

Planning Committee

6 April 2016

Item No	Site/ Video/ Photos	Application Number	Location	Proposal	Rec.	Decision
1	S	16/00038/FUL	Breck Lodge Rest Home 78 - 80 Breck Road Poulton-Le-Fylde Lancashire FY6 7HT	8 bed extension to existing care facility, to include two storey and single storey side extensions, lift shaft, internal renovations and external alterations to existing building, to include re cladding, new bay windows and new escape stair to side. Erection of maintenance, re-cycle, cycle stores and smoking canopy to rear. Creation of a split level garden area and alterations to existing entrance.	Permit	
2	S	16/00058/FUL	Chat Hill Farm Lancaster Road Out Rawcliffe Preston Lancashire PR3 6BP	Removal of existing residential caravan and erection of a dwelling and formation of residential curtilage.	Refused	

arm/rg/pla/cr/16/0604nc3

Committee Report**Date: 06.04.2016**

Item Number	1
Application Number	16/00038/FUL
Proposal	8 bed extension to existing care facility, to include two storey and single storey side extensions, lift shaft, internal renovations and external alterations to existing building, to include re cladding, new bay windows and new escape stair to side. Erection of maintenance, re-cycle, cycle stores and smoking canopy to rear. Creation of a split level garden area and alterations to existing entrance.
Location	Breck Lodge Rest Home 78 - 80 Breck Road Poulton-Le-Fylde Lancashire FY6 7HT
Applicant	Mr Peter McGailey
Correspondence Address	c/o Miss Rebecca Travis DWA 49 Patten House Wilson Patten St Warrington WA1 1PG
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Mr Karl Glover****1.0 INTRODUCTION**

1.1 This application is to be presented before Members at the request of Councillor David Henderson. A site visit is proposed to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site relates to Breck Lodge Care Home (78-80 Breck Road) which is located on the southern side of Breck Road, approximately 90m east of the junction with Station Road and Parrys Way in Poulton. The subject building is currently occupied and operated as a care home (Use Class C2) and comprises of 15 en-suite bedrooms over two floors. The building is a Victorian former coach house dating from the 1750s with later additions and extensions and is made up of white painted wet dash render under a hipped slate roof. The building immediately fronts onto Breck Road with parking and access gained between the eastern elevation of the building and a large mature Beech Tree which is subject to a Tree Preservation Order (TPO 01/16). There is an open garden area to the rear which varies in levels and the boundary treatments are made up of high-level 1.8/2m close boarded timber panel fences.

2.2 The surrounding area is predominantly residential in character; to the west is a pair of semi-detached dormer bungalows and to the east backing on to the site are two detached properties which are accessed from Moorland Road. To the rear/south of the site is an area currently undertaking engineering works in relation to the proposed assisted living accommodation which was approved under application 13/00145/FULMAJ. The site is unallocated within the Local Plan proposals map and is not affected by any other constraints or designations.

3.0 THE PROPOSAL

3.1 The application seeks full planning permission for a part two storey/single storey side and rear extension to increase the available accommodation from 15 bedrooms to 24. The extension takes the form of a T shaped foot print approximately 19.5m in length x 24m in width with an eaves height of 4.7m and 6.2m to the ridge. The roof form of the extension varies, attached to the existing building is a 4m flat roof element which comprises of a lift shaft and assisted bathroom which then adjoins the main part of the extension which has a slate mansard roof over. The extension also includes a hipped roof single storey rear extension on the western elevation which measures 6m x 7.5m to accommodate a new kitchen area. The primary materials to be used for the construction of the development comprises of off white render, timber cladding and natural slate with white uPVC windows and doors.

3.2 The proposal also includes a detached, mono pitched roof, bin and maintenance store to be located against the western boundary which measures 10.5m in length x 2.8m wide x 1.9m to the eaves and 2.2m to the ridge, the northern section incorporates a covered cycle store. A projecting canopy is also proposed on the southern elevation of the new extension to include a smoking area.

3.3 As part of the proposal the applicant seeks alterations and refurbishment of the existing building including a new fire escape to the eastern elevation and upgrade of the existing windows. A new secure court yard garden is proposed to the rear/side.

4.0 RELEVANT PLANNING HISTORY

4.1 84/01711 - Change of use of dwelling to old person's rest home - Permitted - 3/4/85

4.2 85/00871 - Change of use to a residential rest home - Permitted - 25/7/85

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 Achieving sustainable development -The planning system should play an active role in guiding development to sustainable locations. There is a need for the planning system to perform an economic, social and environmental role. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. Decision takers at every level should seek to approve applications for sustainable development where possible.

5.1.2 In decision making there should be 12 principles which include supporting sustainable economic development and responding positively to wider opportunities for growth. The needs of the business community should be taken into account. A

high quality of design and amenity are needed. The re-use of existing buildings should be supported and mixed use developments promoted.

5.1.3 Section 1 - Delivering sustainable development - Planning should operate to encourage and not act as an impediment to sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business. Local Planning Authorities should be proactive to meet the development needs of business.

5.1.4 Section 4 - Promoting sustainable transport - Paragraph 32 relates to development and highway implications. Amongst a number of objectives it requires development and subsequent decision-taking to take into account whether there is safe and suitable access for all people; and that improvements to the transport network can be undertaken that cost effectively limit the significant impacts of the development. It specifically goes on to state that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Paragraph 35 states that development should be located and designed where practical to (amongst other matters) give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; and create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

5.1.5 Section 6 - Delivering a wide choice of high quality homes
Boost significantly the supply of housing. Provide five years' worth of housing with an additional 5%. Housing applications should be considered in the context of the presumption in favour of sustainable development. Deliver a wide choice of high quality homes and plan for a mixed housing base. In rural areas housing should be located where it will enhance or maintain the vitality of rural communities. In the countryside isolated dwellings should be avoided unless there are special circumstances.

5.1.6 Section 7 - Requiring good Design- Paragraph 56 states that the Government attaches great importance to the design of the built environment and stresses that good design is a key aspect of sustainable development and is indivisible from good planning. To emphasise the importance of this statement paragraph 64 (under the design section) clearly states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality design and inclusive design goes beyond aesthetic considerations. Planning should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.1.7 Section 8 - Promoting Healthy Communities
Paragraph 69 indicates that the planning system plays a vital role in facilitating social interaction and creating healthy, inclusive communities. In relation to housing development, planning policies and decisions should aim to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. Development proposals should contain clear and legible pedestrian routes and high quality public space in order to encourage active and continual use of public areas. In order to promote healthy communities the Framework also states that Local Planning Authorities should take a proactive, positive and collaborative approach to meet

education requirements (school places) to meet the needs of existing and new communities (para 72).

5.1.8 Section 10 - Meeting the challenges of climate change, flooding and coastal change - Inappropriate development in areas at risk of flooding should be avoided by directing development away from increasing areas at highest risk, but where development is necessary, making it safe without flood risk elsewhere. Sequential and exception tests should be used.

5.1.9 Section 11 - Conserving and enhancing the natural environment - Requires the planning system to contribute to and enhance the natural and local environment. In particular, valued landscapes should be protected and enhanced and the impacts on biodiversity minimised. Paragraph 118 sets out a number of principles which should aim to preserve and enhance biodiversity. The guidance set out in paragraph 118 indicates that where development causes significant harm, with no adequate mitigation or compensation proposed and accepted as commensurate to the harm, that the development should be refused.

