

<b>No.2</b>	<b>APPLICATION NO.</b>	2018/0923/FUL
	<b>LOCATION</b>	Douglas Dale, 23 Bradshaw Lane, Parbold, Wigan, Lancashire WN8 7NQ
	<b>PROPOSAL</b>	Demolition of an existing dwelling and adjacent coach house and construction of a single replacement dwelling.
	<b>APPLICANT</b>	Mr Andrew Clarke
	<b>WARD</b>	Parbold
	<b>PARISH</b>	Parbold
	<b>TARGET DATE</b>	16th November 2018

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## **1.0** **REFERRAL**

- 1.1 This application was to be determined under the Council's delegation scheme; however, Councillor Mrs Blake has requested it be referred to Planning Committee to consider the possible negative impact on Green Belt and the loss of residential amenity on neighbouring properties.

## **2.0** **SUMMARY**

- 2.1 This is an application for the demolition and replacement of the existing dwelling house. As part of the proposal, the existing outbuilding (known as the coach house) would also be demolished. I am satisfied that the proposed development is not inappropriate development in the Green Belt and compliant with the NPPF and Policy GN1 of the Local Plan. Furthermore I am satisfied that the loss of the existing dwelling and associated outbuilding and the design of the proposed replacement dwelling is acceptable and compliant with Policy GN3 of the Local Plan. The proposal is also considered to be compliant with Policy GN3 of the Local Plan in that no significant issues have been identified with regards to the impact of the proposal on neighbouring amenity. The proposal has been assessed in relation to its impact on matters such as drainage, ecology, landscaping and highways/parking and, subject to conditions, the proposal has been found compliant with national and local policy. For these reasons, the proposal is considered to be acceptable and is recommended for approval.

## **3.0** **RECOMMENDATION:** **That planning permission is GRANTED subject to conditions.**

## **4.0** **THE SITE**

- 4.1 Douglas Dale is located to the south-west of Bradshaw Lane and is accessed via a long informal track that leads off from Bradshaw Lane. The site comprises a large detached dwelling set in substantial mature gardens. There is a detached two storey brick outbuilding immediately to the rear of the main house. The River Douglas is located approximately 80m to the south of the property. The site is located within the Green Belt.

## **5.0** **THE PROPOSAL**

- 5.1 Planning permission is sought for the replacement of the dwelling of Douglas Dale with a 4 bedroom dwelling. As part of the proposal the existing coach house would also be demolished.
- 5.2 Amended plans have been received since the first submission of this application to remove the single storey elements from the proposal, lower the ridge height and reposition the dwelling 1.5m closer to the western boundary of the site.

## **6.0 PREVIOUS RELEVANT DECISIONS**

- 6.1 2015/0909/FUL - Removal of existing conservatory and erection of single storey entrance porch with canopy to one side of house. Two storey extension to other side. Two storey extension to rear of house.  
REFUSED
- 6.2 2013/1142/FUL - Removal of existing conservatory and erection of a part two storey/part single storey side extension with entrance canopy. Single storey extension to other side. Re-siting of entrance porch. Two storey rear extension. (Amendment to planning permission 2013/0869/FUL).  
GRANTED
- 6.3 2013/0869/FUL - Extensions and alterations to include: - Removal of existing conservatory and erection of a part two storey/part single storey side extension with entrance canopy. Single storey extension to other side. Re-siting of entrance porch. Two-storey rear extension.  
GRANTED
- 6.4 2000/0194 - Retention of 4 no. polytunnels and erection of 2m high perimeter wind break.  
GRANTED

## **7.0 OBSERVATIONS OF CONSULTEES**

- 7.1 UNITED UTILITIES (27.09.2018) No objection; foul and surface water should be drained on separate systems and conditions suggested.
- 7.2 Parbold Parish Council (17.10.2018) The Parish Council does not object to the re-development at the site but has some concerns that this large, urban style design is out of keeping in this very rural area, off the end of Bradshaw Lane. There is an immediate disparity with other properties in the vicinity and the surrounding fields. Additionally, there is concern about the likelihood of further future development as there is no provision for a garage.
- 7.3 LANCASHIRE COUNTY COUNCIL (HIGHWAYS) – Awaiting comments.

