

## Planning Committee

18 October 2018

**Reference:**  
**APP/18/00176**

**Area Team:**  
**North Team**

**Case Officer:**  
**Mr N Williams**

**Ward:**  
**Greasby Frankby and Irby**

**Location:**

Peel Hey, FRANKBY ROAD, FRANKBY, CH48 1PP

**Proposal:**

Erection of new function suite incorporating additional toilets, bar, cellar and circulation linking to existing kitchen (Amendment to Planning Permission APP/16/00001)

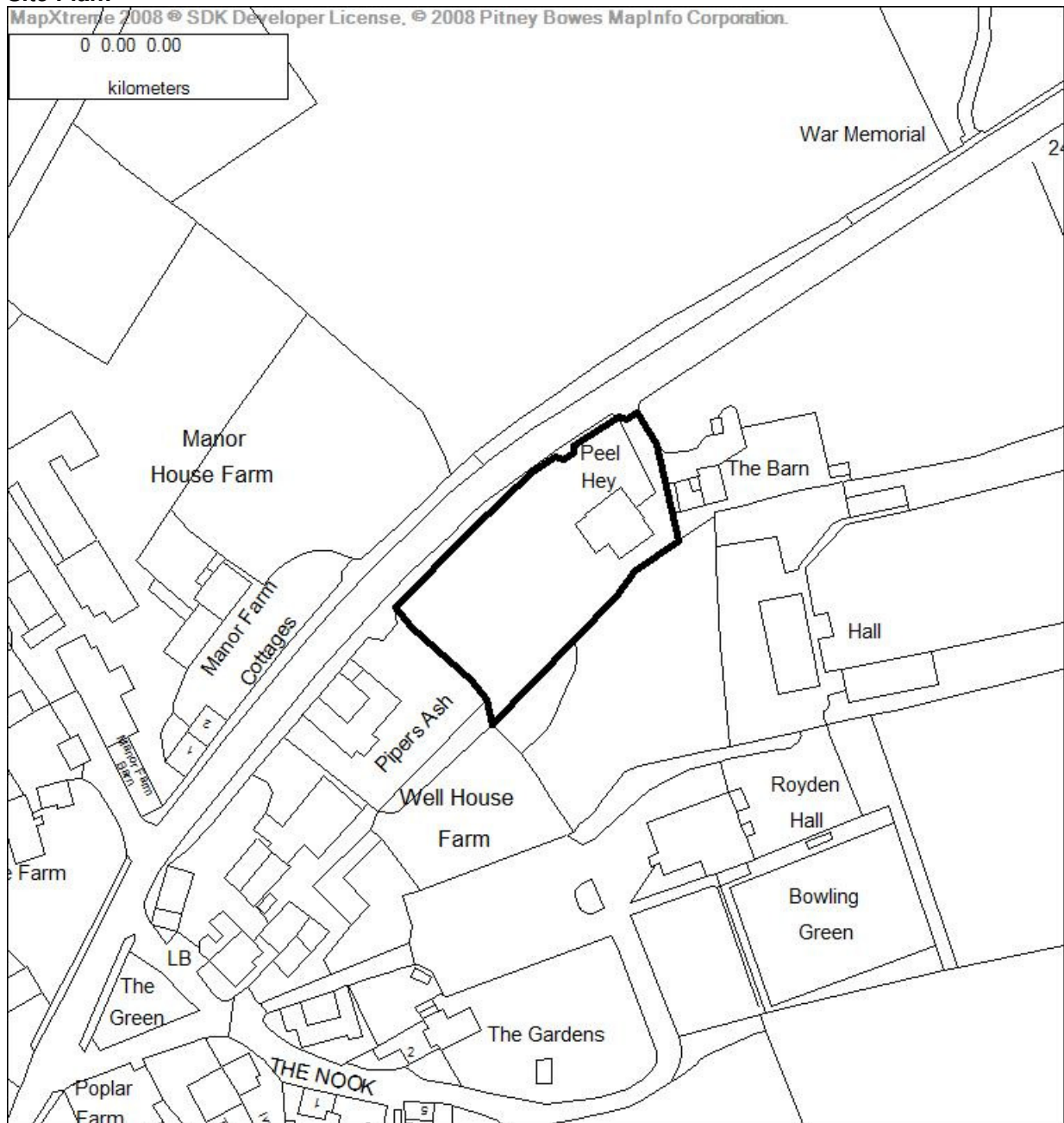
**Applicant:**

Mr Jacobs

**Agent :**

Irvin Consultants

### Site Plan:



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**Development Plan designation:**

Green Belt

Conservation Area (for illustrative purposes)

**Planning History:**

- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH49 3PJ  
Application Type: Full Planning Permission  
Proposal: Erection of a two storey side extension.  
Application No: APP/02/05209  
Decision Date: 15/04/2002  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH49 3PJ  
Application Type: Full Planning Permission  
Proposal: Change of use of dwellinghouse including extension approved under APP/2002/5209/D to guest house with 7 guest rooms, car parking and new access.  
Application No: APP/02/06119  
Decision Date: 06/09/2002  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH49 3PJ  
Application Type: Full Planning Permission  
Proposal: Erection of single storey utility room extension at rear to replace existing porch.  
Application No: APP/02/07230  
Decision Date: 04/12/2002  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH49 3PJ  
Application Type: Full Planning Permission  
Proposal: To retain alterations to window design, insertion of French windows in S.W. elevation, new door in N.E. elevation and alterations to shape and finished surface of car parking area. ( Variation of conditions 2 and 4 on application no. 2002/6119/D)  
Application No: APP/03/07293  
Decision Date: 19/12/2003  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH49 3PJ  
Application Type: Full Planning Permission  
Proposal: Erection of a side conservatory and a single storey rear extension  
Application No: APP/06/05297  
Decision Date: 21/04/2006  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH48 1PP  
Application Type: Full Planning Permission  
Proposal: Erection of two rear dormer windows  
