Planning Committee **16 January 2020**

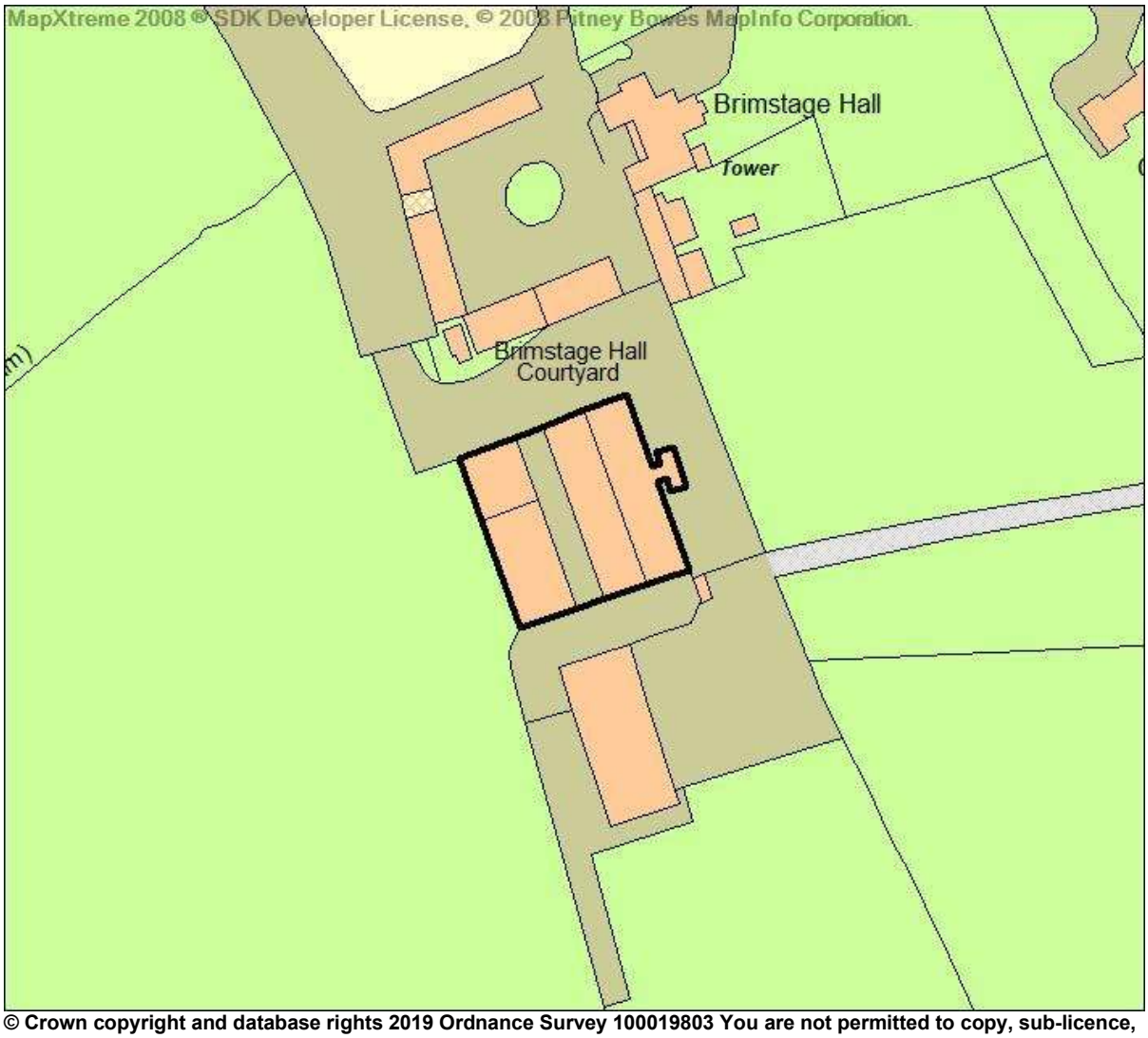
Reference:	Area Team:	Case Officer:	Ward:
APP/16/01455	**South Team**	**Ms J Storey**	**Clatterbridge**

Location: Brimstage Hall, BRIMSTAGE ROAD, BRIMSTAGE
Proposal: Change of use and conversion of farm buildings to farm shop and cafe and creation of new customer car park. -Amended plans
Applicant: The Hesketh Trust
Agent: Rural Solutions

Qualifying Petition: Yes

Petition Number:	Number of signatures:
1	27
2	36

Site Plan:



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Development Plan designation:
Area of Special Landscape Value
Green Belt

Planning History:

Location: Brimstage Hall Farm, Brimstage Hall, Brimstage Road, Brimstage, Wirral, CH63 6HD
Application Type: Full Planning Permission
Proposal: Erection of general-purpose agricultural building to replace building destroyed by storm.
Application No: APP/07/07325
Decision Date: 15/01/2008
Decision Type: Approved

Location: Hall Farm, Brimstage Road, Brimstage, Wirral, CH63 6HD
Application Type: Full Planning Permission
Proposal: Alteration of condition 1 on planning permission APP/2003/5630/D to allow the maise maze to operate from 1st July to 20th October annually
Application No: APP/04/05251
Decision Date: 19/04/2004
Decision Type: Approved

Location: Hall Farm, Brimstage Road, Brimstage, Wirral, CH63 6HD
Application Type: Full Planning Permission
Proposal: Change of use of land and buildings for maize maze and car parking
Application No: APP/03/05630
Decision Date: 14/05/2003
Decision Type: Approved

Location: Brimstage Hall Farm, Brimstage Road, Brimstage. L63 6HD
Application Type: Full Planning Permission
Proposal: Change of use of existing redundant agricultural building (shippon) to use as boat workshop.
Application No: APP/95/06723
Decision Date: 14/02/1996
Decision Type: Approved

Location: Brimstage Hall Farm, Brimstage Road, Brimstage. L63 6HD
Application Type: Full Planning Permission
Proposal: Change of use of shippon to boat workshop.
Application No: APP/95/06378
Decision Date: 22/11/1995
Decision Type: Approved

Location: Former Dairy, Hall Farm, Brimstage Road, Brimstage. L63 6HD
Application Type: Full Planning Permission
Proposal: Change of use from former dairy to ice cream manufacturing unit.
Application No: APP/94/06080
Decision Date: 23/09/1994
Decision Type: Approved

Summary of Representations and Consultations Received:

2.0 REPRESENTATIONS:

2.1 Having regards to the Council's Guidance on Publicity of Applications, 111 Neighbour representations have been received; 21 in favour and 67 objections. Two qualifying petitions of can be summarised as follows:

1. Require a full Archaeological survey is required
2. Development is in the Green Belt
3. Object to the loss of the Orchard (original submission)- majority of the objections relate to the loss of the orchard
4. Highway safety concerns

5. Loss of biodiversity
6. Loss of hedgerow
7. Timber decking extends beyond the building into the green belt
8. Proposed car park are significant and constitute inappropriate development (original scheme)
9. No evidence that the buildings are capable of conversion
10. Not in a sustainable location
11. Does not accord with UDP Policy AG7
12. Proposed opening hours are not appropriate for this location
13. Storeton Hall is a listed building
14. Local economy cannot take another farm shop
15. Increase in traffic
16. Area has enough farm shops
17. Should be on a brownfield site in Birkenhead
18. The courtyard is large enough
19. Produce will be delivered from off-site
20. Compromise the viability of Claremont Farm Shop
21. No coach parking shown

Thornton Hough Community Trust object on the following grounds:

1. Nothing more than a supermarket with franchised operators, everything on sale will have to be deliveries
2. D &A states that car parking standards are taken from Wirral's Parking Standards this was based on the original proposal for 96 spaces, now reduced to 54 what does this mean in terms of parking provision
3. Unofficial parking will extend onto originally designated overflow car park without planning permission
4. No consideration has been given to where cars are going to be parked
5. Cars will park in Brimstage village
6. Existing entrance is dangerous
7. The amendments do not make this proposal more acceptable.

Wirral Society object on the basis of the loss of the orchard, but would support the proposal if there was a safe access to the site

Tree Wardens originally objected to the original scheme, but now withdraw the objection due to the retention of the orchard and subject to the suggested conditions from MEAS

21 comments of support have been received.

2.2 CONSULTATIONS

Highway - No objection

Conservation Officer - No objection

3.0 Director's Comments:

3.1 REASON FOR REFERRAL TO PLANNING COMMITTEE

This application is referred to the planning committee as the proposal is a departure from the Development Plan being located within the Green Belt.

3.2 INTRODUCTION

3.2.1 This application is for the conversion of two existing farm building to a cafe/shop selling farm produce. The existing buildings are of metal framed construction with a more modern, brick-built building to the eastern elevation. The proposal is to retain the framework of the metal clad buildings and provide an external wall construction of treated timber. The two barns are to be connected by a small infill construction to create one building. The scheme has been amended since the original submission with the proposed car parking area now removed from the orchard

site. The proposal also includes for amendments to the existing access to this part of the site.

