

## Planning Committee

16 August 2018

**Reference:**  
**APP/17/01086**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mr K Spilsbury**

**Ward:**  
**Clatterbridge**

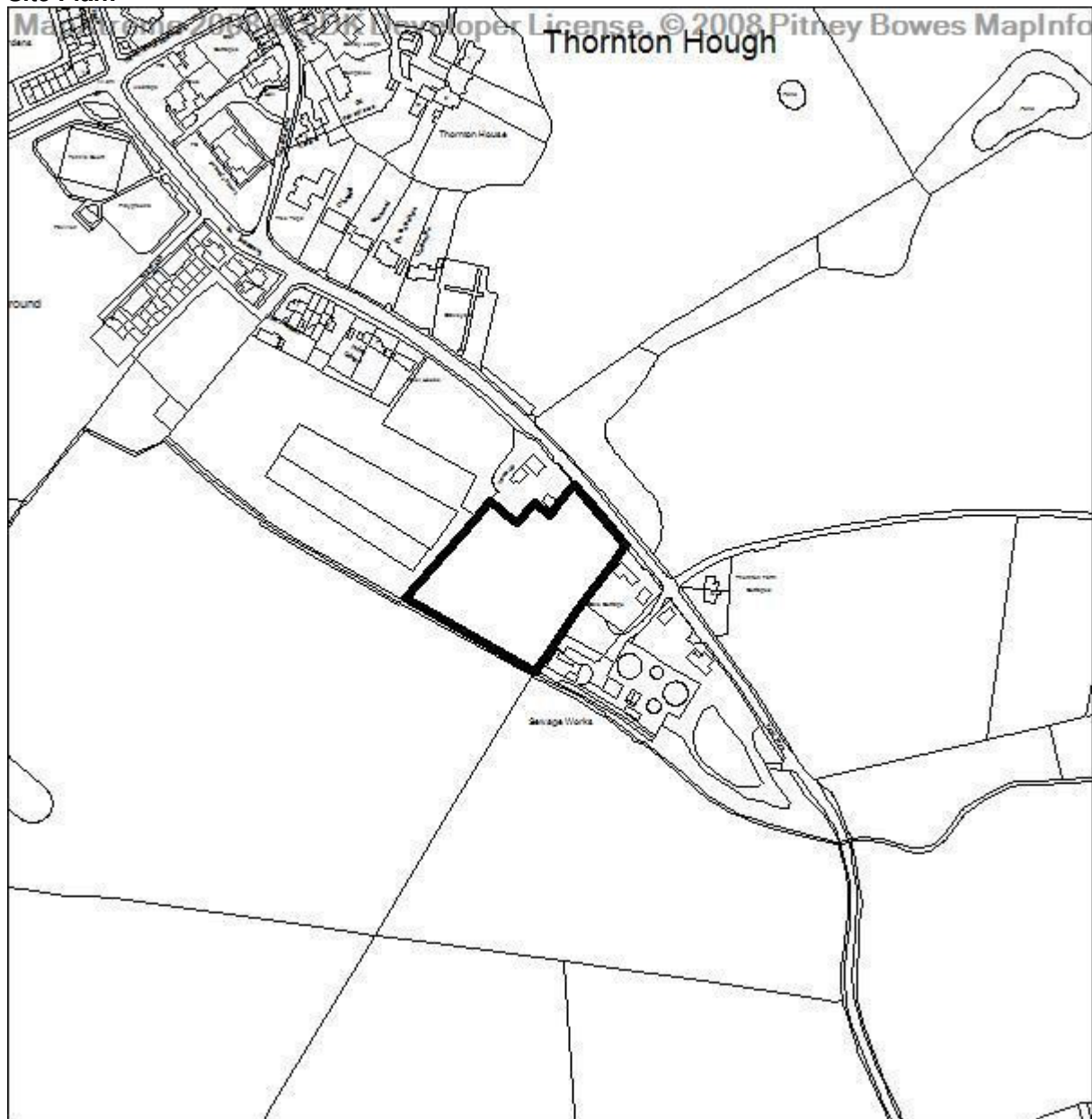
**Location:** Woodville, RABY ROAD, RABY, CH63 4JR