Application No: APP/08/06680  
Decision Date: 26/11/2008  
Decision Type: Approve
- Location: Peel Hey, Frankby Road, Frankby, Wirral, CH48 1PP  
Application Type: Full Planning Permission  
Proposal: Erection of single storey extension and retention of use of second floor as 2 no. guest rooms.  
Application No: APP/09/05810  
Decision Date: 23/10/2009  
Decision Type: Approve

Location: Peel Hey, FRANKBY ROAD, FRANKBY, CH48 1PP  
Application Type: Full Planning Permission  
Proposal: New exit and driveway  
Application No: APP/12/00047  
Decision Date: 25/05/2012  
Decision Type: Approve

Location: Peel Hey, FRANKBY ROAD, FRANKBY, CH48 1PP  
Application Type: Advertisement Consent  
Proposal: Erection of 3no. freestanding illuminated signs  
Application No: ADV/12/01404  
Decision Date: 14/01/2013  
Decision Type: Approve

Location: Peel Hey, FRANKBY ROAD, FRANKBY, CH48 1PP  
Application Type: Full Planning Permission  
Proposal: The extension of the existing building to create a garden room for functions.  
Application No: APP/16/00001  
Decision Date: 08/03/2016  
Decision Type: Approve

Location: Peel Hey, FRANKBY ROAD, FRANKBY, CH48 1PP  
Application Type: Full Planning Permission  
Proposal: Demolition of conservatory and removal of marquee and development of new function suite, orangery, bar, cellar and toilets

Application No: APP/17/01225  
Decision Date: 28/11/2017  
Decision Type: Withdrawn

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

#### REPRESENTATIONS:

Having regard to the Council's Guidance for Publicity on Planning Applications, 6 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been 6 objections/comments received, stating the following:

1. Potential noise and disturbance;
2. Insufficient parking resulting in parking on the road/verges;
3. Request for conditions to be attached which are similar to the extant permission;

#### CONSULTATIONS:

**Highways** - No objection

**Environmental Health** - No objection

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

#### **REASON FOR REFERRAL TO PLANNING COMMITTEE**

The proposals are located within the Green Belt and are a departure from the Development Plan. Having regards to the Scheme of Delegation for Determining Planning Applications, this application is therefore required to be determined by the Planning Committee.

