

## **Agenda Item 3h**

### **APPLICATION REPORT – 16/01150/LBC**

**Validation Date: 19 December 2016**

**Ward: Lostock**

**Type of Application: Listed Building Consent**

**Proposal: Listed Building Consent for the reconstruction & lifting of existing boundary walls.**

**Location: Croston Park Nursing Home Town Road Croston Leyland PR26 9RA**

**Case Officer: Mr Ian Heywood**

**Applicant: Mr Chris Mitchell**

**Agent: Mr L Vincent**

**Consultation expiry: 23 March 2017**

**Decision due by: 7 May 2017**

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#### **RECOMMENDATION**

Grant Listed Building Consent

#### **SITE DESCRIPTION**

1. Croston Park Nursing Home is the former Vicarage to the grade II\* listed Church of St Michael and All Angels, which is located immediately to the west of the site, which was converted to a nursing home in the last quarter of the 20<sup>th</sup> Century. It is a grade II listed building dating from the late 17<sup>th</sup>/early 18<sup>th</sup> Century that has been extended and altered on at least two occasions.
2. It is set within the Croston Conservation Area, the Article 4 Direction area contained therein and the Green Belt. It is also within Flood Zones 2 and 3.
3. There is a small drainage ditch and an 18<sup>th</sup> Century Ha Ha, listed at grade II in its own right, to the southern boundary of the site. Approximately 50 metres further to the south is the River Yarrow. Within the site, towards the south eastern corner is a grade II listed sundial.
4. The site developed in the 18<sup>th</sup> Century, a period when the Church of England built expansive vicarages in a grand neo-classical style set within expansive, often landscaped, grounds.
5. In the late 1960s/early 1970s the building had suffered from neglect and disrepair and was far too large for the needs of the Church. The decision was taken by the Church of England to sell the property as the costs of repair would have been prohibitive. The site was sold in the 1980s and permission was granted for conversion to a rest home later in that decade.
6. Subsequently, in the early 1990s a substantial extension was added to the north side of the building. More recently permission was granted for a further extension to the west elevation of the previous extension and this is now substantially complete.

7. On Boxing Day 2015 the village of Croston suffered from devastating flooding and Croston Park Nursing Home found itself under nearly 600mm of water on the ground floor. Fortunately the damage to the building was only minor and has since been sensitively and appropriately repaired.
8. In 2016 the Environment Agency Flood Alleviation Scheme was brought into use, which provides for an area of flood water pressure relief in an upstream area of open countryside in the adjacent Parish of Eccleston. This allows for excess volumes of water to be diverted from the River Yarrow into a flood water holding area until river levels sufficiently subside to allow it to be released back into the water course.
9. The net result of this is that the Environment Agency are in a position to consider reducing the area of Croston from Flood Zones 2 and 3 to a much lower flood risk category, to an 'Area Benefitting from Defences' or ABD to use their terminology.

#### **DESCRIPTION OF PROPOSED DEVELOPMENT**

10. The proposal seeks listed building consent to increase the height of a brick wall and piers to the western edge of the site. This includes the rebuilding of the wall using the original materials plus new ones to match and the reuse of the original coping stones.
11. A concurrent application for planning permission for the aforementioned works plus the construction of a bund around the southern and eastern perimeter of the site is also under consideration.
12. The aim of the applications is to increase the flood resilience of the site and to prevent, so far as is possible, the catastrophic effects of Boxing Day 2015 being repeated.