5.2 ADOPTED WYRE BOROUGH LOCAL PLAN (SAVED POLICIES)

The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF. The following policies are considered to be of relevance to the determination of this application. The weight to be afforded to these policies is discussed within subsequent sections of this report:-

- Policy SP14 - Standards of Design and Amenity
- Policy ENV7 - Trees on Development Sites
- Policy ENV13 - Development and Flood Risk
- Policy ENV15 - Surface Water Run-Off
- Policy CIS7 - Wastewater Management

5.3 WYRE SUPPLEMENTARY PLANNING DOCUMENTS / GUIDANCE

The following Supplementary Planning Guidance documents are considered to be of relevance to the determination of this application:-

- Supplementary Planning Guidance 2 - Trees and Development
- Supplementary Planning Guidance 4 - Spacing Guidelines for New Housing Layouts

5.4 EMERGING LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17th of June and the 7th of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

- 5.4.2 Relevant policies in the emerging Local Plan include:
- Policy CS6 (Strategy for Poulton-le-Fylde and Carleton)
 - Policy CS13 (Sustainable Development)
 - Policy CS14 (Quality of Design)

6.0 CONSULTATION RESPONSES

6.1 GREATER MANCHESTER ECOLOGICAL UNIT (GMEU) - No objections - The building to be extended is a care facility comprising of a two storey brick rendered building with pitched slated roofs. The survey comprised an internal and external inspection of the building. The building and its features were considered to be in good repair with no obvious roosting potential for bats. No bats or signs of bats were found during the survey and the property was considered to have a low potential to support roosting bats. No further bat survey effort is therefore considered necessary and works can proceed with a low risk to roosting bats. The mature beech tree at the front of the property was also assessed for its potential to support roosting bats. No features were observed which would be suitable. In conclusion GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the relevant conditions relating to the protection of birds and an informative relating to protected species.

6.2 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) - No objections raised

6.3 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE POLLUTION) - No objections raised, advised that the additional acoustic noise information provided by the applicant in relation to the kitchen extraction unit is considered to be acceptable in terms of its relation to the neighbouring properties and given the height of the proposed chimney it is unlikely there would be any impacts arising from smells/odours.

6.4 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (CONTAMINATED LAND) - No objections - Standard conditions should be attached relating to the necessary desk-top study and associated ground investigation report to be undertaken prior to development.

6.5 WBC HEAD OF OPERATIONS (TREES) - No objections - The mature Beech tree at the entrance of the site is covered by 001/2016/Tree Preservation Order. It is noted with encouragement that there only appears to be an interface where the Kerb line is required to be altered around the Beech. The proposed plan indicates that all work shall be carried out by hand dig technique. An Arboricultural Method Statement for this element of works should be conditioned as it essential that root damage is kept to an absolute minimum.

7.0 REPRESENTATIONS

- 7.1 At the time of compiling this report there has been 4 letters of objection received. The primary reasons for opposition are:
- Design is not sympathetic to the 1780s coach house. Too modern in design
 - Overlooking into neighbouring gardens and properties
 - Loss of privacy
 - Overbearing and intrusive due to massing and bulk in proximity to the boundary
 - Lift shaft is out of keeping

- Potion of smoking shelter is in close proximity to neighbouring boundaries poses risk to health
- Highway safety concerns from deliveries and construction vehicles
- Refuse store close to boundary with 76 Breck Road poses risk from vermin, noise and odour
- Concerns of noise and smells from extraction system on the kitchen
- Loss of light

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Confirmation has been received from the applicant as to which windows are to be obscure glazed on the proposal and an amended site plan has been requested and an extension of time has been agreed until the 8/4/2016.

9.0 ISSUES

9.1 The key issues to consider as part of this application are as follows:

- Principle of Development and Policy Compliance
- Visual Impact ,Design and Impact on the street scene
- Impact upon Residential Amenity
- Highway Impacts and Parking Provision
- Ecological Matters and
- Impacts upon Trees

Principle of Development and Policy Compliance

9.2 Within the Design and Access Statement submitted with the application it sets out the current difficulties Breck Lodge Care Home is experiencing due to various restrictions in the current layout of the building. These restrictions are resulting in some element of risk to the elderly occupants of the home. The supporting documentation states that as the dependency on resident's increases, the difficult access to some of the bedrooms would possibly mean a forced move to a more accessible bedroom in a different home, this adds to the financial pressure on the home but is also detrimental on the person moving. During the Case Officers site visit the internal layout and the difficulties arising from the variations in levels and access restrictions were experienced and explained by the Home Manager. It is considered that the proposal would provide economic and social benefits in accordance with section 1 of the NPPF which requires the planning system to support sustainable economic growth.

9.3 The principle and expansion of existing businesses is supported within the NPPF. Paragraph 7 sets out that there are three dimensions to sustainable development, an economic role, a social role and an environmental role. In this instance the proposal would assist in supporting the business economically and contribute to the social role by providing specialist care accommodation that would meet the needs of future generations. The site is located within a highly sustainable position on Breck Road with good access provision to Poulton Town centre and public transport links. There are bus stops positioned to the north east of the site on either side of Breck Road and Poulton Railway Station is located approximately 400m to the west of the site. For visitors, staff and residents of the Care Home the site can be easily and safely accessed by utilising public transport and pedestrian footpaths and there is an array of community services and amenities including medical/health facilities within close proximity to the site. The application site is not

affected by any sensitive land use, designations or constraints and as such an extension to the existing building to provide additional bedrooms and upgrade of the existing facilities is considered to be acceptable in principle and would constitute a sustainable form of development whilst at the same time create additional employment opportunities for the area.

Visual Impact, Design and Impact on the Street Scene

9.4 Saved Policy SP14 of the Local plan seeks to apply consistent principles and high standards of design and amenity for all types of development. Amongst other criteria policy SP14 goes on to state that proposals should be compatible with adjacent land uses and should be acceptable in the local landscape in terms of its scale, mass, style, siting and use of materials. In this instance the application seeks a sizeable extension increasing the existing foot print of the building considerably to the rear. The Care Home has had various extensions and additions overtime which has eroded its original character and visual appearance of a former Victorian Coach House. Whilst the extension is of a modest scale it has been designed to appear as a contrasting addition to the existing building. At the point where the extension attaches to the rear elevation it comprises of a flat roof and boxed lift shaft which is finished in timber cladding. This contrasting section visually separates the extension to that of the existing and original building. The overall ridge height of the extension is no higher than that of the existing building and the bulk and massing has been broken up and reduced by reason of the hipped/mansard style roof form which is to be finished in a matching natural slate. The single storey element which will accommodate the new kitchen has also been designed with a hipped roof further reducing the overall bulk and massing.