#### **INTRODUCTION**

The application is for the erection of an extension to the Peel Hey Guest House to form a function room, together with additional toilets, bar, cellar and service areas.

The application is an amendment to an extant permission for this site, under reference APP/16/00001, which permitted a garden room as an extension to the side of the premises for functions.

This current proposal increases the width of the proposed function room extension by approximately 2 metres and proposes an alternative design, together with additional extensions to the rear for new toilets, cellar, bar and services area.

### **SITE AND SURROUNDINGS**

The site comprises an existing guest house located to the south side of Frankby Road. There is a parking area to the front of the site with direct access from Frankby Road. The site is within the Green Belt and is also within Frankby Village Conservation Area.

The premises has had previous extensions, including a two-storey side extension and a conservatory extension, both to the south western side of the original building. There is currently a marquee to the south western side that does not benefit from planning consent, although the marquee appears to have been in place for more than five years (albeit having been taken down at times). The proposed extension is to be located in place of the marquee.

### **POLICY CONTEXT**

The application is contrary to UDP Policy TL7, which makes it clear that guest house proposals incorporating conference, restaurants and other related facilities available to the visiting public will only be considered suitable within urban commercial locations. As the site is within the Green Belt, the proposal is also subject to Wirral Unitary Development Plan (UDP) Policy GB2: Guidelines for Development in the Green Belt. Policy GB2 states that there is a general presumption against inappropriate development in the Green Belt. There is no provision within this policy for extensions to non-domestic buildings, but this needs to be read alongside the most up-to-date exceptions in national policy for development in the Green Belt.

Paragraph 145 of the NPPF states that the construction of new buildings in the Green Belt should be regarded as inappropriate, other than for certain exceptions. One of these exceptions includes "the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building".

A recent planning application was withdrawn after concerns were raised that the extent of the proposed function room extension was excessive. This application would have increased the width of the approved function room significantly and also included the replacement of the existing conservatory with a larger extension. The current proposal is smaller and only increases the width of the approved function room extension by 2 metres. This will match the width of the existing marquee. The increase in comparison to the extant permission is considered to be marginal and will have minimal impact upon the overall appearance of the building and its impact upon the openness of the Green Belt. The additional extensions to the rear will primarily be used for toilets, cellar and services area. These extensions will be single-storey and set within the site, ensuring that they are not readily visible from the wider Green Belt. Overall, given that the extant permission granted through application APP/16/00001 is a material consideration, the limited increase in width of the proposed function room could be accepted in this particular case.

The applicant contends that additional service space is required in order for the new function room to function properly, with additional toilets and cellar areas; that the scheme will support the ongoing use of the site as a guest house which supports the visitor economy. The applicant indicates that Peel Hey is a 4-Star guest house but there has previously been a drop in occupancy rates, leading to a reduction in the nightly tariff, and it is hoped to diversify the guest house and ensure the long term viability.

Given the limited visual impact in comparison to the extant permission, it is considered in the particular case that the proposal could be supported.

The site is also within the Frankby Village Conservation Area, and the proposal is therefore subject to Wirral UDP Policy CH2: Development Affecting Conservation Areas and Policy CH12: Frankby Village Conservation Area. The impacts of this are dealt with in more detail below.