#### **CONSTRAINTS**

Article 4 Direction  
 Conservation Area  
 Floodzone 2  
 Floodzone 3  
 Grade 2 Listed Building  
 Tree Preservation Orders  
 Green Belt

#### **RELEVANT HISTORY OF THE SITE**

- Ref:** 87/00564/FUL **Decision:** PERFP **Decision Date:** 20 October 1987  
**Description:** Change of use to rest home
- Ref:** 87/00565/FUL **Decision:** PERFP **Decision Date:** 20 October 1987  
**Description:** Change of use to rest home
- Ref:** 87/00396/COU **Decision:** WDN **Decision Date:** 21 July 1987  
**Description:** Change of use from rectory to rest home and alterations to provide services fire precautions and emergency means of escape
- Ref:** 88/00987/FUL **Decision:** PERFP **Decision Date:** 21 February 1989  
**Description:** Alterations including fire escape to use second floor as rest home bedspaces
- Ref:** 88/01029/LBC **Decision:** PERFP **Decision Date:** 21 February 1989  
**Description:** Alterations to provide additional bedrooms
- Ref:** 89/00410/LBC **Decision:** PERFP **Decision Date:** 2 August 1989  
**Description:** Listed building consent for two additional windows on west elevation
- Ref:** 91/00778/OUT **Decision:** REFOPP **Decision Date:** 18 February 1992

**Description:** Outline application for two-storey extension to form nursing care wing

**Ref:** 91/00779/LBC **Decision:** REFFPP **Decision Date:** 18 February 1992

**Description:** Listed building application for two-storey extension to form nursing care wing

**Ref:** 92/00421/FUL **Decision:** REFFPP **Decision Date:** 4 August 1992

**Description:** Single storey extension to provide nursing care wing

**Ref:** 92/00422/LBC **Decision:** REFFPP **Decision Date:** 4 August 1992

**Description:** Single storey extension to provide nursing care wing

**Ref:** 95/00241/LBC **Decision:** PERLBC **Decision Date:** 24 May 1995

**Description:** Listed Building Application for the partial demolition, reconstruction and realignment of wall to facilitate provision of new vehicular access and improved visibility splays from 74 Town Road,

**Ref:** 13/00907/FUL **Decision:** PERFP **Decision Date:** 15 January 2014

**Description:** 2 storey extension to provide 18 no. bedrooms to Croston Park Nursing Home

**Ref:** 13/00908/LBC **Decision:** PERLBC **Decision Date:** 15 January 2014

**Description:** 2 storey extension to provide 18 no. bedrooms to Croston Park Nursing Home

**Ref:** 16/00028/MNMA **Decision:** PEMNMZ **Decision Date:** 17 February 2016

**Description:** Non-material amendment to permission granted under 13/00907/FUL (2 storey extension to provide 18 no. bedrooms to Croston Park Nursing Home ) to provide additional parking.

**Ref:** 16/00059/DIS **Decision:** PEDISZ **Decision Date:** 24 March 2016

**Description:** Discharge of conditions: 4 (Sample facing and roofing materials); 5 (Rainwater Goods); 6 (External Joinery); 9 (Flood Risk Assessment Mitigation Measures); 10 (Scheme for Foul Sewers and Surface Water Drains); 11 (External Lighting) attached to permission granted under 13/00907/FUL re 2 storey extension to care home

**Ref:** 16/01149/FUL **Decision:** PCO **Decision Date:**

**Description:** Flood protection measures including soil bunds, brick piers at site entrance and reconstruction & lifting of existing boundary walls

## REPRESENTATIONS

13. One commentator (comments recorded twice) has concerns for the use of brick within the wall that it is proposed to increase the height of and suggests that given the proximity to the church building this should be constructed in stone instead.

## CONSULTATIONS

14. Croston Parish Council – no comments have been received.

15. Lancashire County Council Archaeology Service – comments that they have concerns for the impact of the bund upon the appearance of the listed Ha Ha. Whilst they have no in-principle objection they wish the design of the bund to maintain the appearance of the Ha Ha as part of the historic designed landscape. They requested that the slope of the bund when viewed from the house is made less steep.

16. Lead Local Flood Authority – comments that they have concerns regarding the current construction method and materials used for the bund. They state that in its present form it presents a flood risk as at times of heavy rainfall it may be washed into the culverted section of watercourse and create a blockage thus causing water levels to rise in the open watercourse upstream. They suggest that the bund should be improved using appropriate techniques to increase its strength, for example, compaction or geo-textile and help reduce seepage. The bund should also be re-seeded as quickly as possible to establish vegetation.