3.2.2 The farm shop will comprise of a retail sales area in the region of 600m2 and a cafe in the region of 300 m2 with 165m2 of external terrace. The access and car parking area will be located on an existing car parking area used for people visiting the maize. The applicants have proposed that the shop/cafe will be open

- 8am to 7pm Monday to Saturdays, and
- 8am to 6pm Sunday and Bank Holidays

3.3 PRINCIPLE OF DEVELOPMENT

3.3.1 The application is for the conversion of an existing building within the Green Belt and will be assessed against the policies set out below.

3.4 SITE AND SURROUNDINGS

3.4.1 The application site comprises of some vacant agricultural unit within the Brimstage Hall and Courtyard complex. Brimstage Hall is a Grade I listed building. The site currently contains ten specialist independent retailers. Brimstage Hall is a Grade 1 listed building believed to be of medieval origin. The hall is adjoined by a courtyard of 18th century barns which together have been sensitively converted to retail and business use and now form the Brimstage Hall & Courtyard shopping village. The site currently hosts ten specialist independent retailers, two food outlets and a hairdressing/beauty salon. To the south west of the shopping courtyard is Brimstage Maze, a leisure attraction including 'The maize maze' a giant growing puzzle made from over a million individual maize plants, an indoor play barn and an ice cream parlour selling ice cream made on the farm.

3.4.2 Sited between the Courtyard shops and the Brimstage Maze attraction is a range of modern agricultural buildings. The proposed development subject to this application is to convert these mainly redundant buildings to a Farm Shop, and to nationalise the customer access and parking arrangements for the whole site through the development of a new access. The site is within Wirral's Green Belt.

3.5 POLICY CONTEXT

The following Policies are relevant to this proposal: -

3.5.1 PRINCIPLE OF DEVELOPMENT AND POLICY CONTEXT

The National Planning Policy Framework supports economic growth in rural areas; the sustainable growth and expansion of all types of business and enterprise through the conversion of existing buildings and well-designed new buildings; sustainable rural tourism and promotes the development and diversification of agricultural and other land-base businesses.

3.5.2 Policy AG1 of the Wirral Unitary Development Plan states that in assessing the siting, design and layout of proposals for new development near existing agricultural land holdings, the Local Planning Authority will need to be satisfied that appropriate measures have been taken in order to:

(i) protect the operational needs of continued and viable agricultural enterprise within the area;
(ii) minimise direct or indirect disturbance to existing agricultural land uses;
(iii) take the main focus for public recreation away from areas used for agricultural production

3.5.3 The site is within an area designated as Green Belt in the adopted Wirral Unitary Development Plan. The National Planning Policy Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping and open and that the essential characteristics of green belt are their openness and permanence.

3.5.4 Policy GB2 of the Wirral Unitary development Plan states that the construction of new buildings inside a Green Belt is inappropriate unless it is for certain specified purposes:

1. agriculture and forestry;
2. essential facilities for outdoor sport and outdoor recreation;

3. limited extension or replacement of existing dwellings;
4. limited infilling in existing villages;
5. limited infilling/redevelopment of major developed sites.

3.5.5 The extension will provide a cafe and farm shop area and this does not fall into any of the above categories and is therefore classed as inappropriate development in the green belt, which is a departure from the adopted Wirral UDP. The National Planning Policy Framework and UDP Policy GB2 make it clear that there is a general presumption against inappropriate development within green belts and that 'very special circumstances' must be demonstrated to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The construction of new building is classed as 'inappropriate development' and it is for the applicant to put forward their very special circumstances to justify the grant of planning permission.

3.5.6 National Planning Policy Framework set out similar purposes and that the construction of new buildings are inappropriate with exceptions as follows:

1. buildings for agriculture and forestry;
2. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
3. 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;
4. the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
5. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
6. limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

3.5.7 The exceptions within the NPPF allows for the extension and alteration of a building where it would not result in a disproportionate addition. The proposed extension is relatively small scale and will not have a detrimental impact as it would not result in a disproportionate addition over and above the size of the original building.

