

Item B. 2 **06/01355/FUL** **Permit (Subject to Legal Agreement)**

Case Officer **Caron Taylor**

Ward **Lostock**

Proposal **Erection of new detached dwelling**

Location **Royal Umpire Caravan Park Southport Road Ulnes Walton
Leyland PR26 9JB**

Applicant **Harrison Leisure UK Ltd**

Proposal: The application is for the erection of a dwelling for staff to replace the current wardens flat and staff caravans.

Background: This application is a resubmission of an application submitted last year (06/00857/FUL). Although officers recommended this application for approval, Members will recall it was refused at Development Control Committee in September 2006.

Planning History: The history of the site relevant to the application is as follows:

Ref: 97/00467/FUL Decision: Permit retrospective planning permission

Description: Renewal of planning permission 9/94/449 for the retention of a residential park home for assistant manager,

Ref: 97/00468/FUL Decision: Permit retrospective planning permission

Description: Renewal of planning permission 9/94/448 for the retention of a residential park home for occupation by site operative,

Ref: 04/00164/FUL Decision: Refused

Description: Permanent retention of two residential park homes for occupation by employees of the caravan park,

Ref: 06/00192/CLEUD Decision: Granted

Description: Certificate of Lawfulness for the residential use of accommodation on the 1st floor and part of the ground floor of the shop and amenities building for purposes ancillary to the caravan park

Ref: 06/00857/FUL Decision: Refused

Description: Erection of dwelling for staff (to replace wardens flat and staff caravans)

Planning Policy: PPG2: Green Belts
PPS7: Sustainable Development in Rural Areas
DC1: Development in the Green Belt
LT4: Caravan and Camping Sites
Windfall Housing Supplementary Planning Guidance

Consultations: Lancashire County Council Archaeology

Do not consider any archaeological response necessary.

Ulmes Walton Parish Council

Having consulted the Members of the Parish Council on the above application it has been agreed that the comments submitted in relation to the previous application still stand although it would appear that concerns over the positioning have been addressed.

For clarification, the previous comments of the Parish Council were: The building would be less obtrusive in the Green Belt if it were to be sited adjacent to the existing shop/office building at the entrance to the park [the current application now proposes the bungalow in this position]. In an appropriately unobtrusive site the Parish Council supports the application noting that the accommodation will, as proposed, be a replacement for the existing residential flat. The Parish Council also take into consideration the significance of the site in the local economy and the importance of effective 24-hour management cover not least to minimise the risk of late night noise nuisance from the site.

With these factors in mind the Parish Council accept the need for family accommodation to be available to attract appropriate personnel but feel this is more likely to be achieved by providing a three, rather than two, bedroomed dwelling.

Representations: None received

Applicants Case: Royal Umpire Caravan Park employs the equivalent of 7 full time staff, including 3 wardens, plus casuals within the Borough. On a busy weekend there can be between 600 and 900 people on site at Royal Umpire and the business clearly makes a very significant contribution to visitor spend in Chorley and neighbouring Borough/District Council areas.

The physical nature of the application is essentially the same as that put forward for approval in previous application although the proposed wardens dwelling has been moved to a position nearer to the site entrance. As originally proposed, an integral office has been designed into the structure and this remains on the elevation on the property facing the entrance/exit to the Park. Member comments from the previous application concerning the positioning of the proposed dwelling have been taken into account.

There has been a series of consents for staff accommodation approved on the site going back to 1998. The principle of a unit for warden/management accommodation on this site is therefore long established. The need for a reasonable level of staff accommodation remains essential to the business. The caravan park will not be able to operate without some form of 24-hour residential presence to meet the needs of visitors coming to the park whilst also bringing other associated benefits including adequate security and attendance on site at all times to deal with emergencies and health and safety matters.

The size and type of quality operation on this site, together with the fact that visitor accommodation is available throughout the year means that a residential presence is required all year round to properly manage the site around the clock. There is an essential need for an on-site presence to deal with the varied problems a

large site such as this experiences and these can – and do- occur an any hour, night or day, and often at particularly unsociable times.

It would be extremely problematic to bring staff in who live off the site, especially as emergencies mean that such delays would be unacceptable. It is of vital importance to the future of the business, therefore, to provide a reasonable standard of warden accommodation to enable to business to recruit and retain the right type of staff and thus operate safely, effectively and successfully and to a standard demanded by the modern day UK park user.

The functional need for staff to be on site to service the business was established as long ago as 1998. Since then the expectations of visitors have increased with ever-greater demands in terms of the level of service now regarded as being the norm. A business the size and quality of the Royal Umpire is clearly able to meet the financial test to justify a dwelling to run the enterprise.

Although a modest first floor flat was granted a Certificate of Lawfulness in 2006 this is not in any way suitable in terms of attracting and retaining staff of the right calibre with a warden/management role – nor is it well positioned to deal with the demands of the business. Ordinarily, such staff are not single people and a family home is needed - the existing flat is clearly not large enough to accommodate such a need. It is fairly cramped even for a single person and also has little privacy/amenity given its position in a first floor location with an entrance to the rear of the main reception block.

The proposal does not seek to increase the amount of residential accommodation but just wishes to provide an enhanced but modest living unit able to accommodate the type of staff member needed on the site. The applicants are willing to forfeit the use of the existing lawful residential flat on the site.

This application therefore seeks to provide improved staff accommodation with a key overview of arrivals and departures with greater accessibility for the public. The applicant is willing to enter into whatever agreement is necessary to ensure that the existing flat and two staff caravans are not utilised to provide residential accommodation in the future.