9.5 It is acknowledged that when viewed from within the street scene in particular when travelling along Breck Road from the east the extension and overall massing of the development will partially be visible. However, due to its hipped roof form, set back within the site, and use of matching materials and finishes it is not anticipated that the extension would have an unacceptable overbearing, dominating or imposing impact upon the character of the area or of the wider street scene. At the entrance of the site there is a mature and established Beech Tree which has recently been protected by a Tree Preservation Order (TPO). This tree does provide a high level of screening towards the rear of the site and will assist in breaking up the visual impact of the development when observed from Breck Road. Although this application is to be assessed in relation to the existing built environment, it is worth noting that to the rear/south of the site and to the west at the corner of Breck Road and Station Road planning consent has been granted for a three storey extra care living accommodation block for the elderly comprising of 49 apartments under application (13/00145/FULMAJ). Remediation works are currently being undertaken for this development and once constructed the views of Breck Lodge, including the proposed extension will further be reduced from Station Road and Breck Road. The proposed scheme is an acceptable form of development within the street scene and in terms of its design, size and scale; this extension will be a close match to the existing host building and is seen to satisfy the provisions of both Saved Policy SP14 and Section 7 of the NPPF.

9.6 The existing bin store is currently located at the entrance of the site adjacent to the neighbouring boundary with number 76 Breck Road and is constructed of timber. The proposal seeks to relocate the bin store and create a combined maintenance and cycle store along the same boundary but to the rear of the site. The design and scale of this outbuilding (10.5m in length x 2.8m wide x 1.9m to the eaves and 2.2m to the ridge) is considered to be appropriate and raises no concerns from a

design point of view. The external secured garden is to comprise of a split level design including a higher and lower gradient connected by adjoining ramped areas making it more accessible for wheel chairs users. Full details of hard and soft landscaping are to be conditioned accordingly.

Impact upon residential amenity

9.7 The observations and concerns raised by neighbouring residents has been fully acknowledged and considered as part of the assessment of this application. A site visit has been undertaken both internally and externally from a majority of neighbouring dwellings to assess any potential impacts. In assessing the impacts consideration has been given to the provisions set out within SPG4 which sets out the spacing guidance for new housing layouts. Whilst this proposal does not directly relate to new housing the principles and separation distances contained within the guidance are relevant in assessing the potential impacts upon neighbouring amenity (overbearing impacts, loss of light, loss of privacy and overlooking) in conjunction with Saved Policy SP14 of the Local Plan. Assessments of the immediate surrounding properties which have potential to be affected by the development are set out below:

76 Breck Road

9.8 76 Breck Road is sited immediately to the west of the application site and is a semi-detached property set back from Breck Road by approximately 13m. The dwelling is separated by a 2m high close boarded timber panel fence which makes up the western boundary of the application site. At ground floor there are three windows on the eastern elevation, these serve a kitchen/diner, a bathroom (obscure glazed) and an entrance porch/hall. At first floor on the eastern elevation is a window serving a bedroom/playroom. All of the windows described above face on to and overlook the application site. At ground floor approximately 50% of the windows are obscured by the existing boundary fencing and two of the windows serve non habitable rooms. The ground floor kitchen/dining room at present does not benefit from very much light due to the boundary fencing, this was experienced by the Case Officer during a site visit. At present the occupants views from this window comprise of the boundary fence and views across the existing garden area of the Care Home. The proposed extension will be highly visible from this window. The impacts in terms of loss of light, overbearing impacts and loss of privacy are all considerations to be assessed. In turn, the proposed extension of the care home will sit approximately 14m from the eastern elevation of 76 Breck Road. SPG4 (spacing guidance) is to safeguard residential amenity and to avoid physical dominance, it states that front elevations which face side elevations should be a minimum 12m apart however in the case of two storey developments this should be 13m. Whilst the concerns and view of the neighbouring residents are understood, the proposal exceeds (albeit slightly) the 13m separation requirements for 2 storey development as set out within SPG4. The windows at ground floor of the proposed extension will serve a bedroom and an assisted bathroom which is to be obscure glazed. The existing boundary fencing will prevent any loss of privacy or overlooking at ground floor level. At first floor the supporting Design and Access Statement demonstrates that the two bay windows will be obscure glazed preventing views into and out of these rooms but will still allow sideways views to provide a degree of outlook for the residents. Based on this information it is not considered that the proposed extension will result in overlooking or loss of privacy towards the two habitable rooms or rear garden area of 76 Breck Road. A condition to ensure the windows at first floor on the western elevation are obscure glazed is required to be attached if the application is to be approved.

9.9 The location of the proposed bin and maintenance store has also raised concerns by the neighbouring residents in terms of associated environmental impacts including potential odour and vermin nuisance. Environmental Health has raised no objection to the proposal and the scale and bulk is not considered to result in any overbearing impacts given the existing boundary treatment in situ. Given the proximity of the proposed new kitchen area (approx 15m) to this property additional information in relation to noise impacts arising from the extraction unit to be installed has been requested and subsequently provided by the applicant. The plans demonstrate that a 3.5m high level solid chimney is to be erected against the western elevation of the two-storey extension. This chimney projects 1m above the ridge of the 2-storey extension to the building. The additional supporting information states that the specified extraction fan to be installed will produce a British Standard noise rating level of 49 decibels (dB) at a distance of 3m away. These noise levels will reduce 6dB for every doubling of distance from the original noise source. In this instance, the nearest point of the rear elevation of number 76 Breck Road is 15m away from the chimney, the estimated noise levels of the extraction unit will be less than 37 dB. The Environmental Health Officer has advised that taking into consideration the back ground noise level which in this area is approximately 40dB then the proposed extraction unit is unlikely to have any impacts on amenity arising from noise from the new kitchen/extraction unit. Furthermore the close boarded panel fencing which is in situ along with the newly proposed maintenance store will reduce the impacts further by providing an acoustic buffer. The Environmental Health Officer has also advised that as the chimney projects 1m above the ridge of the highest part of the extension there is unlikely to be any impacts arising from cooking odours.

84 Breck Road

9.10 84 Breck Road is located to the east of the application site and the first floor rear elevation is approximately 10m from the eastern elevation of the application building. This property is a large art deco style dwelling with a mono pitched roof and a single storey flat roof to the rear. Given the location of the proposed extension to the west of the building there is not seen to be any adverse or detrimental impacts on this property in terms of overlooking or loss of privacy. The proposal does include a new fire escape along the eastern elevation with the plans demonstrating a new escape door at first floor level. A condition is recommended to require this to be obscure glazed. It is not considered that restricting the use of the stairs to a fire escape only would be enforceable.

1 Moorland Road

9.11 This dwelling is separated from the proposed extension by approximately 30m and exceeds the separation distances set out within SPG4. Furthermore there is extensive and mature trees and vegetation along the western boundary of the rear garden which provide a good level of screening of views into the rear garden. Whilst there is glazing proposed at the first floor level of the eastern elevation of the extension this solely serves a hallway. There are no concerns upon the impact of the amenity of this dwelling.

9.12 Having regard to the separation distances involved and the proposed obscure glazing at first floor level the proposed extension is not seen to result in any significant impacts upon residential amenity and the proposal is seen to comply with both SPG4 and saved Policy SP14 which seeks to protect the amenity of neighbouring properties. Concerns have been raised by neighbouring residents about the location of the smoking canopy which is proposed to be sited on and

attached to the southern elevation. This raises no concerns as it is sufficiently separated from neighbouring dwellings.