**Proposal:** Demolition of existing kennels and indoor riding school and erection of 8 detached residential properties, with associated landscaping and infrastructure

**Applicant:** Mr & Mrs Ollerhead

**Agent :** Peacock and Smith

### Site Plan:



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### Development Plan designation:

Green Belt

## Planning History:

Location: Woodville, RABY ROAD, THORNTON HOUGH, CH63 4JR  
Application Type: Full Planning Permission  
Proposal: Change of use of indoor riding school to business (B1) - resubmission of approved 2006/6807. (description amended to match the appeal decision 1073530)  
Application No: APP/10/01452  
Decision Date: 09/03/2011  
Decision Type: Approve

Location: Woodville Riding School, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Change of use of office and stable to shop selling tack, dog and cat food, medicines and associated products.  
Application No: APP/96/05322  
Decision Date: 19/04/1996  
Decision Type: Approve

Location: Woodville Kennels and Riding School, Raby Road, Thornton Hough, Wirral, CH63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of a two storey side extension, single storey swimming pool extension to rear following demolition of cottage and change of use of cattery to residential garden area.  
Application No: APP/02/05021  
Decision Date: 14/03/2002  
Decision Type: Approve

Location: Woodville Riding School, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of barn.  
Application No: APP/86/06357  
Decision Date: 02/10/1986  
Decision Type: Approve

Location: Woodville Riding School, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of 20 dog kennels for boarding and breeding.  
Application No: APP/87/06055  
Decision Date: 03/09/1987  
Decision Type: Approve

Location: Woodville, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of twenty cat chalets.  
Application No: APP/88/06678  
Decision Date: 20/10/1988  
Decision Type: Approve

Location: Woodville Boarding Kennels, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of an acoustic fence.  
Application No: APP/90/07324  
Decision Date: 14/12/1990  
Decision Type: Approve

Location: Woodville, Riding School, Raby Road, Thornton Hough, Wirral, CH63 4JR,  
Application Type: Full Planning Permission

Proposal: Extension of planning permission (APP/2001/5751/D)  
Application No: APP/06/06807  
Decision Date: 13/11/2006  
Decision Type: Approve

Location: Woodville, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of a barn (alternative to approved siting).  
Application No: APP/87/06695  
Decision Date: 12/11/1987  
Decision Type: Approve

Location: Woodville, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of a single storey building for the boarding and breeding of dogs.  
Application No: APP/87/06859  
Decision Date: 17/12/1987  
Decision Type: Returned invalid

Location: Land east of (adjacent) Woodville Riding School, Raby Road, Thornton Hough. L63  
Application Type: Outline Planning Permission  
Proposal: Erection of detached house.  
Application No: OUT/85/07138  
Decision Date: 28/01/1986  
Decision Type: Refuse

Location: Woodville, Boarding Kennels, Raby Road, Thornton Hough, Wirral L63 4JR  
Application Type: Outline Planning Permission  
Proposal: Erection of a two storey building, comprising offices, shop and bedrooms for a proposed dressage centre.  
Application No: OUT/97/06670  
Decision Date: 09/01/1998  
Decision Type: Refuse

Location: Woodville Riding School, Raby Road, Thornton Hough. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Change of use of office and one stable to retail of associated animal products.  
Application No: APP/94/05647  
Decision Date: 01/07/1994  
Decision Type: Refuse

Location: Woodville, Riding School, Raby Road, Thornton Hough, Wirral, CH63 4JR,  
Application Type: Full Planning Permission  
Proposal: Change of use to business (B1)  
Application No: APP/01/05751  
Decision Date: 20/06/2001  
Decision Type: Refuse

Location: Woodville, Raby Road, Raby. L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of 10 kennels and extension to store.  
Application No: APP/89/06352  
Decision Date: 05/09/1989  
Decision Type: Refuse

Location: 'Woodville' ,Raby Road ,Thornton Hough ,L63 4JR  
Application Type: Full Planning Permission

Proposal: Conversion of stables into living accommodation  
Application No: APP/77/08123  
Decision Date: 04/11/1977  
Decision Type: Conditional Approval