### **APPEARANCE AND AMENITY ISSUES**

The character of Frankby Village Conservation Area is distinctly that of a small rural village that has

gradually grown over a number of centuries. Buildings are sited around Frankby Green which is the main focus of the conservation area. Peel Hey is located on the busy Frankby Road on the edge of conservation area. Only the single-storey function room extension will be visible from the public highway and this has been designed to complement the existing property. It is set back from the front elevation of the main building considerably to ensure that it appears subordinate and proportionate to the main two-storey building. The design of the proposed function room extension is traditional in appearance and the use of brickwork, sandstone, timber doors and a slate roof are all appropriate for this location. The increase in size of the function room (compared to the extant permission) will have limited impact on the character of the conservation area. The design of this current proposal is considered to be more suitable than the extant permission, which had higher levels of glazing and was, perhaps, not as high quality in appearance. This current proposal should therefore have a positive impact on the character of the conservation area when compared to the extant permission, regardless of the slight increase in width.

The proposed rear extensions will be screened from the wider conservation area due to their location at the rear of the site. The limited views available of these extensions from the rear will see them generally blending in with the backdrop of the existing building and proposed function room, and they will therefore not harm the overall character of the conservation area.

### **SEPARATION DISTANCES**

Separation distances do not apply in this instance, as no habitable windows will be directly affected by the proposed development.

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There is a small parking area to the front of the site, with an additional overflow parking area to the south-west. It is not considered that there are sufficient reasons to warrant refusal of the application on highway safety or parking grounds.

### **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**

In conclusion, taking account of the extant planning permission it is considered that the scale and siting of the proposed extensions are not disproportionate to the original building and the extensions reflects the character of the building and its setting within Frankby Village Conservation Area. The overall benefits of supporting the proposal allow for the continuation of an established rural business and overall the proposal is considered to be appropriate under terms of the National Planning Policy Framework and is otherwise acceptable having regard to Wirral UDP Policies GB2, CH2 and CH12 and the.

### **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:-

In conclusion, taking account of the extant planning permission it is considered that the scale and siting of the proposed extensions are not disproportionate to the original building and the extensions reflects the character of the building and its setting within Frankby Village Conservation Area. The overall benefits of supporting the proposal allow for the continuation of an established rural business and overall the proposal is considered to be appropriate under terms of the National Planning Policy Framework and is otherwise acceptable having regard to Wirral UDP Policy GB2, CH2 and CH12.

**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 27th June 2018 and listed as follows: P.60.1; P.61.0; P.62.0; P.63.0; P.64.1

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

3. The function room hereby permitted shall only be used between the hours of 0800 and Midnight and shall be cleared, with all ancillary activity completed, within 30 minutes of closing time.

**Reason:** To protect the amenities of nearby residential occupiers.

4. No development or other operations shall commence on the site until adequate steps, which shall have been submitted to and agreed with the Local Planning Authority, have been taken to safeguard against damage or injury during construction works, all trees on the site, or whose root structure may extend within the site, which are within the Frankby Conservation Area. In particular, no excavations, site works, trenches or channels shall be cut or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the trees by affecting their root structure.

**Reason:** To protect trees which are considered to have significant amenity value to the area and to accord with Policy CH12 of the Wirral Unitary Development Plan.

5. Before any construction commences above ground level, samples of the 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 CH2 of the Wirral Unitary Development Plan.

6. The development hereby approved shall not be occupied until the walls/floors, as applicable, have been insulated to provide sound attenuation against internally generated noise in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To safeguard the amenities of the occupiers of the neighbouring residential property(ies) and to accord with Policy PO4 of the Wirral Unitary Development Plan.

7. The materials of the new windows and doors should consist of painted/stained timber. Details and cross section drawings for all new windows and doors (scale 1:5 or 1:2) shall be submitted to and approved in writing prior to the commencement of development. The windows and doors as approved shall be inserted prior to completion and retained as such thereafter.

**Reason:** To ensure a satisfactory appearance to the development in the interests of visual amenity having regards to Policy CH12 of the Wirral Unitary Development Plan.

8. There shall be no amplified music to the external areas at any time, music only to be played within the function room and at which times the external doors to the garden room must be closed to prevent music being emitted from the extension.

**Reason:** Having regard to residential amenity and PO4 of Wirral's UDP.

**Further Notes for Committee:**

**Last Comments By:** 08/08/2018

**Expiry Date:** 22/08/2018