The application site has been chosen as it overviews the main approaches to the site, is well screened with mature hedging will be seen in the context of other buildings. The dwelling has been designed to be of a modest scale to minimise any impact it may have on the character of the area.

Assessment:

Green Belt

Policy DC1 of the adopted Chorley Borough Local Plan Review reflects Government guidance in PPG2: Green Belts. It states that planning permission will not be granted except in very special circumstances for development other than agriculture, forestry, essential facilities for outdoor sport and recreation and other uses of land that preserve the openness of the Green Belt and do not conflict with its purposes including, limited extension, alteration or replacement of existing dwellings in accordance with the relevant other policies within the Local Plan.

The proposals do not conform to the exceptions above and is

therefore inappropriate development in the Green Belt and planning permission should only be granted in very special circumstances.

It is accepted that there is a need for a 24-hour presence at the site for security and in case of emergency. This was also recognised in the officer's report for the application in 2004 that sought the retention of two static caravans for staff. This application was refused on the grounds there was already a flat in the reception building and this could provide the 24-hour cover required without the need for an additional two permanent static caravans. It was therefore concluded that the applicants had not shown very special circumstances to justify permitting it.

However, since the above application was refused, a certificate of lawfulness has been granted establishing the lawfulness of the wardens flat in the reception building. The two existing staff caravans will be removed from the site as part of this application. In addition, the applicants are willing to forfeit the flat in the reception building therefore resulting in only one dwelling on the site. The only way of ensuring that the existing lawful flat on the site is forfeited is through a legal agreement under section 106 of the Planning Act, which the applicant is happy to enter into.

PPS7: Sustainable Development in Rural Areas

Government guidance PPS7 states that isolated new houses in the countryside require special justification for planning permission to be granted. Annex A of this guidance covers agricultural, forestry but also other occupational dwellings. It states that there may be in instances where special justification exists for new isolated dwellings associated with rural-based enterprises when accommodation is required to enable full-time workers to live at, or in the immediate vicinity of, their place of work due to the nature and demands of the work. It states the test that such proposals should meet:

- There is a clearly establish existing functional need – it is essential for the proper functioning of the site for a worker to be available at most times;
- The need relates to a full-time worker;
- The activity has been established for at least three years, have been profitable for at least one of them, is financially sound and has a clear prospect of remaining so;
- The need could not be fulfilled by another existing dwelling on the site or accommodation in the area;
- Other planning requirements in relation to access, or impact on the countryside, are satisfied.

It also states that proposed dwellings should be of a size commensurate with the requirements.

Assessing the proposals in terms of the above criteria, it considered that the proposals meet these tests. It has been accepted by previous permissions that there is a need for a 24-hour presence on site; the operation has been established much longer than the three-year requirement; a full-time warden needs to actually on the site, rather than live in a dwelling in the vicinity.

In addition, the dwelling proposed is of a modest size and the enterprise it serves is acceptable in a rural area.

Neighbour Amenity

The proposals will not have a detrimental impact on neighbour amenity as the nearest buildings belong to Auldene Nurseries, not being in residential use.

Siting, Design and Appearance

The proposed dwelling is not considered excessive, being a simple bungalow with two bedrooms, kitchen, sitting room and office. The dwelling is being sited opposite the existing reception building.

Windfall SPG

Since the last application was submitted for a dwelling the Windfall Supplementary Planning Guidance has ceased to be in use, so this issue is no longer a matter for consideration.

As stated in the planning history, an application for the permanent retention of two residential park homes for occupation by employees of the caravan park was refused in 2004. However, since then an application a certificate of lawfulness has been granted for the existing flat on the site. This is therefore a material consideration in determining the application. The applicants are happy to enter into a legal agreement to ensure that the existing lawful flat is no longer lived in and staff caravans at the site are removed if planning permission was granted for the proposed bungalow.

Conclusion:

Although generally new dwellings are inappropriate development in the Green Belt, it is considered in this instance that the applicants have justified that there is a need for a 24-hour presence on site in terms of PPG2. In addition, the proposals meet the tests in PPS7 for occupational dwellings that serve rural-based enterprises. Therefore, the application is recommended for approval subject to a s106 agreement and conditions.

Recommendation: Awaiting Section 106 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 91 of the Town and Country Planning Act 1990.

2. 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 DC81 of the Adopted Chorley Borough Local Plan Review.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to G), or any Order amending or revoking and re-enacting that Order, 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: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

4. Before development commences, in accordance with the recommendation in PPS23 the applicant shall undertake a desktop study to identify any potential sources of land contamination associated with this development site, unless agreed otherwise in writing with the Local Planning Authority. A copy of this report shall be approved in writing by the Local Planning Authority.

Reason: In accordance with policy EP16 of the adopted Chorley Borough Local Plan Review.

5. Upon occupation or substantial completion of the dwelling hereby permitted (whichever is sooner) the existing static caravans sited on the land within the red edge of the application site shall be removed from the land.

Reason: To avoid the proliferation of buildings in the Green Belt for which there is not a continuing need and in accordance with Policy Nos. DC1 of the Adopted Chorley Borough Local Plan Review.

6. Occupation of the dwelling hereby permitted shall be limited to a person wholly of mainly employed at the Royal Umpire Caravan Park and his/her spouse and dependents.

Reason: To define the permission as the dwelling is sited in the Green Belt where policies of development restraint operate.