3.5.8 <u>Very Special Circumstances</u>
Claremont Farm is an established soft fruit, horticultural and arable farm where a proportion of income is generated from the farm shop. The farm has promoted local food through education and demonstration cookery courses and a small kitchen has been used for this purpose, which is ancillary to the farm use and has been supported by local organisations. In addition to this, the farm hosts the Wirral Food and Drink Festival, which showcases local food in association with local businesses. The use of Claremont Farm as host to the Wirral Food and Drink Festival has boosted local businesses and tourist facilities supporting the local tourism and economy in general. The applicant is actively involved with food education through work with schools and access to the farm through the Higher Level Stewardship Scheme and this would be sustained as a result of the proposal.

3.5.9 The proposal aims to continue to increase the viability of Claremont farm whilst continuing to support local businesses and educational institutions. Since the new building has been in operation, it has experienced growth and secured 25 full time jobs, which has exceeded expectations. The cafe has seen the biggest growth and in order to secure its viability is in need of expansion to meet current and future demand. The business has doubled the expected annual first year turnover and in order to meet future demand in order to ensure the continuing growth, the extension is required.

3.5.10 It is considered that the applicant has sufficiently set out reasons that demonstrate the very special circumstances, namely that the proposal will support an existing agricultural enterprise

as well as providing additional significant economic benefits to the local area. The small-scale nature of the extension would not result in any harm to the openness of the green belt.

3.5.11 **UDP Policy GB3** - Re- Use of Buildings in the Green Belt will be permitted provided that -

- the proposal does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land within it
- the proposal does not involve extensive external storage, extensive hardstanding, vehicle parking, intrusive boundary walling, fencing or introduce intrusive domestic elements
- the buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction.
- the form, bulk and design of the buildings are in keeping with their surroundings
- the proposal can be adequately serviced in terms of access
- the proposed use will not in itself, or through likely traffic generation, have a detrimental effect on the appearance or quite enjoyment of the surrounding area.

3.5.12 **UDP Policy CH1** Development effecting Listed Buildings and structure. - Development likely to affect a building or structure listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be permitted where;

- the proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting and
- when granting consent, special regards will be given to matters of detailed design, to the nature, quality and type of materials proposed to be used, and to the need for the alteration or development proposed in terms of securing the viable, long-term future of the building or structure.

3.5.13 **UDP Policy TR8** requires schemes to be designed in line with a number of principles to ensure that highway schemes seek to minimise their impact on their environment. This includes the consideration of loss of high value agricultural land and land subject to environmental and landscape designations. As part of the proposed development, the creation of a new vehicular access route into the site to a central car park area is planned. The access would use the existing access point from Brimstage Road which currently serves the Warhammer, a war Games Centre and business within the former Brimstage Forge Buildings.

National Planning Policy Framework

3.5.14 Paragraph 28 – Supporting a Prosperous Rural Economy states that: -

"Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other land based rural enterprises.

3.5.15 The site and surroundings lie within the Green Belt. The NPPF establishes the purposes of Green Belt land and defines inappropriate development. The proposal is for a change of use which constitutes development - the statutory definition of development includes the making of any material change in the use of land. The making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. There is a general presumption against inappropriate development in the Green Belt, which is, by definition, considered harmful in such locations.

Very special circumstances must be demonstrated if such development is to be approved.

3.5.16 In considering whether very special circumstances might be demonstrated, it should be noted that the National Planning Policy Framework (NPPF) sets a supportive context for farm diversification, requiring (at Part 6) planning policies to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings, and; promote the development and diversification of agricultural and other land-based rural businesses.

3.5.17 The NPPF also makes it clear that the extension, alteration or replacement of a building is not inappropriate development - provided that the buildings are of permanent and substantial construction. Similarly, UDP Policy GB3 outlines that permission will be granted for the re-use of existing buildings in the Green Belt, subject to criteria including: (iii) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; (iv) the form, bulk and general design of the buildings are in keeping with their surroundings.

3.5.18 In this instance, a small "infill" extension is proposed between the two main structures on an area of hard surface. The National Planning Policy Framework further advises that the partial redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it are not unacceptable providing that it has no greater impact on the openness of the Green Belt.

3.5.19 The applicant has advised that an element of some of the existing metal cladding could potentially be retained and overclad but the cladding on the older of the two steel portal sheds is in poorer condition and needs replacing.

3.5.20 The concrete bases are being retained, and the plinth walls etc will be retained and overclad. The roof cladding is largely asbestos and needs replacing for health and safety reasons. The brick building is being retained. The proposal is to remove the cladding and replace it with treated timber. Overall, the scheme has been designed to try and improve the appearance of the steel framed buildings and to tie the existing building and proposed infill extension together visually, hence proposing to remove the old metal cladding and clad the whole linked buildings in timber.