Highway impacts and parking provision

9.13 At present the car parking area is not marked out on site. The proposal seeks to allocate 9 designated parking spaces. An area of vegetation is to be cleared to accommodate a widening of the entrance and to improve visibility when accessing and exiting the site. Lancashire County Highways have raised no objections to the parking provisions proposed. The application site is in close proximity to a number of public car parks and public transport links so the proposed allocated parking in this instance is considered acceptable, as despite the reduction in existing parking capacity the site lies within a sustainable location. No concerns have been raised by the highways authority as to the impacts upon highway safety.

Ecological matters

9.14 The application has been accompanied by an ecological appraisal. Greater Manchester Ecological Unit have assessed the survey and advised that an internal and external inspection of the building has been carried out. The building and its features were considered to be in good repair with no obvious roosting potential for bats. No bats or signs of bats were found during the survey and the property was considered to have a low potential to support roosting bats. No further bat survey effort is therefore considered necessary and works can proceed with a low risk to roosting bats. The mature beech tree at the front of the property was also assessed. No features were observed which could support roosting bats, although the tree was assessed as having bat foraging potential. The trees, hedges, remaining scrub and the ivy covering on the shed have the potential to support nesting birds. A condition is required to state that no clearance works should be undertaken between the months of March to July unless nesting birds are found to be absent by a suitably qualified person.

Impacts upon Trees

9.15 Evidence of a significant amount of tree clearance has been undertaken along the southern boundary of the site prior to the submission of the application. Some vegetation remains along the eastern boundary. The large mature Beech tree at the entrance of the site is subject to a Tree Preservation Order and the Tree Officer has advised that the alteration to the kerb line could result in an encroachment in to the root protection area of the tree. Whilst the plans submitted highlight that hand dig techniques will be adopted an Arboricultural Method Statement is to be conditioned to ensure that damage is kept to a minimum. There are no objections to the removal of the small trees to the east of the access.

Other Matters

Contamination

9.16 Environmental Health Pollution control have raised no objections to the proposal subject to a contaminated land desk top survey being conditioned and standard informatives being attached.

Flood Risk

9.17 The application site is not within an area at high risk of flooding or within designated Flood Zones 2 or 3.

10.0 CONCLUSION

10.1 The proposed development is not seen to result in any adverse or detrimental impacts upon neighbouring amenity or on the visual appearance of the character of the area. The proposal will provide valuable specialist accommodation and will support the economic growth of the existing business. Subject to conditions the proposal is recommended for approval.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant planning permission subject to conditions

Recommendation: Permit

Conditions: -

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

2. The development shall be carried out, except where modified by the conditions to this permission, in accordance with the Planning Application received by the Local Planning Authority on 15/01/2016 including the following plans:

- Outbuildings and smoking shelter Drawing Number AL(9)003 Rev A
- Ground and First Floor Plan as proposed Drawing Number AL(0)001 Rev A
- Proposed Site Plan (Revised) Drawing Number AL(9)902 Rev B
- Elevations as Proposed Drawing Number AL(0)040 Rev A
- Design and Access Statement Ref M5901 Rev A

The development shall be retained hereafter in accordance with this detail.

3. The development shall be carried out using those materials specified on the approved plan and supporting documents

4. The development hereby approved shall only be used in association with the use of the premises known as Breck Lodge Nursing Home Breck Road Poulton FY6 7HT (as shown on the red edge of the location plan accompanying this application) and shall not be used as a separate unit without the express permission of the Local Planning Authority. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any other order revoking or re-enacting that Order), the use of the building(s) shall be limited to Use Class C2 of the

Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

5. No occupation or use of the development shall occur until the first floor windows on the western elevation and the windows within the new fire door on the eastern elevation of the existing building have been fitted with obscure glazing at grade level 5 (where 5 is the most obscure and 1 the least). The windows and any subsequent replacement glazing shall be maintained and retained in the same level of obscure glazing at all times thereafter.
6. No development shall take place until full details of both hard and soft landscape works has been submitted to, and approved in writing by, the Local Planning Authority and these works shall be carried out in accordance with the approved details. These details shall include hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration, where relevant. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.
7. Before any site activity is commenced in association with the development, an Arboricultural Method Statement (AMS), in compliance with "BS 5837(2012) Trees in relation to design, demolition and construction", shall be submitted to and agreed in writing by the local planning authority. The AMS must include the identification of materials and method of installation of all new surfaces and underground utility services, and all ground disturbance works proposed within root protection areas or within 1m of protective barrier fencing. Onsite arboriculture supervision must be included. The AMS shall include generic details in respect of protection of all on and off site trees relating to site access and layout, vehicle parking and storage of materials and machinery. The development shall then be carried out in accordance with such agreed detail.
8. No trees, hedgerow or shrubs shall be removed between the 1st March and 1st July in any year unless a detailed bird nest survey has been carried out by a suitably qualified ecologist immediately prior to any clearance and written confirmation that no bird nests are present has been provided in writing to the Local Planning Authority.
9. No development shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination, a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and agreed in writing by the Local Planning Authority. If remediation measures are then considered necessary, a scheme for decontamination of the site shall be submitted to, and approved by, the Local Planning Authority in writing and the scheme implemented to the satisfaction of the Local Planning Authority prior to the development of the site. Any changes to the agreed scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reasons: -

1. This condition is required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and so that the local planning authority shall be satisfied as to the details.
3. To ensure that the materials have a satisfactory appearance and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
4. The use could not be undertaken independently without the likelihood of associated problems of amenity to the locality and to ensure that inappropriate uses do not occur within the locality.
5. To protect the residential amenity of the adjacent neighbouring properties from overlooking and loss of privacy and in accordance with Saved Policy SP14 of the Local Plan.
6. To ensure that the development presents a satisfactory appearance in the street picture and in accordance with the provisions of Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).
7. To prevent damage to trees during construction works and in the interest of amenity of the area.
8. In the interests of the ecology of the area and in accordance with the National Planning Policy Framework.
9. The development is for a sensitive land use. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999).

Notes: -

1. The applicant is advised that bats can, and do, turn up in unlikely places. If bats are found at any time during the course of any approved works then works must cease immediately and advice sought from a suitably qualified ecologist about how best to proceed. All UK bats and their resting places are specially protected in Law.
2. The applicant is advised that kitchen plant / extraction / flues may require further planning consent.



Notes

Do not scale, use figured dimensions only.

All dimensions to be verified on site prior to the commencement of any work or the production of any shop drawing. All discrepancies to be reported to the Architect.

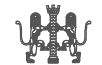
This drawing is to be read in conjunction with all related Architect's and Engineer's drawings and any other relevant information.