## **8.0 OTHER REPRESENTATIONS**

- 8.1 5 neighbouring letters of objection have been received from 2 neighbours. These can be summarised as follows:

Statutory consultees have not had all necessary information to make a conclusive decision;

The occupants of Douglas Dale have a right of access down the access track; however ownership and upkeep likes with Parbold Equestrian Centre (PEC). Further, it is only used for accessing land for horses and pasture management – not by visitors as they use a separate access locating before the start of the track;

PEC do not wish for the track to be upgraded; such works could lead to an increase in accidents or incidents where the horses are spooked;

Use of track by construction vehicles, tradesmen would create a dangerous situation for horses;

The proposal is more ambitious than the previously refused scheme (2015/0909/FUL); the reasons for refusal remain applicable;

It is inappropriate development in the Green Belt and the design of the proposal would be out of keeping with this part of the Douglas Valley;

The proposal would leave no outbuilding for storage purposes; despite the intentions of the applicant I am concerned that there will be further development to provide such facilities;

The construction works could put PEC out of business;

LCC Highways has said that they will re-investigate given the proposed use of the narrow access; it is difficult to see how heavy plant and vehicles will use the track;

Bradshaw lane is a small lane which ends at the boundary between 19A and 21 Bradshaw Lane. From this point down Douglas Dale is a private track owned and maintained by Parbold Equestrian Centre (PEC);

The track allows access for the horses to be turned out for grazing on a daily basis and for lessons and riding in the fields;

The track is used to move horses every day;

The proximity of the outdoor riding school to the proposed development is a matter of metres. Public classes are held in this arena every day;

Noise from the site works and site access can spook horses and result in accidents;

Parbold Equestrian Centre (PEC) has over 250+ members and a number of bodies who use the facilities on a weekly basis;

If the proposal was approved PEC would experience an initial loss in revenue of about £70,000 plus as courses cannot be booked in during the construction phase for the protection and safety of the customer and horses;

The house is of historical interest and should be renovated rather than demolished and rebuilt, keeping features such as the staircase from Fairhurst hall as being of historical importance;

Mature trees on the common boundary should be retained;

The submitted site plan is an old plan and does not reflect the proximity of the riding school outdoor arena to the boundary of the proposed site;

The current owners of Douglas Dale purchased the property in 2017 with about 3.7 acres of additional and which is not shown on the site plan.

## **9.0 SUPPORTING INFORMATION**

9.1 Design and Access Statement (Peter Dickinson Architects)

9.2 Bat Survey (Envirotech)

9.3 Supporting information in response to some of the issues raised by third parties. This can be summarised as follows:

The agent does not believe that the comments made have the backing of planning policy or relate to concerns raised by statutory consultees;

Care is made by all parties using the shared track. The applicant has offered to pay for improvements to the access track to benefit all parties;

The site has previously benefited from planning permission for extensive extensions and alterations, as suggested as a more appropriate form of development by the neighbour. The agent responds to this as follows:

Replacement dwellings should always be viewed more favourably than extensions as they are subject to higher building regulations standards, including thermal performance and sustainability;

The proposal contributes to the improvement of the housing stock within the borough;

The site is outside of the Conservation Area and is not mentioned as a dwelling of any particular significance or historic merit. The staircase the neighbour makes reference to is to be retained and reused as stated on the proposed plans;

Any extension and alterations would require a similar level of plant machinery, deliveries and trades working from the site as would be required for the proposed replacement dwelling. A level of disruption would be associated with any form of development; The applicant is willing to accept a Construction Management Plan should the LPA consider this necessary;

The site shall be sufficiently screened by the existing trees and by additional site boarding throughout the entire build. The applicant intends to make every precaution to ensure safe and unimpeded use of the neighbouring equestrian centre;

The land surrounding the application site which is owned by the applicant is Green Belt land and the applicant has no intention of seeking any form of development on this land.

## **10.0 RELEVANT PLANNING POLICY**

10.1 The site is located within the Green Belt as designated in the West Lancashire Local Plan.

### **10.2 National Planning Policy Framework (2018)**

Para 12 - Achieving well designed places

Para 13 – Protecting the Green Belt

### **10.3 West Lancashire Local Plan (2012-2027) DPD**

Policy SP1 – A sustainable development framework for West Lancashire

Policy GN1 – Settlement Boundaries

Policy GN3 – Criteria for Sustainable Development

Policy RS1 – Residential development

Policy IF2 – Enhancing Sustainable Transport Choices

Policy EN2 – Preserving and Enhancing West Lancashire’s Natural Environment

10.4 **Supplementary Planning Document** Design Guide (Jan 2008)

