

M L Planning Ltd  
5 Bobbin Mill Cottages  
Stubbins Lane  
Claughton On Brock  
Preston  
PR3 0PL

**Case Officer:** Mr Rob Clewes  
**Telephone No:** 01253 887545  
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**Date:** 9 September 2020

**The Town and Country Planning (General Permitted Development)(England) Order  
2015 – Schedule 2 – Part 3**

**Application Number:** 20/00647/COUQ

**Proposal:** Prior approval for proposed change of use of agricultural building to a dwellinghouse under Class Q of the GDPO

**Location:** Hales Hall Farm, Drybread Lane, Out Rawcliffe, Preston, Lancashire

I refer to your application for prior notification, received on 15 July 2020, in which you request the Council's decision as to whether prior approval is required for the above development.

I hereby determine that prior approval is required and has been **APPROVED** for above the development but would, however, draw your attention with the need to comply with the above Order and the following conditions:

1. (A)

Transport/highway impact - Vehicular access to the highway is established and the scheme would not generate a significant level of traffic. As such, prior approval is not required on this ground.

Noise impacts - The proposal would not generate a significant level of noise and so prior approval is not required on this ground.

Contamination risks - The previous use of the site may give rise to land contamination and so prior approval is required on this ground.

Flood risk - The site falls within flood zone 1 and so prior approval is not required on this ground.

Siting - The Councils EHO responsible for amenity requested noise and odour assessments due to the resulting dwelling being close to a working farm. As such prior approval is required on this ground.

Design and external appearance - The existing barn has no significant architectural or historical integrity. The existing building is simple in design and appearance and the proposed external alterations are seen to enhance the visual appearance of the building. As such prior approval is not required on this ground.

Natural light - Each habitable room will benefit from adequate levels of natural light as so prior approval is not required.

(B)

Contamination risks - The submitted desk study outlines a series of additional investigative measures. These can be secured by an appropriately worded condition and so prior approval on this matter is granted subject to the inclusion of a condition.

Siting - The immediately adjacent buildings are to be removed. The remaining building to the north can be conditioned to be used for agricultural storage only. As such it is considered that there is no requirement for the submission of the requested surveys and therefore prior approval is approved.

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 15.07.2020 including the following plans/documents:

Site Location Plan (received 17.07.2020)

Existing and Proposed Plans and Elevations - LF/JN/3507 (Received 17.07.2020)

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

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

3. No development above ground level shall be commenced until details of the materials to be used in the construction of the roof and windows have first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the approved materials.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy CDMP3 of the Wyre Local Plan (2011-31).

4. Prior to the commencement of development a detailed site investigation shall be carried out in accordance with a written methodology, which shall first have been submitted to and approved 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 in writing by, the Local Planning Authority and the approved scheme implemented prior to the development of the site and a validation report submitted in writing for approval, confirming full implementation of the agreed remediation scheme. Any changes to the approved scheme must be approved in writing by the Local Planning Authority prior to any works being undertaken.

Reason: The development is for a sensitive end use and insufficient information has been submitted with the application as to the potential contamination risks of the site. The potential for contamination must therefore be addressed in order to safeguard the development in accordance with Policy CDMP1 of the Wyre Local Plan (2011-31).

5. The development shall proceed in full accordance with the recommendations set out at section 9 of the Ecological Appraisal at Hales Hall Farm prepared by Envirotech on July 2020 and referenced 2196 (Report version 2).

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and paragraph 175 of the National Planning Policy Framework.

6. No works shall take place during the optimum period for bird nesting (March to August inclusive) unless a report, undertaken by a suitably qualified person immediately prior to any works, has been submitted to and approved in writing by the Local Planning Authority, demonstrating that nesting / breeding birds have been shown to be absent.

Reason: To protect and prevent unnecessary disturbance of nesting birds in accordance with the provisions of the Wildlife and Countryside Act 1981 and section 15 of the National Planning Policy Framework .

7. The adjoining buildings and the building located to the north, of the application site within the blue edge on the Site Location Plan, identified as to be demolished on the Proposed Plan ref: LF/JN/3507, shall be demolished and the land made good prior to the first occupation of the dwelling, hereby approved.

Reason: The use of the buildings for agricultural purposes is considered to be a source of potential odour and noise nuisance that could have an impact on residential amenity that would be unacceptable to anyone unconnected to the application site. As such this condition is considered to ensure an appropriate level of residential amenity for future occupants in accordance with the provisions of Policy CDMP3 of the adopted Wyre Local Plan (2011-2031) and the provisions of paragraph 17 of the NPPF.

8. The retained buildings located to the north of the application site within the blue edge as shown on the Proposed Plan ref: LF/JN/3507 shall be used for agricultural storage purposes only and not for the housing of livestock.

Reason: The use of the buildings for the housing of livestock is considered to be a source of potential odour and noise nuisance that could have an impact on residential amenity that would be unacceptable to anyone unconnected to the application site. As such this condition is considered to ensure an appropriate level of residential amenity for future occupants in accordance with the provisions of Policy CDMP3 of the adopted Wyre Local Plan (2011-2031) and the provisions of paragraph 17 of the NPPF.

Signed:



**David Thow**  
**Head of Planning Services**  
**Date :8 September 2020**