3.5.21 Notwithstanding this, considering it is only an element of the external wall cladding materials being replaced (3 sides of one building, 2 sides of a second building and none on the third building), and all the structural elements of the buildings are being retained and reused, the scheme is considered to be a conversion at it essence.

3.5.22 It is worth noting that the replacement of the cladding from metal sheeting to timber could likely be done now under agricultural permitted development rights, which is likely also a material consideration in allowing its replacement as part of this scheme.

3.5.23 It is therefore considered that the buildings are permanent, and of substantial construction, and all the ‘structural elements of the buildings are being retained and reused, with only some elements of external weather cladding being replaced and is therefore considered to be of permanent and substantial construction. As such, the principle of development is acceptable under UDP Policy GB3.

3.5.24 It is considered that there is evidence in support of the contention that the proposed use would promote the diversification of an agricultural enterprise, and thereby assist in sustaining an appropriate use of land in the Green Belt. This evidence of the benefit of the proposal in support of a wider Green Belt purpose is considered to constitute very special circumstances, consistent with the provisions of the National Planning Policy Framework and UDP Policy GB2.

3.5.25 Para 28 of The Framework states how to promote a strong rural economy, local planning policies should support the sustainable growth and expansion of all types of business and enterprise in

rural areas, including the conversion of existing buildings and should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, which respect the character of the countryside.

3.5.26 Visit Wirral promotes the tourism offer with the themes of Coast, Countryside and food. Brimstage Hall and Courtyard is already recognised as part of this package. The applicants consider that the introduction of a farm shop at the site would contribute to this strategic objective.

3.5.27 Paragraph 86 of the NPPF seeks to support the role that town centres play at the heart of the local community. It states that main town centre uses should be located in town centres, then edge of centre locations and only if suitable sites are not available or expected to become available within a reasonable period should out of centre sites be considered.

3.5.28 Pol icy SH9 contains criteria for out -of-centre and edge-of-centre Retail Development. I t advises that such development will only be permitted if the LPA is satisfied that the benefits of the proposals outweigh the disadvantages (with reference to the criteria below):

(i) The proposal, together with other recent or proposed retail development, does not undermine the vitality or viability of any Key Town Centre or Traditional Suburban Centre as a whole or other town centre outs ide the Borough boundary;

(ii) The extent to which retail development on the site would confer urban regeneration or environmental benefits when compared with

a. Alternative uses for the site; and

b. Alternative sites elsewhere capable of accommodating the proposed development;

(iii) The proposal is accessible by a choice of mode of transport and is easily accessible for pedestrians, disabled people and cyclists from the surrounding area;

3.5.29 The proposal does not have any adverse effect on overall travel and car use.

3.5.30 Furthermore the Local Planning Authority may request that a developer submits an assessment of retail impact where it considers that this would be of assistance in considering the effect of an out -of-centre or edge-of-centre proposal on the vitality and viability of a nearby Key Town Centre or Traditional Suburban Centre.

3.5.31 The applicants suggest that the proposed development provides a distinct leisure- retail offer and will not directly compete with the convenience retails offer of any established retail cent res in the district. The proposed use will complement the existing retail and leisure uses on the site, and in order to deliver the proposed benefits of supporting that existing activity must be sited at Brimstage Hall.

3.5.32 The proposed development is therefore considered consistent with the requirements of UDP Pol icy SH9 in so much weight as they should be afforded by virtue of being time expired.

3.5.33 The proposed development is within the Green Belt but the reuse of existing buildings within the Green Bel t is acceptable under the policies of the NPPF and in that respect this local criterion is considered to be superseded. The buildings are not proposed for housing or industrial land and do not undermine the council's strategic approach in these respects. The proposed retail use is not considered inappropriate and consistent with existing uses on the site.

3.5.34 The applicants advise that they recently the applicant engaged with Wirral Tourism and the individual businesses on site on the longer-term issues for Brimstage Hal l & Courtyard. The applicant subsequently carried out their own research and identified a need to continue to evolve the site for it to deliver the benefits above in the longer term.

3.5.35 The outcome of those investigations was:

- Wirral Tourism saw a need for significant improvement in the Hall & Courtyard if it was to remain an important visitor attraction on its Wirral map.
- Some of the smaller businesses on site were struggling to see any long-term growth.
- Foot fall levels and commitment of regular customers was fragile. Customers, on average, visited only eight times a year with an average dwell time on site per customer of 61 minutes.
- Three quarters of the visitors come from within a 20-minute drive time. In order for visitor s to value the site more highly and visit more of ten then some enhancement is required.