10.5 **Supplementary Planning Document** Development in the Green Belt

## **11.0 OBSERVATION OF DIRECTOR OF DEVELOPMENT AND REGENERATION**

11.1 The main considerations for the determination of this application are:

Principle of Development

Design / appearance

Impact upon neighbouring properties

Impact upon trees

Highways

Ecology

### Principal of Development

11.2 The site is located within the Green Belt, therefore the proposal must be considered in the context of the NPPF and Policy GN1 of the Local Plan. Paragraph 133 of the NPPF sets out the government’s view that great importance is attached to Green Belts. It states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

11.3 Paragraph 145 of the NPPF states “a local planning authority should regard the construction of new buildings as inappropriate in Green Belt”. Exceptions to this include “*the replacement of a building, provided the new building is in the same use and is not materially larger than the one it replaces*”.

- 11.4 The Council's SPD Development in Green Belt also sets out criteria for replacement dwellings such as:
- a) The existing dwelling is lawful and permanent in nature;*
  - b) The total volume of the replacement dwelling should not be more than 20% greater than the dwelling that it replaces;*
  - c) The replacement dwelling should not materially harm the openness of the Green Belt through excessive scale or bulk. It should also be in keeping with the character of the area and appropriate in terms of design and materials;*
  - d) The curtilage of the replacement dwelling should be no larger than that established for the dwelling it replaces;*
  - e) The replacement dwelling should be on or close to the footprint of the one it replaces, unless it can be satisfactorily demonstrated that an alternative location within the same curtilage will have no adverse impact on openness or achieve significant environmental improvements or road safety benefits.*
- 11.5 In terms of the proposed development the existing dwelling on the site is lawful and is of substantial construction. The replacement dwelling would, in the main, be sited on the footprint of the dwelling it is to replace. Furthermore the proposal would not result in an increase in the established curtilage of the dwelling. I am therefore satisfied that criteria a), d) and e) are satisfied.
- 11.6 The applicant has submitted volume calculations which identify that the proposed replacement dwelling would amount to a volume increase over 20% above the existing building. The applicant notes that this is larger than the SPD recommends however it is proposed that along with the demolition of the existing house, an existing coach house to the rear of the dwelling would also be demolished. This is a permanent and substantial building and, in accordance with the Council's SPD – Development in the Green Belt should be given weight if it is to be demolished in tandem with the existing dwelling. The combined loss of the existing house and coach house results in the proposed dwelling having an increased volume of 20%. Whilst typically the whole of the volume of the outbuilding should not be used in these volume calculations, in this case the proposal would reduce the spread of development on site (the outbuilding being similar in length to the existing dwelling) and as such would have a benefit to the openness of the Green Belt.
- 11.7 Taking the above into account I am satisfied that the replacement building when taken into consideration with the demolition of the coach house would not result in a materially larger dwelling than the one it is to replace. Consequently I am satisfied that the proposal accords with criteria b) and c) of the Council's SPD.
- 11.8 Overall I am satisfied that the proposal would be in the same use as the existing building and would not be materially larger than the building it replaces. Therefore the proposal is considered to be appropriate development in the Green Belt compliant with paragraph 145 of the NPPF, Policy GN1 of the Local Plan and the Council's SPD – Development in the Green Belt.
- 11.9 Given that the proposal, in volume terms, is at the upper limits of that acceptable for the replacement dwelling in the Green Belt, it is considered appropriate to remove permitted development rights for development works which could be undertaken under Parts 1 and

- 11.10 On the subject of Green Belt development, one of the objections received commented on the previous application to extend the existing dwelling and how this was refused on the grounds of the impact on the Green Belt. For clarity, planning policies (both national and local) relating to extensions to dwellings in the Green Belt and replacement dwellings in the Green Belt differ and, in any event, each case is based on its own merits.