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REV	DATE	REVISION	INITIALS	CHECK
A	23/11/15	Issued for planning	RET	AMC



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Client
CPM Care Ltd

Project
**Proposed Care Home,
 Breck Lodge**

Drawing Title
**Proposed extension and internal
 alterations to existing care home,
 Breck Lodge, Poulton le Fylde**

Scale **1:1250 @ A4** Date **01/12/15**
 Drawn by **RET** Checked by **AMC**

Job No. **M5901** Drawing No. **AL(9)900** Rev. **A**

Committee Report**Date: 06.04.2016**

Item Number	2
Application Number	16/00058/FUL
Proposal	Removal of existing residential caravan and erection of a dwelling and formation of residential curtilage.
Location	Chat Hill Farm Lancaster Road Out Rawcliffe Preston Lancashire PR3 6BP
Applicant	Mr Richard Smith
Correspondence Address	c/o M L Planning Ltd FAO Mrs M Lawrenson 5 Bobbin Mill Cottages Stubbins Lane Claughton On Brock Preston Lancashire PR3 0PL
Recommendation	Refuse

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Lucy Lowcock****1.0 INTRODUCTION**

1.1 This application is brought to Planning Committee at the request of Councillor Pimbley. A site visit is recommended to enable Members to understand the proposal beyond the plans submitted and the photos taken by the Case Officer.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site falls within the countryside. It is an area of grassed land of approximately 0.063ha situated on the western side of Lancaster Road, Out Rawcliffe. It is accessed via an existing unmade track from Lancaster Road, approximately 300m in length.

2.2 The site does not fall in Flood Zones 2 or 3. There is a designated main river around 40m to the west of the site. There are trees along part of the access to the application site, along the eastern boundary of the site and there is a cluster of vegetation immediately to the southwest of the application site. The grassed land is relatively flat. Surrounding the site are open fields.

2.3 On land immediately to the east of the site is a static caravan and touring caravan. Adjacent to these is a small storage building. Beyond these is another static caravan that is being occupied for residential purposes. Further to the west of the application site is a larger pitched roof building constructed from profile sheeting. The agent for the application states that this is currently being used for engine tuning.

3.0 THE PROPOSAL

3.1 The application seeks full planning permission for the erection of a residential dwelling on the land, with an associated residential curtilage. The dwelling would be accessed using the existing access track to the site. It would be sited in the centre of the grassed piece of land, to the west of the land where the static caravans are currently sited. The dwelling would have a floor area of 84m², measuring 12m by 7m.

3.2 The dwelling has been designed as a dormer bungalow, with a ridge height of 6.45m and eaves height of 3.5m. The principle elevation of the dwelling would have two pitched roof dormers, whilst on the rear would be a larger single dormer with a sloping roof. A small pitched roof porch is proposed to the front elevation and a single storey pitched roof element on the side of the dwelling. The windows of the property would be provided with headers and cills. The dwelling would be constructed with red brick with white painted render and a slate roof.

3.3 In conjunction with the erection of the dwelling, it is proposed to remove the static caravans that are sited to the east of the application site, one which is currently occupied for residential purposes.

4.0 RELEVANT PLANNING HISTORY

4.1 The most recent and relevant application to the current application is on land adjacent to the site under App. No: 07/00203/CPE, which was for a Certificate of Lawfulness for an existing static caravan. The Certificate was granted. There have been other applications on / adjacent to the site as follows:

4.2 App. No: 99/00087/FUL – Renewal of Planning Permission 02/94/0150 for Temporary Mobile Dwelling - Approved

4.3 App. No: 99/00086/FUL – Erection of a detached bungalow - Approved

4.4 App. No: 96/00469/FUL – Renewal of Temporary permission for siting of mobile home - Refused

4.5 App. No: 94/00150/FUL – Retention of mobile home - Approved

4.6 App. No: 93/00614/FUL – Erection of 1 Detached bungalow - Approved

4.7 App. No: 91/01007/FUL – Renewal of temporary permission for mobile home - Approved

4.8 App. No: 90/01150/FUL – Agricultural workers dwelling- Refused

4.9 App. No: 90/00359/FUL – Renewal of temporary permission for mobile dwelling - Approved

4.10 App. No: 89/00688/FUL – Proposed new maggot Farm – Approved

4.11 App. No: 88/1987/FUL - Mobile home - Approved

4.12 App. No: 83/01234/FUL – Proposed temporary residential caravan whilst erecting bungalow - Approved

4.13 App. No: 81/00699/AAA - Proposed residential bungalow for agricultural farm owner - Approved

4.14 App. No: 78/01518/AAA - Replacement Farmhouse - Approved

5.0 PLANNING POLICY

5.1 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

5.1.1 Achieving sustainable development -The planning system should play an active role in guiding development to sustainable locations. There is a need for the planning system to perform an economic, social and environmental role. Local circumstances need to be taken into account. There is a presumption in favour of sustainable development and approving development proposals that accord with the development plan without delay. Decision takers at every level should seek to approve applications for sustainable development where possible.

5.1.2 In decision making there should be 12 principles which include supporting sustainable economic development and responding positively to wider opportunities for growth. The needs of the business community should be taken into account. A high quality of design and amenity are needed. The re-use of existing buildings should be supported and mixed use developments promoted.

5.1.3 Section 1 - Delivering sustainable development - Planning should operate to encourage and not act as an impediment to sustainable growth. Significant weight should be placed on the need to support economic growth through the planning system with a proactive approach to meet the development needs of business. Local Planning Authorities should be proactive to meet the development needs of business.

5.1.4 Section 6 - Delivering a wide choice of high quality homes
Boost significantly the supply of housing. Provide five years' worth of housing with an additional 5%. Housing applications should be considered in the context of the presumption in favour of sustainable development. Deliver a wide choice of high quality homes and plan for a mixed housing base. In rural areas housing should be located where it will enhance or maintain the vitality of rural communities. In the countryside isolated dwellings should be avoided unless there are special circumstances.

5.1.5 Section 7 - Requiring good Design

Paragraph 56 states that the Government attaches great importance to the design of the built environment and stresses that good design is a key aspect of sustainable development and is indivisible from good planning. To emphasise the importance of this statement paragraph 64 (under the design section) clearly states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality design and inclusive design goes beyond aesthetic considerations. Planning should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.1.6 Section 8 - Promoting Healthy Communities

Paragraph 69 indicates that the planning system plays a vital role in facilitating social interaction and creating healthy, inclusive communities. In relation to housing development, planning policies and decisions should aim to achieve places which

promote safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion. Development proposals should contain clear and legible pedestrian routes and high quality public space in order to encourage active and continual use of public areas. In order to promote healthy communities the Framework also states that Local Planning Authorities should take a proactive, positive and collaborative approach to meet education requirements (school places) to meet the needs of existing and new communities (para 72).

5.1.7 Section 11 - Conserving and enhancing the natural environment - Requires the planning system to contribute to and enhance the natural and local environment. In particular, valued landscapes should be protected and enhanced and the impacts on biodiversity minimised. Paragraph 118 sets out a number of principles which Local Authorities should apply with the aim of preserving and enhancing biodiversity. The guidance set out in paragraph 118 indicates that where development causes significant harm, with no adequate mitigation or compensation proposed and accepted as commensurate to the harm, that the development should be refused.

5.2 WYRE BOROUGH LOCAL PLAN (SAVED POLICIES)

5.2.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the NPPF. The following policies are considered to be of relevance to the determination of this application.