3.5.36 With reference above the applicants argue that to the locational requirements of the proposed development, a sequential test would be limited to the site and immediate environs only, of where there are no other suitable buildings available for the development. The 'sequential test' is therefore satisfied.

3.5.37 It is maintained that there is clear justification for the development in this location, in line with the guidance contained within the NPPG.

3.5.38 With reference to the above therefore, it is demons t rated that it is necessary and justified for the development to be sited in this location , and that no other locations including more cent rally located sites would be suitable or appropriate for this type of development .

3.5.39 The provisions of government policy on the matter of sequentially assessing alternative suitable sites is therefore considered satisfied.

3.6 APPEARANCE AND AMENITY ISSUES

3.6.1 As noted above, the proposed change of use and modest extension would have little impact to the openness of the Green Belt, being restricted to an existing agricultural building. The proposed elevational treatment will change from metal to wood which is considered to enhance the setting of the Listed Building.

3.6.2 UDP Policy GB3 requires that buildings can be served by a suitable access and that the proposed use and associated traffic generation will not have a detrimental effect on the quiet enjoyment of the area. In addition, to the conversion a new access route is proposed for the development which would utilise an existing access to the east of Brimstage Hall which currently accesses' the Brimstage forge site. The access route uses the existing track for the majority of its length, requiring only limited extension, and as such, its visual impact is limited. In addition, the altered access will re-route traffic away from the listed hall.

3.6.3 In addition, the policy requires that any proposed re-use does not involve extensive external storage, hardstanding, vehicular parking or intrusive boundary treatments. Following consultation responses, the applicant has amended the proposal and moved the proposed car parking from the orchard to the existing hardstanding area around the building. The proposal also includes an element of overflow car parking that extends into an open area of grassland. It is intended that this will be barriered off during weekdays and only used if required at weekends. The applicants propose grasscrete as a surface in this location which will allow green growth to survive.

3.6.4 The car park provision has been designed in liaison with Council officers. It provides for appropriate parking and delivery of services on an area of existing hardstanding adjacent to the building. A landscaping plan has been submitted which seeks to appropriately landscape the site.

3.6.5 There is an attractive sandstone wall at the existing entrance to the site. A requirement of the highways department is that the width of the access shall increase to 5.5m A condition has been attached requiring the re-use of the sandstone when constructing the new access.

3.6.6 Impact on the setting of the Listed Building

Brimstage Hall and tower are a substantial fortified manor house of medieval origin and Grade I listed. The hall is adjoined by a courtyard of 18th century barns, which have been sensitively

converted to retail use and now form the Brimstage Hall and Courtyard shopping village. All the historic buildings have now been sensitively converted to retail use as a shopping village, but the historic setting of the house, facing gardens to the east, has been respectfully retained. The modern cattle sheds and a dairy/office located south of the courtyard, largely disused are the subject of the present application.

3.6.7 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.

3.6.8 Paragraph 132 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation and that the more important the asset, the greater the weight should be. It goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. The glossary to the Framework states that the setting of a heritage asset comprises the surroundings in which it is experienced and that different elements of that setting may either make a positive, negative or neutral contribution to its significance.

3.6.9 CH1 Development Affecting Listed Buildings and Structures Policy

Development likely to affect a building or structure listed under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be permitted where:

(i) the proposals are of a nature and scale appropriate to retaining the character and design of the building or structure and its setting; and(ii) adequate provision is made for the preservation of the special architectural or historic features of the building or structure.

3.6.10 When granting consent, special regard will be given to matters of detailed design, to the nature, quality and type of materials proposed to be used, and to the need for the alteration or development proposed, in terms of securing the viable, long-term future of the building or structure.

3.6.11 In this sensitive landscape setting, it is generally less intrusive and more sustainable to use an adapted building than to build a new structure. The proposed use of a farm/market shop will have a minimal impact upon the building and its setting. The use is fundamentally less demanding of the building and its setting, and also have a greater potential to contribute to the rural economy.

3.6.12 The proposal seeks to refurbish and remodel the existing brick cattle shed and the steel-framed sheds while the existing dairy/office will be demolished. Regarding the cattle shed, the design seeks to retain its traditional appearance and qualities while sensitively adapting the building to its new use.

