the proposed kiosk buildings are considered to be an acceptable form of development on this site. Very special circumstances have been demonstrated for these buildings in the green belt and their visual impacts are considered to be acceptable. The proposal therefore complies with the policies of the National Planning Policy Framework (NPPF) and the Development Plan.

In view of the scale, location and nature of the proposal, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.

Working Programme

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the following documents:

- a) The Planning Application and supporting statement received by the County Planning Authority on 6th December 2022

- b) Submitted Plans and documents:

Drawing Mereb-97-DR-T-100001-PO2-S2 Site location plan

Drawing Mereb-97-DR-T-100002-PO3-S2 Proposed site layout

Drawing Mereb-97-DR-T-100003-PO2-S2 Proposed ferric dosing kiosk

Drawing Mereb-97-DR-T-100004-PO2-S2 Proposed chemical storage kiosk

Drawing Mereb-97-DR-T-100005-PO2-S2 Proposed MCC Control Kiosk



Reason: For the avoidance of doubt, to enable the County Planning Authority to adequately control the development and to minimise the impact of the development on the amenities of the local area, and to conform with policy DM2 of the Lancashire Minerals and Waste Local Plan and policies SP1, GN3 and EN2 of the West Lancashire Local Plan.

3. The landscaping works shown on Drawing Mereb-97-DR-T-00001-PO2- Landscaping proposals shall be undertaken in the first planting season following the completion of the development and thereafter maintained for a period of five years including replacement of failed plants, weed control and maintenance of protection measures.

Reason: In the interests of the visual amenities of the area and to conform with Policy EN2 of the West Lancashire Local Plan.

Definitions

Planting Season: The period between 1 October in any one year and 31 March in the following year.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2022/0066	June 2023	Jonathan Haine Planning and Environment 01772 534130

Reason for Inclusion in Part II, if appropriate

N/A