- Policy SP13 - Development in the Countryside
- Policy SP14 - Standards of Design and Amenities
- Policy ENV7 - Trees on Development Sites
- Policy H7 - Replacement dwellings

5.3 SUPPLEMENTARY PLANNING GUIDANCE

5.3.1 The following Supplementary Planning Guidance is considered to be of relevance to the determination of this application:

- Supplementary Planning Guidance 2 - Trees and Development
- Supplementary Planning Guidance 4 - Spacing guidelines for new housing Developments

5.4 EMERGING WYRE LOCAL PLAN

5.4.1 A Preferred Options version of the Wyre Core Strategy underwent a public consultation between 2 April and 21 May 2012. The Council is now progressing a single Borough-wide Local Plan document and reconsidering the spatial strategy. The Council consulted on Issues and Options for the new Local Plan between the 17 of June and the 7 of August 2015. The Wyre Core Strategy Preferred Options included consultation on a number of Core Policies which will inform policies in the Local Plan. Presently the Core Policies in the Wyre Core Strategy Preferred Options form a material consideration of limited weight in the consideration of planning applications in accordance with paragraph 216 of the National Planning Policy Framework (March 2012).

5.4.2 Relevant policies in the emerging Local Plan include:

- CS13 (Sustainable Development)
- CS14 (Quality of Design)
- CS16 (Transport, Accessibility and Movement)
- CS19 (Biodiversity and Geodiversity)
- CS24 (The Countryside)

6.0 CONSULTATION RESPONSES

6.1 GREATER MANCHESTER ECOLOGY UNIT (GMEU) - recommend that works to trees and scrub clearance including site clearance should not be undertaken in the main bird breeding season (March to July inclusive), unless birds are found to be absent by a suitably qualified person. They would therefore suggest that a condition to this effect be placed on any permission, if granted, in order to protect wild birds. Brown hares/water vole/otter/badger are known to occur within the locality, however they are considered unlikely to occur on the proposed development site. In order to minimise the impacts on any of these species a number of precautionary measures have been recommended these recommendations should be implemented in full and a condition to this effect should be placed on any permission.

- All work must take place during daylight hours as badgers/otters are more likely to be commuting over the site at night and this will ensure the risk to any badgers/otters passing through the site will be minimised.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure that these species are not trapped during work.
- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Boundary fences/walls should incorporate gaps at their base to facilitate the passage of species across the site.
- In the unlikely event that any of these species are found, all site works should cease and advice sought from a suitably qualified ecologist. A condition to this effect should be attached to any permission.

All trees to be retained on the site should be protected from the development to prevent damage to the root system. Protection should follow guidelines presented within BS 5837:2012 'Trees in relation to design, demolition & construction'. They would therefore recommend a condition to this effect should be placed on any permission.

There is a water course to the west of the development site, referred to as the dyke within the report. The watercourse should be protected from the development; no surface water runoff/pollutants/contaminants/building materials should be allowed to enter the watercourse. Therefore recommend that a condition to this effect should be attached to any permission, if granted.

In line with Section 11 of the NPPF, they would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:

- Bat bricks and/or tubes within the new development
- Bat boxes
- Bird boxes
- Native tree and shrub planting
- Bolstering of hedgerows

In conclusion GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the conditions above.

6.2 LANCASHIRE COUNTY COUNCIL HIGHWAYS - no highway objections to the removal of the residential caravan and erection of a dwelling. The associated residential traffic movements from the site are established and should not change to any significant degree.

6.3 OUT RAWCLIFFE PARISH COUNCIL - a two storey four bedroom dwelling is not sympathetic to the single storey mobile home being replaced. We would recommend that any replacement dwelling should be of single storey construction and with a footprint of no more than 150% of that of the existing unit. We would also recommend that a prior to occupancy condition be attached to any consent for the removal of all existing caravans from the site. We would also recommend that a condition be attached to any consent for a replacement dwelling to remove permitted development rights.

6.4 WBC HEAD OF ENGINEERING SERVICES (DRAINAGE) - no objections in principle. It is not considered that soakaways would work in this area. Should the applicant wish to use soakaways then results from percolation test to BRE365 must be submitted for approval. Hales Rushes watercourse is located to the west of the site and provides an alternative means of discharge for surface water.

6.5 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (POLLUTION CONTROL) - conditions to be added to any planning permission granted about contamination.

6.6 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (NOISE and ODOUR) - a possibility of offensive odour from a maggot farm impacting upon nearby dwellings in certain circumstances. If the dwelling is connected to the maggot farm a matter to consider may be limiting the occupancy of the proposed dwelling to employees of the maggot farm.

On informing environmental health that the building which has planning permission to be used as a maggot farm is currently being used for engine tuning processes, further comments from environmental health were provided. The engine tuning plant which will be in close proximity to the proposed bungalow is likely to have a detrimental noise impact upon this proposed dormer bungalow. Therefore recommend conditions to be applied about the noise levels from the engine tuning process and a scheme of noise insulation to the bungalow.

Following discussions with environmental health, further comments have been received clarifying that because the proposal would be closer to the existing engine tuning premises, there could be a potential detrimental noise impact upon the proposed residential unit. A noise assessment has therefore been requested, under the provisions of BS 4142 2014, to assess the noise impact.

6.7 WBC HEAD OF OPERATIONS (TREES) - note from the site plan an indication of a line of mature trees all requiring a root protection radius which could be facilitated by conditioning for a line of protective fencing to the west running parallel at 4.8m distance from each tree stem. Providing that no excavation within the Root Protection Area is required in relation to proposed erection of the dwelling this should be sufficient. A line of protective fencing will also be required to the east of each tree stem at 4.8m distance.

There is an indication that the ground will be returned to grass within this area and as such any hard surface should be removed carefully to avoid root damage. They should work backwards over the area in the opposite direction from the trees and use hand tools if appropriate. There is likely to have been compaction and as such remediation of the compacted soil should take place via hand tools, the importing of quality topsoil will also aid establishment of new turf. This should create better conditions for the roots of the adjacent trees to grow within the area.

7.0 REPRESENTATIONS

7.1 One letter of support received - there was a dwelling on the site up to the 1960s, a dwelling was granted on the site but it was not implemented and built, and replacing the static caravan with a permanent dwelling will improve the area.

8.0 CONTACTS WITH APPLICANT/AGENT

8.1 Contacted the agent with concerns about the application with regard to the principle of the development, the visual impact, design and compatibility of adjacent use with a residential use. Also requested land levels 2/2/16.

8.2 The agent provided the location plan from the Certificate of Lawfulness (app. No: 07/00203/CPE) and confirmed that the adjacent building has been used since 2000/2001 for engine tuning.

8.3 Discussed with agent need for a noise assessment. Agent stated a noise assessment would not be submitted (10/3/16).

9.0 ISSUES

9.1 The main issues in this application are as follows:

- Principle of development in the countryside
- Visual Impact / Design
- Impact on the residential amenity
- Impact on Highway / Parking
- Drainage
- Trees
- Ecology
- Other matters

Principle of development

9.2 The application site falls in the countryside. The NPPF requires decision makers to recognise the intrinsic character and beauty of the countryside. Policy SP13 of the Adopted Wyre Local Plan is in accordance with the NPPF by restricting development in the countryside to a limited range of appropriate rural uses, to

prevent the loss of the countryside's open character. The NPPF also does not support the provision of isolated new dwellings in the countryside. The Core Planning Principles of the NPPF seek to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Therefore to be considered as a sustainable form of development and not isolated in accordance with NPPF, development should not increase the need to travel by car and should be accessible on foot or by public transport to shops and services.