Visual appearance / design / amenity

- 11.11 Policy GN3 of the West Lancashire Local Plan DPD (2012-2027) states that new development should add to the distinctive character and visual amenity of the area. Proposals should consider the scale of new development and ensure that the height and massing is appropriate in relation to the neighbouring properties and the surrounding environment, and that the importance of spaces between buildings is recognised.
- 11.12 The existing dwelling is not listed nor is it located within the Conservation Area and as such I do not object to its removal.
- 11.13 The design of the proposed dwelling is uncharacteristic of the local area. However there are a variety of house types and designs along Bradshaw Lane with various architectural styles. As the proposed dwelling on the application site would be set well back from Bradshaw Lane and is a significant distance from its nearest neighbours, the design is not considered to be so harmful to warrant a refusal of planning permission.
- 11.14 The dwelling would be moved off the existing footprint slightly in an attempt to re-centre the dwelling within its plot. Again I do not object to this repositioning. The existing driveway is to be retained which is welcomed as the front elevation of the building will be addressed from this aspect.
- 11.15 The dwelling would incorporate sustainable energy sources such as solar panels on the roof and a ground source heat pump and underfloor heating, all of which are acceptable and in accordance with Policy GN3 of the Local Plan.
- 11.16 I am satisfied that satisfactory amenity space would remain for the occupants of the replacement dwelling having gardens space to both front and rear aspects.

Impact upon adjoining land uses

- 11.17 Policy GN3 of the Local Plan states that developments should 'retain reasonable levels of privacy, amenity and sufficient garden / outdoor space for occupiers of the neighbouring and proposed properties.'
- 11.18 Owing to the large plot and the significant separation distance from neighbouring dwellings it is not anticipated that the proposed dwelling would result in any harm to the amenities or privacy of neighbouring dwellings.
- 11.19 The site lies adjacent to the Parbold Equestrian Centre (PEC) with land to the north and west being owned and used by this facility. I am satisfied that the proposed development, in terms of its built form and siting would not have an adverse impact on the use of this neighbouring land for its existing purposes. This is especially so given that the proposal is a replacement dwelling, the use of the site is not changing and the proposal would be built largely over the existing footprint.

- 11.20 Notwithstanding the above, neighbouring representations have been received from PEC which raise concern with construction noise and traffic which could impact upon their business; namely that the disruption would scare the horses and result in safety issues for clients, staff and the horses themselves. The neighbour has pointed out that the access track to Douglas Dale is owned by them but the applicant has a right of way over it. I have been informed that this track is frequently used to move horses around the site and the disruption caused by the construction of the proposed dwelling may result in the neighbour having to reduce or cease their business operations during construction resulting in a significant financial loss. Whilst I appreciate these concerns and am sympathetic that construction work at the site may result in a period of disturbance for this neighbouring land use, unfortunately this does not constitute a material planning consideration significant enough to warrant a refusal of permission as the construction of the proposal would be a temporary activity. Furthermore the applicant would be able to carry out building works at the site, for example under permitted development rights, which would not require a formal planning permission and could result in similar disturbance. In any event significant noise and disturbance or working at unsociable hours would be governed by other departments in the Council, such as Environmental Health should these issues materialise.
- 11.21 Overall whilst I am sympathetic to the concerns raised by PEC I cannot restrict development on these grounds. On balance I am satisfied that the proposal would accord with Policy GN3 in this regard.

#### Impact upon Trees

- 11.22 Within the site there are no trees protected by a Tree Preservation Order (TPO). There are however a number of trees within the site and on its boundaries which make up an aesthetically pleasing setting and in the case of the trees on the north western boundary with the Parbold Equestrian Centre make up partial screening of the building. As part of the proposal the trees on the site boundaries are to be retained. To accommodate the slight movement of the dwelling to the eastern aspect a number of small fruit trees to the rear of the dwelling will be removed. I am satisfied that the removal of these ornamental trees would not result in significant harm to the wider site. The proposal would also result in the relocation of a large Monkey tree which is considered acceptable as the species is non-native. I am satisfied that the proposal accords with Policy EN2 and would not have a detrimental impact on trees with significant amenity value.

#### Highways / parking

- 11.23 The proposal would utilise the existing access / driveway which is considered acceptable. The replacement dwelling would be a 4 bedroom dwelling and as such in accordance with Policy IF2 of the Local Plan, 3 on-site parking spaces should be provided. The applicant has demonstrated that this provision can easily be accommodated within the site. Furthermore the existing drive layout means that there is ample room within the site to allow vehicles to turn to enable them exit in a forward gear.

#### Protected species

- 11.24 Policy EN2 in the WLLP confirms that the need to take account of any potential impact on priority species or their habitat and to pay particular attention to the Habitat Regulations. This follows the advice provided at national level. It is a requirement of both local and national policy that appropriate surveys are submitted to address any impact or potential impact.