Location: Woodville, Raby Road, Raby Mere, L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of agricultural type building for use as indoor riding school and re-siting of existing buildings  
Application No: APP/78/11182  
Decision Date: 29/01/1979  
Decision Type: Conditional Approval

Location: Woodville, Raby Road, Raby, L63 4JR  
Application Type: Reserved Matters  
Proposal: Erection of agricultural building for use as a riding school  
Application No: DLS/79/12158  
Decision Date: 04/06/1979  
Decision Type: Conditional Approval

Location: Woodville Riding School, Raby Road, Thornton Hough, Wirral, L63 4JR  
Application Type: Full Planning Permission  
Proposal: Erection of a block of loose boxes.  
Application No: APP/84/25337  
Decision Date: 06/09/1984  
Decision Type: Conditional Approval

#### **Summary Of Representations and Consultations Received:**

##### REPRESENTATIONS:

Having regard to the Council's Guidance on Publicity for Planning Applications, 11 notifications were sent to adjoining properties and a site notice was displayed near the site. Two letters of objection and one letter of support have been received. The objections are summarised as follows:

1. This is Green Belt and as such the development should be rejected.
2. The site is too small for 8 houses, out of character and would set a precedent.
3. Increased traffic in the area
4. No very special circumstances have been presented

**The Wirral Society** - Sustainable Development can never be at the loss of open space that is or could be used for farming. We need food more than housing. This application shows a lack of respect for Green Belt land. The applicant has not demonstrated very special circumstances for this development.

**Thornton Hough Community Trust** - the application would impact on the openness of the Green Belt. There do not appear to be any very special circumstances in support of this application. The design of the dwellings and the numbers proposed are not appropriate for the location and the loss of an existing and established business from the area which serves a local need would be disappointing. The development is likely to set a precedent for other development opportunities along Raby Road which would impact on the area.

##### CONSULTATIONS:

**Highways** - No objection.

**Environmental Health** No Objection.

**Wirral Wildlife** - No Objection

##### **Director's Comments:**

This application is a departure from the unitary development plan and therefore under the current

scheme of delegation the application should be determined by the Planning Committee. Councillor Sykes has also requested that it be heard at Planning Committee due to concerns over Green Belt.

## **INTRODUCTION**

The proposal is for the demolition of existing kennels and indoor riding school and erection of 8 detached residential properties, with associated landscaping and infrastructure.

## **PRINCIPLE OF DEVELOPMENT & POLICY CONTEXT**

The site is located within the Green Belt. The main issues, therefore, are whether or not the development proposed would constitute inappropriate development in the Green Belt and the effect of the development on the character and appearance of the area.

Policy GB2 of the Wirral Unitary Development Plan states that new buildings or extensions to buildings in the Green Belt will be inappropriate development unless it falls within the specified categories, which include development for the purposes of:

- i. agriculture and forestry;
- ii. essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- iii. the limited extension, alteration or replacement of existing dwellings subject to Policy GB4 and Policy GB5;
- iv. the limited infilling in existing villages, subject to Policy GB6;
- v. the limited infilling or redevelopment of major existing developed sites identified under Proposal GB9.

The recently revised National Planning Policy Framework (issued 24 July 2018) states at paragraph 145 that local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate and then specifies exceptions, which includes at (g) of paragraph 145 "limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt than the existing development. There is clearly a degree of inconsistency between Policy GB2 and the National Planning Policy Framework however the Framework, having been recently reissued, should be considered as more up-to-date in respect of national policy on Green Belts. Nevertheless, the UDP Policy is generally consistent with the aim of protecting the openness of Green Belts and seeking to resist the encroachment of urban areas into the countryside.

The National Planning Policy Framework defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.

Having regards to housing land supply the Council's statutory monitoring report, at the time of writing shows that there is a 3.3 year supply with a 5% buffer or a 2.9 year supply with a 20% buffer based on the latest household projections produced by the Government. Absence of a 5 year housing land supply does not mean, however, that housing development should be permitted anywhere; it should be permitted only where it amounts to sustainable development taking account of other issues.

