

Item 1 **09/00873/FUL** **Permit Full Planning Permission**

Case Officer **Caron Taylor**

Ward **Eccleston And Mawdesley**

Proposal **Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL)**

Location **Orcheton House Farm Wood Lane Heskin Lancashire PR7 5PA**

Applicant **Mr Richard Prideaux GPS (Northwest) Ltd**

This application was deferred at the last Development Control Committee. Additional representations have been received since this time and have been added to this report.

Proposal The application is for a replacement agricultural workers dwelling and re-use and relocation of the former dwelling as fishing training centre (re-submission of planning application 09/00678/FUL).

Summary The replacement dwelling is considered acceptable in terms of Green Belt policy and PPS7 and is therefore considered appropriate development. The relocation of the existing dwelling for use as a classroom related to fishing training is considered appropriate development in terms of PPG2. It is well located to the existing buildings and two bays of an existing building on the site will be demolished to allow it to be relocated.

Policies Planning Policy Guidance 2: Green Belts
Planning Policy Statement 7: Sustainable Development in Rural Areas
DC1: Development in the Green Belt

Planning History **Ref:** 00/00188/FUL
Decision: PERFPP
Decision Date: 24 May 2000
Description: Extension to fish farm, to incorporate 4 new stock pools and addition of 2 new stock pools within existing site,

Ref: 02/00914/FUL
Decision: REFFPP, APPEAL ALLOWED
Decision Date: 28 May 2003
Description: Erection of permanent dwelling.

Ref: 94/00780/AGR
Decision: WDN
Decision Date: 8 January 1996
Description: Application for Agricultural Determination in respect of Broiler House

Ref: 94/00907/FUL
Decision: PERFPP
Decision Date: 15 March 1995

Description: Erection of 2 Broiler Houses with associated feed
hoppers

Ref: 96/00383/CTY

Decision: REFLCC

Decision Date: 10 July 1996

Description: Retrospective application for planning permission to
retain unauthorised landfill on site

Ref: 97/00726/CTY

Decision: PERLCC

Decision Date: 26 November 1997

Description: Regrading of existing landfill, the planting of a new
hedgerow and trees, and the removal of surplus material from the
site

Ref: 98/00167/COU

Decision: PERFPP

Decision Date: 5 August 1998

Description: Change of use of land to coarse fishery and shed to
fisherman's facilities

Ref: 98/00169/FUL

Decision: REFFPP

Decision Date: 5 August 1998

Description: Conversion of part of agricultural building to a
dwelling for a temporary period of 5 years

Ref: 99/00224/FUL

Decision: PRRRTF

Decision Date: 3 November 1999

Description: Siting of mobile home, in association with approved
fish farm, for a temporary period of 3 years

Ref: 05/00746/AGR

Decision: PAAGR

Decision Date: 12 August 2005

Description: Application for agricultural determination in respect
of the erection of a replacement barn,

Ref: 06/01339/AGR

Decision: WDN

Decision Date: 8 January 2007

Description: Erection of replacement barn,

Ref: 07/00021/AGR

Decision: REAGR

Decision Date: 5 February 2007

Description: Erection of replacement barn,

Ref: 07/00969/AGR

Decision: REAGR

Decision Date: 12 September 2007

Description: Application for agricultural determination in respect
of the erection of a replacement barn,

Ref: 07/00969/PAR

Decision: PERPAR

Decision Date: 19 November 2007

Description: Application for agricultural prior approval in respect of the erection of a replacement barn,

Ref: 09/00678/FUL

Decision: WDN

Decision Date: 19 October 2009

Description: Replacement agricultural workers dwelling, re-use and relocation of former dwelling as fishing training centre

Consultations

Lancashire County Council Highways

Have no objection to the proposal

Coal Authority

Standing Advice

County Land Agent

See main body of report

Eccleston Parish Council

Have no formal objection to the application but would like the following to be considered:

- The suitability of the access, including the actual access road;
- The environmental impact of a business of this nature on neighbours and the village in general;
- The appropriateness of the development within the Green Belt.

Representations

A letter of no objection has been received from a resident of Wood Lane. Another letter has been received from a resident on Wahlley Road who feels the building will sit well on the site and is in keeping with the surrounding area. The re-siting of the existing cabin will be an asset not only to the fish farm/fishery as an added amenity, but also to fishing clubs and as an educational facility.