9.3 The proposal would result in the development of a new dwelling in the countryside. It would not be for a replacement dwelling, as there is not a dwelling on the site to be replaced. A Certificate of Lawfulness was granted on land adjacent to the application site for the siting of a caravan for residential use in 2007 (App. No: 07/00203/CPE). This caravan is in place, albeit larger than authorised, and is in use for residential purposes. There is also another static caravan sited on the adjacent land, which is in a derelict state, this caravan is unauthorised. Historically, there have been planning applications on the land for both a dwelling and temporary residential caravans, however, none of these applications are extant and the current proposal should be considered under the current policy and situation.

9.4 A caravan is defined in the Caravan Sites and Control of Development Act 1960, as supplemented by sec.13 of the Caravan Sites Act 1968. The 1960 Act at sec. 29 states that "a caravan" means "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any other motor vehicle so designed or adapted, but does not include a) any railway rolling stock which is for the time being on rails forming part of a railway system, or b) any tent". In the case of the existing caravan on site, this is a moveable structure (without foundations etc.) which falls within the definition of a caravan as set out above. Therefore even where a Certificate of Lawfulness has been granted for the use of the land to site a caravan, as is the case here, it does not necessarily follow that it should be acceptable to replace it with a more permanent structure. A certificate of lawfulness application seeks to establish whether a development has, through the passage of time, become immune from enforcement action, and therefore is considered lawful. In order to qualify for a replacement dwelling, the building to be replaced has to exhibit all the characteristics of a dwelling. It is considered that the existing residential caravan on site is not a permanent dwelling (i.e. a building) and therefore does not comply with the criteria for replacement under H7 of the Local Plan and is unacceptable in principle.

9.5 Policy SP13 of the Local Plan only allows development in the countryside if it meets one of a number of exceptions. The application proposal does not comply with any of the exceptions identified within this policy and as such is contrary to the policies of restraint in the countryside. The application results in the provision of an additional residential house in the countryside, that is not required in relation to either agriculture, horticulture, forestry or other functional need, nor do they propose to meet any locally identified housing need. The consequences of this will be unjustified built development in the countryside that could lead to a dispersed settlement pattern that would be damaging to the open character of the countryside.

9.6 The site is not considered to be a suitable sustainable location for a new dwelling, as required by NPPF. The occupants of the dwelling would be reliant on the car to access shops and services. The closest settlement with some facilities and bus stops would be Pilling, approximately 2.3m away. From the site, this settlement would be highly inaccessible on foot, both in terms of the distance and the lack of safe footways. It is therefore considered that the proposal would form an isolated dwelling

in the countryside, which would be contrary to the requirements of NPPF. Although there is a current lawful residential use on the adjacent land with the siting of a caravan, regard should be taken to the scale and permanency of the proposed dwelling. A four bedroom dwelling is proposed, therefore considered to be a large scale family home with a need for access to schools, medical services, facilities etc. It is considered that this would have a significantly greater demand for services than from the occupants of the relatively small caravan that is authorised. Therefore, this reaffirms that the isolated location of the dwelling would be unacceptable.

9.7 The proposal is therefore considered to be unacceptable in principle because it would result in unjustified built development in the countryside and form an isolated dwelling in an unsustainable location.

Visual Impact / Design / Impact on the street scene

9.8 Scale - for replacement dwellings in the open countryside to be in accordance with the replacement dwellings policy of the Adopted Local Plan (Policy H7), they should be sympathetic to the size of the dwelling that is being replaced. Despite the proposal not being for a replacement dwelling and not being considered to be acceptable in principle (as discussed above), the principle of policy H7 applies, in that it is proposed to replace a caravan on adjacent land with a dwelling. The additional unauthorised static caravan that is currently adjacent to the site should not be taken into account, as this does not have permission to be sited on the land. The proposed dwelling would be larger than the existing caravan that is in residential use. The proposed dwelling would have a footprint of over 84m², whereas the existing caravan has a footprint of around 56m², and was only authorised under application no. 07/00203/CPE to have a footprint of 27m². Therefore the current residential caravan in place is larger than that authorised under the Certificate of Lawfulness. The proposal would therefore have a footprint 57m² (211%) greater than that of the authorised caravan. The proposed volume of the dwelling would be approximately 338m³ (412%) greater than that authorised caravan (this does not include the proposed porch and single-storey side element of the proposal). In terms of its scale therefore, the proposed dwelling would be significantly larger than the authorised caravan, which consequently would result in significant encroachment on the openness of the countryside. At present the caravan is low in the landscape at around 3m high and some trees provide partial screening of this. Also the caravan is temporary in appearance. Due to the significantly greater size of the proposed dwelling and its permanent appearance, it will stand out as an intensification of built form in the countryside. The replacement of the caravan would introduce a more permanent and evident use, which would be more visible from the surrounding houses, roads and Public Rights of Way and across open fields.

9.9 A domestic curtilage is shown to be provided to the dwelling. The garden proposed is one that would adequately serve the size of dwelling proposed, but would too increase the encroachment into the countryside, as the caravan authorised under the Certificate of Lawfulness (app. No: 07/00203/CPE) did not have a domestic curtilage. I.e. it is only authorised to site a caravan on the land but no curtilage to this is authorised. The visual detriment from the proposed residential curtilage would be due to the domestic paraphernalia on the land associated with a domestic use.

9.10 Siting - in terms of the siting of the dwelling, it would be around 17m to the west of the authorised caravan i.e. not on the site of the caravan. It is considered that this change in siting would move the built form to a less well screened area than the site of the existing caravan, which would increase the visibility of the dwelling and

further add to the encroachment of the development on the openness of the countryside, which would be harmful to the character of this countryside area.

9.11 Design - there are a variety of house styles in the wider area. The overall design of the proposal would be appropriate with a simple pitched roof and pitched roof front dormers, giving the appearance of a typical rural dwelling. All features would be in proportion and the dwelling would have some design features such as a pitched roof porch and cills and headers to the windows. A rear dormer is proposed with a sloping roof. This is considered to be of a poor design as it would over dominate the rear roof slope by reason of its size. The render proposed for the exterior of the dormer would also make it more obtrusive than a tile clad dormer. However, this dormer would be on the rear of the property and as a feature on the dwelling would not be highly visible from the local roads or public vantage points. The nearest Public Right of Way would be approximately 450m away. Therefore it is not considered that the dormer would be visually harmful in the wider landscape despite its poor design. The materials proposed for the main dwelling are brick, render and slate, which in themselves could be appropriate, however, a condition on any planning permission granted, for a materials sample to be submitted would ensure their suitability.

9.12 Land levels - the land on which the dwelling is proposed to be sited is relatively flat, so if the land level is not raised, it is not considered that the dwelling would stand out any more than discussed above by reason of the level of the land. A condition could be added to any planning permission granted that prevents any alterations being made to the land levels.

Impact on residential amenity

9.13 With the removal of the static caravans adjacent to the site, there would not be any immediate neighbours to the application property. There would not therefore be any impacts on light or overlooking to/from the proposed dwelling.