3.6.13 The proposed use of materials will enhance the character of the building and its setting. The brick outer walls are to be retained and lined internally, a new zinc style roof with conservation style rooflights fitted and a new entrance canopy and signage provided. The steel-framed sheds are to be timber-clad upon a brick plinth and a zinc-style insulated roof and canopy installed.

3.6.14 There would be no direct impact on the fabric of the Brimstage Hall or tower, which stands at a prominent position within the centre of the development site. Indeed, elements of the Hall and its medieval tower are visible in some views along the public right of ways which run around the application site. The hall or the tower are not visible from surrounding roads and the courtyard (converted barns: shops) is only visible from the road entrance from Brimstage Road. The existing and the proposed landscaping would ensure that the proposed development does not impact to any great extent upon how this view is appreciated with the tower continued to be viewed from the surrounding open countryside and therefore would not noticeably diminish their significance in its landscape setting.

3.6.15 Access to the site is via an existing gateway from Brimstage Road but widened to 5.5m on the advice of the Councils highway officer. The road will utilise an existing track, the appearance of the track will retain its rural appearance, this will be conditioned. This access improvement will enhance the setting of the hall as it will divert the main traffic flow away from the listed building. The amended plan has relocated the car park to the north of the development site and to create a short "one way" system. Although the existing surface area is hard landscaping it has been advised that this should be softened with the use of mesh setts to allow natural green vegetation to grow. This will further soften the appearance of the development and impact on the heritage assets.

3.7 HIGHWAY/TRAFFIC IMPLICATIONS

3.7.1 As noted above, as part of the proposed development, the creation of a new vehicular access route into the site to a central car park area is planned. The access would use the existing access point from Brimstage Road which currently serves the Warhammer, a war Games Centre and business within the former Brimstage Forge Buildings. A transport Statement has been prepared in support of the application. The statement sets out that the chosen access, one of five existing access points from Brimstage Road, was considered to offer the best access point in terms of achieving necessary visibility, and now subject to amendments has the width and capacity to accommodate vehicular movements safely. Road speed surveys were undertaken in the location of the access and have led to conclusions that the appropriate viability can achieved.

3.7.2 As requested by the Councils Highway officers, accident data has been obtained for Brimstage Road within the vicinity of the site which is reported within the Transport Statement. Based on the data, it is concluded that the road safety will not be materially worsened as a consequence of the development proposals.

3.8 ENVIRONMENTAL/SUSTAINABILITY ISSUES

3.8.1 The original proposal sought to create a new car park on an ancient orchard. The scheme has now been amended to remove the car parking from this sensitive location to existing hardstanding around the building. A number of surveys have been submitted as part of this application, these have been assessed and the conclusion is that the Local Authority does not need to consider the proposal against the three tests (Habitats Regulations) or consult Natural England.

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

3.9 HEALTH ISSUES

3.9.1 There are no health implications relating to this application.

4.0 CONCLUSION

4.1 The proposed change of use would have little impact to the openness of the Green Belt, being restricted to an existing agricultural building. It is considered that there is evidence in support of the contention that the proposed use would promote the diversification of an agricultural enterprise, and thereby assist in sustaining an appropriate use of land in the Green Belt. This evidence of the benefit of the proposal in support of a wider Green Belt purpose is considered to constitute very special circumstances, consistent with the provisions of the National Planning Policy Framework and UDP Policy GB2.

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 change of use would have little impact to the openness of the Green Belt, being restricted to an existing agricultural building. It is considered that there is evidence in support of the contention that the proposed use would promote the diversification of an agricultural enterprise, and thereby assist in sustaining an appropriate use of land in the Green Belt. This

evidence of the benefit of the proposal in support of a wider Green Belt purpose is considered to constitute very special circumstances, consistent with the provisions of the National Planning Policy Framework and UDP Policy GB2.

Recommended Decision: **Approve**

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. Notwithstanding the details indicated on the plans hereby approved, details and elevations of the walls to the access that is to be altered shall be submitted to and approved by the Local Planning Authority and
   constructed prior to the occupation of the premises. Such details to include the re-use of the existing stonework.

   Reason: To ensure that the proposed development does not prejudice the design and architectural importance of the existing building and is in keeping with and enhances the character of properties in the area.

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 Policies of the Wirral Unitary Development Plan.

4. A landscaping scheme shall 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 landscaping scheme shall also include details of the hard surface to be used in connection with the construction of the new access and car park.

   Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality.