Royal Scot Angling Club in Coppull state they have been established for over 20 years and their members are fully behind the plans for a learning facility for youngsters. They believe that such a centre that could be used by clubs such as theirs would be a valuable asset in the area. It would provide somewhere youngsters can safely learn the skills of angling and also gain knowledge about fish management and environmental issues.

Coppull Anglers have also written in support. There is nowhere at present for anyone who wants to learn to go to be taught properly.

Three letters of objection have been received from residents on Wood Lane and Whalley Road and Langton Brow. They object on the following grounds:

- Impact on the Green Belt and that it is not necessary to have a presence on site 24 hours a day, it will set a precedent;
- The site plan is incorrect and includes land owned by others, therefore the correct notice has not been served;
- The applicant does not show an access to the site;
- The condition applied to the original permission states the dwelling shall be limited to a person solely or mainly

working in the fish rearing enterprise, which the applicant is not. There is no fish harm there and therefore the existing dwelling is being unlawfully occupied. Fish farms need to be registered with CEFAS (Centre for Environment, Fisheries and Aquaculture Science) and the applicant is not registered.

A letter has been received from Lindsay Hoyle MP who has written on behalf of a constituent who feels the application should not be approved, this is on the grounds that when the existing dwelling on the site was allowed at appeal, the inspector justified it on the requirements of the fish farm. However, the residents believe there is no significant fish farm in operation on the scale the Inspector believed necessary to justify supporting the appeal.

Applicants Case

The owner of Orcheton House Farm has been looking to diversify the operation. The fish farm/fishery has received a number of enquiries about the training of young people in fishing skills and has directly assisted in the on-site training programme of Wigan Council. Operationally, fishing training is already taking place on site, however a classroom facility is now needed for indoor tuition. Classes would consist of approximately 10 pupils and 5 supervisors and take place generally on weekdays between the hours of 9am and 5pm. Letters of support have been enclosed from Wigan Council Children & Young People's Services/Wigan Warriors. As the letter from Wigan Council explains, Government Policy in the form of 'Every Child Matters' and 'Playing for Success' initiatives requires new study support centres and skills initiatives to be created to help under-achievers in schools. A fishing Academy has already been established at the CHAMPS centre in Wigan and training has already been undertaken at Orcheton House Farm Fish Farm/Fishery. Wigan Council is now keen to permanently establish this initiative at the fishery which will be the only 'Fishing Playing for Success Satellite Centre' in the country.

Assessment

Principle of the development

There are two aspects to the proposal; the replacement of the existing agricultural workers dwellings; and the re-use and relocation of the former dwelling as a fishing training centre. Each will be covered in turn.

In relation to the replacement agricultural workers dwelling, the existing dwelling is a single storey timber chalet style building. It was permitted to be on the site on a permanent basis on appeal following refusal by the Council and is subject to an occupancy condition. A mobile home had been sited on site prior to the timber building. Agricultural workers dwellings are appropriate development in the Green Belt and therefore are not contrary to PPG2 or policy DC1.

Annex A to PPS7 provides guidance on planning application for agricultural workers dwellings. Whilst the County Land Agent acknowledges that the enterprise is not strictly agricultural the principle of a dwelling on the site has been established by the planning appeal decision. What is now for consideration is its replacement with a larger dwelling of permanent materials.

The County Land agent states that the present dwelling is reaching the end of its useful life and it is clear that a replacement

dwelling is required. In line with Paragraph 9 of Annex A to PPS7 agricultural workers dwellings should be commensurate with the established functional requirement and it is the requirements of the enterprise and not those of the owner that are relevant in determining the size of a dwelling appropriate to the holding. The previously withdrawn application (09/00678/FUL) proposed a dwelling with a floor area of 165m² which the County Land Agent considered too large and inappropriate for the holding. The current application now proposes a dwelling with a more modest floor area of 120m², on the same site as the existing dwelling, which following a meeting with the County Land Agent is considered acceptable. The proposed dwelling will be over two-storeys as opposed to the existing single storey timber dwelling on the site. However, there is a significant land level difference on the site which the design will exploit and the ridge height of the proposed dwelling is therefore approximately only 1m higher than the existing and will not have an unacceptable impact on the openness of the Green Belt.

In terms of materials the dwelling will be constructed of brick with a slate roof and will have a timber porch and a balcony overlooking the lake. The materials are considered acceptable subject to a condition requiring samples to be submitted. The replacement dwelling is therefore considered acceptable in terms of PPS7 subject to an occupancy condition also being imposed on it.