9.14 There is a detached outbuilding a minimum of 21m from the application site, which is under the applicant's ownership. This was granted planning permission in 1989 for uses as a maggot farm (application no: 89/00688/FUL). However, the application's agent states that since 2000/2001 the applicant has used the building as an engine tuning premises. Environmental health has been consulted for advice on the application, with regards to potential noise and disturbance to the occupants of the proposed dwelling. As the adjacent building has apparently been used as an engine tuning business for over 10 years (according to the Agent), it is considered that it is this use that should be considered for its compatibility with the proposal. Given that the proposed dwelling would be closer to the existing engine tuning business than the existing lawful residential caravan, environmental health advice that the noise impacts on the proposal could potentially be greater than on the current residential caravan. Environmental health require the submission of further information, prior to the determination of this application, in the form of a noise assessment to enable them to determine whether or not there would be an unacceptable noise/disturbance impact on the occupants of the proposed dwelling. i.e. whether or not the proposal would be compatible with the existing land use. As a noise assessment has not been provided, there is insufficient information submitted with the application to enable it to be determined whether or not the proposal would be acceptable in terms of neighbouring amenity. The agent has confirmed that a noise assessment would not be submitted as part of this application.

Impact on Highway / Parking

9.15 The existing access arrangements would be utilised, which is an access track off Lancaster Road. Parking would be provided to the northern side of the dwelling, with parking for at least three cars. Lancashire County Council Highways have been consulted on the application and have no objections despite an increase in the number of bedrooms from that of the existing situation. It is therefore considered that the access and parking arrangements proposed would be acceptable and the proposal would not be harmful to highway safety.

Drainage

9.16 On the application form submitted with the application, it is stated that foul water would go into a package treatment plant and surface water would go into a soakaway. The council's drainage engineers have been consulted on the application and have no objections to the proposal, but do not consider that a soakaway may be appropriate in this location. They have identified an adjacent watercourse that may be able to take the surface water. It is therefore considered that it would be possible to provide suitable drainage for this proposal; however, it may not be as the applicant has proposed in this application. Therefore, a condition could be added to any planning permission granted for a drainage scheme to be submitted for approval, to ensure the details are suitable.

Trees

9.17 There are trees on / adjacent to the application site. The council's tree officer has been consulted on the application for professional advice on this matter. No objections have been raised about the trees; however, protective measures would be required during the course of construction, including protective fencing around the trees. This could be added as a condition to any planning permission granted. An informative could be used to advise on any ground works around the trees.

Ecology

9.18 An ecological appraisal carried out by a suitably qualified ecologist has been provided with the application and GMEU have been consulted on the application for professional advice. There was no conclusive evidence of protected species on or around the site. In the ecological appraisal mitigation measures are proposed to protect biodiversity, which GMEU agree with and advice should be conditioned to be implemented. Works should be conditioned to take place outside the bird breeding season, in order to protect nesting birds. The protection of trees is discussed in section 9.17 above. Biodiversity enhancements are recommended to be provided through a condition. GMEU are satisfied that the application can be forwarded for determination and that any permission if granted is supported by the recommended conditions. An informative could be added to any planning permission granted so that the applicant is aware that if any protected species were to be discovered during the works, that the works cease immediately and ecology professional be contacted for advice. On this basis, it is considered that the proposal would not result in unacceptable harm to biodiversity.

Other Matters

9.19 Pollution control has requested a condition be added to any planning permission granted relating to contamination. This would be appropriate, so as to protect the environment and human health.

9.20 The site falls in Flood Zone 1, which is the lowest flood risk area. Therefore, a Flood Risk Assessment and Sequential/Exception tests are not required.

10.0 CONCLUSION

10.1 A Certificate of Lawfulness was granted at Chat Hill Farm under App. No: 07/00203/CPE for the siting of a residential caravan on the land. The current situation is that there is a larger residential caravan on the land than that authorised, plus an unauthorised derelict static caravan. Notwithstanding that the size of caravan sited on the land is unauthorised; it would be unacceptable in principle to replace a caravan with a permanent dwelling. It is considered that this residential caravan falls within the definition of a caravan and is not a permanent dwelling (i.e. a building) and therefore does not comply with the criteria for replacement under H7 of the Local Plan and is unacceptable in principle. The proposal does not meet any other of the exceptions under Policy SP13 of the Adopted Local Plan for development in the countryside, therefore, would form unjustified development in the countryside. Additionally, by reason of its location away from a settlement, services and public transport, the proposal would form an isolated dwelling in the countryside, which would be unsustainable and contrary to the requirements of the NPPF.

10.2 It is considered that the replacement of the authorised caravan (not the caravan currently in place, which is larger than that authorised) with a dwelling, would result in significant encroachment on the openness of the countryside, by reason of the dwelling's scale and siting over that of the caravan. There would also be further encroachment by the provision of a domestic curtilage to the dwelling, where presently there is none. Overall, it is considered that there would be an unacceptable impact on the visual appearance of this area of countryside due to the encroachment on the openness of the countryside from this proposal. This would be contrary to the NPPF, which aims to protect the character and beauty of the countryside.

10.3 There is an existing building adjacent to the site that is stated to be used for engine tuning. Environmental protection have been consulted on the application and advise that as the proposal would be closer to the engine tuning business than the existing caravan, there could be the potential for unacceptable noise to the proposal and a noise assessment is required. A noise assessment has not been provided with the application; therefore it cannot be assessed as to whether or not there would be unacceptable harm from this adjacent use on the amenity of the occupants of the proposed dwelling. This would be contrary to the amenity requirements of NPPF and Policy SP14 of the Adopted Wyre Local Plan.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Refuse planning permission

Recommendation: Refuse

1. The proposal would result in the formation of a new dwelling in the countryside. This would form unjustified built development in the countryside that is not supported as an exception for development in the countryside, including that it would not be for a replacement dwelling as the existing development (use) on site falls within the definition of a caravan and does not constitute a building (dwelling). This would reduce the openness of the countryside and could lead to a dispersed settlement pattern that would be detrimental to the open character of the countryside. This would be contrary to NPPF and Policies SP13 and SP14 of the Adopted Local Plan, which aim to protect the character of the countryside.
2. By reason of the location of the application site and the distance from local settlements, services and public transport, the proposal would form an isolated dwelling in the countryside that would be reliant on the car for its occupants to access shops and services. This increased need to travel by a car would not be outweighed by any social, economic or environmental benefits; therefore the proposal would be unsustainable and contrary to the NPPF.
3. By reason of the proposal's scale, siting and provision of a domestic curtilage, there would be a reduction in the open character of the countryside which would be visually detrimental to the appearance of this area of countryside. This would be contrary to the NPPF and Policies SP13 and SP14 of the Adopted Local Plan.
4. The proposal by reason of its proximity to an existing engine tuning business requires assessment as to whether or not there would be unacceptable harm to the amenity of the occupants of the proposed dwelling from the existing use. A noise assessment has not been submitted with the application; therefore, there is insufficient information to determine the acceptableness of the proposal in terms of amenity. This would be contrary to NPPF and Policy SP14 of the Adopted Local Plan.