5. Prior to commencement of construction, details of works to reposition the boundary of the 50mph speed limit on Brimstage Road and provide two vehicle activated traffic signs shall be submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the works shall include any necessary alterations to traffic signs and road markings and any consequential works arising. The works shall be completed in accordance with the approved details prior to first use of the development hereby permitted.

   Reason; For the benefit highway safety and to minimise disruption and delay on the highway.

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 access from Brimstage Road. The approved works shall be completed in accordance with the LPA written approval prior to first use.

   Reason: For the benefit highway safety and to minimise disruption and delay on the highway.

7. No development shall take place until a Site Waste Management Plan, confirming how demolition and construction waste will be recovered and re-used on the site or at other sites, has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the proposed development would include the re-use of limited resources, and to ensure that the amount of waste for landfill is reduced to accord with Policy WM8 of the Joint Waste Local Plan.

8. Prior to the commencement of development, a re-survey of the submitted Bat and Barn owl survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason; To ensure compliance with Policies in the National Planning policy Framework

9. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1st March to 31st August inclusive. It is necessary to undertake works during the bird breeding season then all buildings, trees, scrub and hedgerows are to be checked first by an appropriately experienced ecologist to ensure no breeding birds are present. If present, details of how they will be protected would be required.

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

10. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first use of the development hereby permitted and shall be retained for use at all times thereafter.

Reason**:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car, having regard to Policy TR12 of the Wirral Unitary Development Plan.

11. Development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Travel Plan shall be implemented and operated in accordance with the timetable contained therein unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy TR12 of the Wirral Unitary Development Plan.

12. Details of the barrier to sperate the overspill element of the car park shall be submitted to and agreed in writing with the Local Planning Authority. The approved scheme shall be installed and operational prior to the occupation of the building.

Reason: To protect the openness of the Green Belt and to comply with UDP Policy AG7 of Wirral's unitary Development Plan.

13. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 5th December 2016 and listed as follows: BHD-LMA-00-00-DR-A-2005 Rev p01, BHD-LMA-00-00-DR-A-207, BHD-LMA-00-00-DR-A-2002, BHD-LMA-00-00-DR-A-2000, BHD-LMA-00-00-DR-A-1000 and 1677-01-01 Received by the LPA on 19th April 2018.

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

14. Prior to the commencement of development, a scheme for trial trenching around the scheduled moat shall be submitted to and agreed by the LPA in writing. The approved

scheme shall be implemented in full.

Reason: To ensure that any possible impact on the potential medieval moat is secured and to comply with Local and National Policies.

15. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification), the building hereby permitted shall only be used for agricultural storage, a farm shop and café for the sale of local food, drink or products associated with the agricultural or horticultural undertakings enterprise; and demonstration kitchens and training rooms associated with the agricultural holding known as " Claremont Farm", and for no other purpose within Classes A1, A3 or D1 of the schedule of that Order.

    Reason: To retain the functional linkage between the agricultural holding and because an unrestricted retail, café, demonstration and training use would otherwise be inappropriate and unsustainable in this location pursuant to Policies GB2, AG7, SHO1 and SH9 of the Wirral Unitary Development Plan and the National Planning Framework.

16. The Farm shop shall only be open to customers between the hours of 8am to 7pm - Monday to Saturday and 8am to 6pm on Sundays and Bank Holidays.

    Reason: To protect the residential amenities of surrounding occupiers and to comply with both National Land Local Plan Policies.

17. Prior to the commencement of development effecting buildings 3a and 3b further works shall be undertaken following Reasonable Avoidance measures in accordance with the Bat Roost Potential Assessment Cheshire Ecological Services Ltd, July 2019, 1191/07-17/SW

    Reason: For the interest of ecology and to comply with National and Local Plan Policy.

Further Notes for Committee:

1. In order to comply with the condition relating to the 50mph speed limit, it will be necessary for the speed limit order to be amended by the local highway authority. This is a legal process that can take several months to complete, and the applicant is advised to make early contact via www.wirral.gov.uk to arrange for this work to be carried out.

2. Consent under the Highways Act is required for the construction of a new or the amendment/removal of an existing vehicular access. Such works are undertaken at the developer's expense, including the relocation/replacement and/or removal of street furniture and vegetation as necessary. Submission of a S50 Highway Opening Notice is required prior to commencement of any works on the adopted highway. Please contact the Council's Highway Management team, area manager via www.wirral.gov.uk prior to the commencement of development for further information.

Last Comments By: **09/05/2018**
Expiry Date: **30/01/2017**