11.25 As the proposed works involve the demolition of the existing coach house and dwelling and noting the rural location of the buildings an ecology survey has been submitted with the application. This survey has outlined that the risk to bats in the buildings will remain low and I have no evidence with which to contradict the findings of this report. Precautionary mitigation measures have been suggested and these measures can be conditioned as part of any approval of permission. On this basis and subject to the attachment of a suitable condition I am satisfied that the applicant has demonstrated that no harm would result to protected species and the proposal would be in accordance with Policy EN2 of the Local Plan.

### Drainage

11.26 The supporting statement outlines that the existing property treats both surface and foul water on site, with no connection to separated or combined sewers. Foul water is treated via a septic tank, while surface water disperses across the site into land drains and the River Douglas. Whilst this is acceptable in principle, no specific details have been submitted regards to these methods. As such a condition is recommended to secure details regards foul and surface water drainage.

### Conclusion

11.27 The proposed development is considered to be appropriate development in the Green Belt and is therefore acceptable in principle. The scale, design and siting is considered acceptable, given the location of the site and no significant issues with respect to trees, ecology, drainage or highway impact have been identified. The proposed development, is not considered to result in the loss of reasonable levels of amenity for the neighbouring land users. It is acknowledged that the adjacent equestrian centre is concerned over the impact of the construction period on the operation of the business but this is not considered to be a valid reason to refuse the planning application.

11.28 For the reasons outlined above, I am satisfied that the proposal accords with the NPPF and relevant policies of the Local Plan.

### 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 hereby approved shall be carried out in accordance with details shown on the following plans:-  
Plan reference  
3651-18-09A received by the Local Planning Authority on 30.11.2018  
3651-18-08D received by the Local Planning Authority on 30.11.2018  
3651-18-06J received by the Local Planning Authority on 16.11.2018
3. No development above slab level shall take place until full details and samples of external elevations and roof materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Orders or statutory provision re-enacting the provisions of these Orders no garages, extensions, alterations, porches, garden sheds, out buildings, greenhouses, swimming pools, hardstandings or means of enclosure shall be erected or undertaken without the express written permission of the Local Planning Authority.
5. The recommendations made within The Bat Survey (Envirotech) received by the local planning authority on 17th September 2018 shall be adhered to at all times during the construction phase and for the duration of the development hereby approved.



6. Prior to the occupation of the replacement dwelling hereby approved, the coach house as detailed on plan reference 3651-18-08D (proposed site plan) received by the Local Planning Authority on 27.11.2018 shall be demolished and fully removed from the site and the land returned to grass.
7. No development shall take place until a scheme for the separate foul and surface water drainage of the site, including any necessary attenuation measures, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the building/s and maintained as such at all times for the duration of the development.

### **Reasons**

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure compliance with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
3. To ensure that the external appearance of the building(s) is satisfactory and that the development therefore complies with the provisions of Policy GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
4. The character and location of the property are such that the Local Planning Authority wish to exercise maximum control over future development in order to comply with the provisions of Policy GN1 and GN3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
5. To safeguard a protected species and so ensure that the development complies with the provisions of Policy EN2 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.
6. The retention of the outbuildings on this site in addition to the replacement dwelling would result in conflict with the Local Planning Authority's policy for the control of development in the Green Belt and would conflict with the provisions of Policy GN1 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document and the National Planning Policy Framework through failure to protect the openness of the Green Belt.
7. To ensure that the site is properly drained in the interest of local amenity and that the development, therefore, complies with the provisions of Policies GN3 & IF3 in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document.

### **Reason for Approval**

1. The Local Planning Authority has considered the proposed development in the context of the Development Plan including, in particular, the following Policy/Policies in the adopted West Lancashire Local Plan 2012-2027 Development Plan Document:  
Policy SP1 - A sustainable development framework for West Lancashire  
Policy GN1 - Settlement Boundaries  
Policy GN3 - Criteria for Sustainable Development  
Policy RS1 - Residential development  
Policy IF2 - Enhancing Sustainable Transport Choices  
Policy EN2 - Preserving and Enhancing West Lancashire's Natural Environment  
together with Supplementary Planning Guidance and all relevant material considerations. The Local Planning Authority considers that the proposal complies with the relevant Policy criteria and is acceptable in the context of all relevant material considerations as set out in the Officer's Report. This report can be viewed or a copy provided on request to the Local Planning Authority.