The other aspect of the proposals is to relocate the existing timber dwelling for use as a fishing training centre for the training of fishing skills. The applicant has looked at ways of providing the necessary facilities (including an indoor classroom).

In terms of planning policy conversion of one or part of the existing buildings to provide a classroom would be preferable if possible. The applicant advises that he has investigated converting one of his existing farm buildings and the most obvious place to locate this facility would be in the end section of the existing timber barn close to the main fishing lake. However, the cost of upgrading and converting such an old building to meet modern standards has proved prohibitive. However, with the proposed replacement of the existing single storey timber dwelling the opportunity arises to relocate this building to a suitable location nearby location and use it for training purposes with little need for modification, the only costs being the relocation of the building, minor roof repairs and connections to the mains services. However, two rear bays of the barn will be demolished when the former dwelling is relocated.

In terms of policy PPG2 and policy DC1 of the Local Plan state that essential facilities for outdoor sport and recreation are appropriate development in the Green Belt. The relocated building will be used as a classroom (6 x 6.5m) with an integral kitchen, bathroom/toilet and the two former small bedrooms will be used for the storage of equipment. The size of the former dwelling is not considered excessive for the requirements. In terms of openness of the Green Belt the floor area of the relocated dwelling would be 30m² less than the two rear bays of the barn that are proposed to be demolished. In addition the siting of the former dwelling is considered to relate well to the other buildings on the site, positioned between the buildings and the lake behind the proposed new dwelling. The proposal is therefore considered

acceptable in line with PPG2, policy DC1 and PPS7. Conditions will be applied controlling its use and that it shall not be used as a dwelling.

Neighbour Amenity

The nearest property to the proposals is High Heyes Farm to the north which is over 80m away from the proposed replacement dwelling and relocated building. The proposals will not therefore have an unacceptable impact on the amenities of this property.

Highways and Parking

There has been no objection from Lancashire County Council Highways and there is considered to be sufficient existing parking at the site for the proposals. It is not considered that the increase in traffic will have a detrimental impact on highway safety or the amenity of neighbouring properties.

Other

A commuted sum contribution towards public open space is not required as the proposed dwelling replaces an existing one on the site.

An issue has been raised by interest parties that the blue edge shown on the location plan accompanying the application may not be correct. The blue edge of the application has been queried with the agent and an amended plan received. The serving of certificates relates to land that is included within the red edge of the application, and the agent confirms his client does own the all the land included in the red edge of the application.

The case officer has confirmed directly with CEFAS (Centre for Environment, Fisheries and Aquaculture Science) that the site is registered with them and they have confirmed it is. The Environment Agency have also been contacted who keep details of fish movements and they have given details of movements they have consented to.

In terms of the access to the site, there is no legal requirement to include this within the application site, although it is reasonable for the Council to be aware of how the site will be accessed. In this case it is proposed to access the site from Langton Brow. The issue of ownership or rights of access across this land are a private rather than a planning matter.

Recommendation: Permit Full Planning Permission Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

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

2. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working, at Orcheton House Farm and engaged in the fish rearing enterprise, or a widow or widower of such a person, and to any resident dependents.

Reason: To ensure that the dwelling is kept available to meet the needs of Orcheton House Farm, as the site is within an area where residential development are not normally permitted and in accordance with PPS7 and PPG2.

3. Once the existing dwelling is removed from its existing position the residential use of it shall cease and it shall be repositioned as shown on Drawing No. 09W058/001 Rev D stamp dated 2nd November 2009, following demolition of 2 bays of the agricultural type building. Thereafter the building shall only be used for the purposes of a fishing training centre as detailed in the Design and Access Statement accompanying the application. Otherwise it shall be removed from the site.

Reason: To prevent a proliferation of building in the Green Belt for which there is not an on-going need and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and DC8A of the Adopted Chorley Borough Local Plan Review.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A to E), or any Order revoking or re-enacting that Order, with or without modification, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: The dwelling is associated with Orcheton House Farm and the Local Planning Authority wish to control the size of the dwelling in the future, in line with Planning Policy Statement 7 to protect the appearance of the locality and openness of the Green Belt and in accordance with PPG2 and policy DC1 of the Adopted Chorley Borough Local Plan Review.