Whilst the development proposed would increase the amount of 2-storey development, the overall reduction in volume and footprint, coupled with the significant removal of the outdoor manege as well as the removal of the car park at the front of the site would mean that the effect of the development on the openness of the Green Belt would be no worse. This is supported by the submission of the revised plans which maintains the open frontage along Raby Road.

Although the new houses would extend a little further south than the existing indoor manege and other buildings on site at present, this would not lead to encroachment of the countryside as the site is well contained and the proposal would not extend beyond what is previously developed land. Therefore, the purposes of the Green Belt would not be interfered with.

In view of the above, it is concluded that the proposed development would not be inappropriate

development in the Green Belt. As such, it would not conflict with the Green Belt protection aims of Policy GB2 of the Unitary Development Plan and the National Planning Policy Framework.

### **APPEARANCE AND AMENITY ISSUES**

The applicant intends to demolish the existing structures on site and redevelop the site with 8 detached dwellings located in a horse shoe arrangement within the site. The site is within the Green Belt and currently comprises a kennels/cattery, indoor and outdoor riding school with associated car parking.

The proposed development would bring about a reduction in the footprint of building on the site from 1,486 square metres to a proposed building footprint of 990 square metres. This equates to a reduction of around 33%.

Although it is clear that there will be a significant reduction in floor space across the site, some of the existing buildings are single storey in nature, notably the kennels. The development proposed would result in an increase in floor space above ground floor level and the dwellings proposed would result in buildings higher than some buildings that currently exist on site. However, the new dwellings would not be unduly large or bulky and there would be a reduction in volume of buildings of around 19%, reducing the volume on site from 8,004 cubic metres to around 6,470 cubic metres.

The character of the area is largely defined by a loosely built architectural form with a number of dwellings located along Raby Road which has the character of a rural lane that is interspersed with dwellings and small open spaces. It has a semi-rural character with these open spaces contributing to the overall character of the area. The development proposed would replace relatively unattractive and utilitarian buildings with traditionally designed new houses that would sit well within the overall landscape. The dwellings are set back from Raby Road by some 20 metres and would sit behind the existing hedgerow (which is to be retained) and additional landscaping that is proposed in the form of an informal orchard. Although the development of this site with dwellings will appear more urban in character it is not considered that the scale and design of the dwellings proposed would be harmful and the retention of the open space between Woodville and Dale Cottage along Raby Road is considered to be an appropriate response to the street scene.

The dwellings have been sensitively designed using a palette of materials that would be appropriate to the rural setting of the development. The site is visually contained and not visible from the wider landscape in Raby Road. The land slopes away from Raby Road and would be sited behind the existing hedgerow and additional landscaping along the Raby Road frontage will help tie the development into the street scene and the wider landscape. Overall, it is considered that the proposed scheme will not detract from the character and appearance of the area.

The development proposed would remove a number of unattractive, large and bulky buildings and would remove the kennels/cattery from the site which has generated a number of complaints locally in the area. The service and enforcement of abatement notices can, in the case of trade premises, only secure the reduction for a statutory nuisance to that which the "Best Practicable Means" can achieve. This is a challenging standard for the business to achieve but a business which demonstrates that it has achieved this level of control measures may still be it at a reduced level.

The amount of hardstanding on the site will be significantly reduced and the overall footprint and volume of built development across the site will be reduced. The new dwellings would be laid out in a basic horseshoe cul-de-sac and have been sensitively designed to respect the semi-rural setting of the site. Consequently the proposed dwellings would respect and harmonise with the existing character and appearance of the area and ensures amongst other things that the scale and appearance of the new development is in keeping with the local context. The development is consistent with the National Planning Policy Framework that requires development to be of a high quality that also respects local distinctiveness.

### **SEPARATION DISTANCES**

The proposed development comfortably achieves normal separation distances through the design of the properties and the positioning of habitable and non-habitable windows, both in terms of the relationship of the new properties with one another within the site and also having regards to existing properties located to the north (Woodville) and east (Dale Cottage).

## **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal. The development has been assessed having regard to the potential for traffic generation as well as highway safety and it is considered that the proposed development will not result in any additional vehicles trips generated at the site over and above what the existing network can accommodate. The proposed development would not lead to problems of a highway safety nature.