17. Overall the Lead Local Flood Authority has **no objection** to the proposed development subject to the inclusion of conditions for which suitable wording is provided.
18. Environment Agency – has **no objection** in principle to the proposed development. The development lies within Flood Zone 3 which is defined as the high risk flood zone in the national Planning Practice Guidance. Taking into consideration the nature of the development we consider it to be a minor development. Also due to the completion of the new flood alleviation scheme upstream we consider that the development is low risk. The Environment Agency therefore does not have any concerns about this retrospective application. As we have now completed our upstream flood alleviation scheme, this area in Croston is now an Area Benefiting from Defences (ABD) and is protected from main river flooding for the 1 in 100 year flood. As such, this type of activity is excluded from the Environmental Permitting Regulations and does not require a permit from us. We have met the applicant on site and provided additional advice about compacting the floodbank and getting it vegetated as soon as possible.

## PLANNING CONSIDERATIONS

Impact upon the appearance of a listed building/significance of a designated heritage asset:

19. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the '*Special considerations affecting planning functions*'.

Section 66 states:

*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

*Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*

Section 72 states:

*In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The provisions referred to in subsection(1) are the planning acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953*

20. The alterations to the existing wall, which is currently constructed of local brick topped with natural stone copings, are considered to perpetuate the existing design. This is a low status wall currently and the use of matching materials in the vertical extension thereto is considered to be entirely appropriate. To substitute these for a higher status material such as stone would artificially and erroneously raise the status of this wall and bring it into competition with the church building. The current proposal is therefore considered to preserve the appearance and setting of the adjacent listed buildings and to therefore be in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

21. Section 12 of the Framework, Adopted Central Lancashire Core Strategy (2012) policy 16 and Adopted Chorley Local Plan 2012 – 2026, policy BNE8 all seek to conserve heritage assets and to sustain or enhance the significance of these designated heritage assets.

22. In this case the design, scale and location of the proposed development are considered to be both sympathetic and appropriate and to therefore sustain the significance of the designated heritage assets. These will remain the dominant feature of the site and this dominance is considered to be undiminished by the development proposals. It is therefore considered to be in conformity with the aforementioned local and national policies. A suitably worded condition will secure the design of the inside slope to the bund (i.e. that which faces the nursing home).

## **CONCLUSION**

23.The development is considered to be acceptable and to be in conformity with the relevant policies stated above. This application is therefore recommended for approval, subject to conditions.

**RELEVANT POLICIES:** The Planning (Listed Building and Conservation Areas) Act 1990 states that the Local Planning Authority has a primary duty in relation to listed buildings to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy 16 of the Central Lancashire Core Strategy, 'Heritage Assets' and Policy BNE8, 'Protection and Enhancement of Heritage Assets' of the Adopted Chorley Local Plan 2012 - 2026 seek to protect and enhance the Borough's heritage. Also of relevance is the Framework (National Planning Policy Framework), section 12.

### Suggested 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 development hereby permitted shall be carried out in accordance with the approved plans below:

*Reason: For the avoidance of doubt and in the interests of proper planning*

Title	Plan Ref	Received On
Site Location Plan	1462-001	19 December 2016
Proposed Site Plan	1462-205	19 December 2016
Proposed Flood Defence Details	1462-230	19 December 2016

3. All external facing materials of the development hereby permitted shall match in colour, form and texture those on the existing building, unless alternatives are submitted to an agreed in writing by the Local Planning Authority.

*Reason: In the interests of the visual amenity of the area in general and the existing building in particular.*

4. Prior to the commencement of development hereby permitted the applicant shall have supplied and received approval in writing from the local planning authority the details by which the slope to the bund facing Croston Park Nursing Home is to be graded.

*Reason: To safeguard the appearance of the listed Ha Ha and to secure the significance of this designated heritage asset.*