## **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

There are no Environmental/Sustainability issues relating to these proposals.

## **HEALTH ISSUES**

There are no health implications relating to this application.

## **CONCLUSION**

The proposed development represents the redevelopment of previously developed land and would see the removal of large, bulky, utilitarian structures present on site that represents an overall reduction in both footprint and volume across the site. It is concluded that the proposed development would not be inappropriate development in the Green Belt. The proposed dwellings would respect and harmonise with the existing character and appearance of the area and ensures amongst other things that the scale and appearance of the new development is in keeping with the local context and respects local distinctiveness. The development will also contribute towards the Council's housing supply. As such, it would not conflict with the Green Belt protection aims of Policy GB2 of the Unitary Development Plan and the National Planning Policy Framework and represents sustainable development and that permission should be granted in accordance with the presumption in favour of sustainable development set out in the National Planning Policy Framework.

## **Summary of Decision:**

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposed development represents the redevelopment of previously developed land and would see the removal of large, bulky, utilitarian structures present on site that represents an overall reduction in both footprint and volume across the site. It is concluded that the proposed development would not be inappropriate development in the Green Belt. The proposed dwellings would respect and harmonise with the existing character and appearance of the area and ensures amongst other things that the scale and appearance of the new development is in keeping with the local context and respects local distinctiveness. The development will also contribute towards the Council's housing supply. As such, it would not conflict with the Green Belt protection aims of Policy GB2 of the Unitary Development Plan and the National Planning Policy Framework and represents sustainable development and that permission should be granted in accordance with the presumption in favour of sustainable development set out in the National Planning Policy Framework.

**Recommended                      Approve**  
**Decision:**

## **Recommended Conditions and Reasons:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 14th September 2017 and 3rd July 2018 and listed as follows: 16-157-110 Rev B (dated 03.07.18), 16-157-111 Rev B (dated 03.07.18), 16-157-115 (dated 02.17), 16-157-116 Rev A (dated 03.07.2018), 16-157-120

(01.17), 16-157-122 A (15.02.17) & 16-157-121 (01.17)

**Reason:** For the avoidance of doubt and to define the permission.

3. Before any construction commences, samples of the facing/roofing/window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then be used in the construction of the development.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy HS4 of the Wirral Unitary Development Plan.

4. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations should take place during the period 1st March to 31st August inclusive unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To protect birds during their breeding season and to comply with Policy NC7 in the Wirral Unitary Development Plan.

5. The area(s) so designated within the site shall be suitably landscaped in accordance with a scheme to be submitted to and approved by the Local Planning Authority before any works commence on site, the landscape work to be completed during the first available planting season following completion of the development hereby approved and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

The detailed landscaping plans shall include:

- (i) details of boundary treatments and hard surfaces
- (ii) the location, size and species of all trees to be planted
- (iii) the location, size, species and density of all shrub and ground cover planting
- (iv) a schedule of implementation

**Reason:** In the interests of visual amenity and to ensure that the development complies with Policy HS 4 of the Wirral Unitary Development Plan.

6. Construction of the development authorised by this permission shall not begin until the LPA has approved in writing a full scheme of works for the construction of the new vehicle accesses from the highway and amendments to the existing highway made necessary by this development, including new vehicle crossing accesses in accordance with LPA commercial crossing specifications. The approved works shall be completed in accordance with the LPA written approval and prior to occupation of the development.

**Reason:** In the interest of highway safety and to comply with UDP Policy HS4

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings or other extensions to a dwelling shall be erected unless expressly authorised.

**Reason:** In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

**Reason:** To safeguard the amenities of the adjoining occupiers & appearance of the area and to accord with Policy HS4 of the Wirral Unitary Development Plan.



9. Prior to commencement of development details of lighting that shall minimise the impacts on bats and their insect food shall be submitted to and agreed in writing with the local planning authority. The agreed plan shall be implemented in full within an agreed time frame and retained as such thereafter.

***Reason:*** In the interest of species protection having regards to policy NC7 of Wirral's Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By:** 16/10/2017  
**Expiry Date:** 09/11/2017

