

Planning Committee
23 July 2014

Reference:
APP/14/00583

Area Team:
North Team

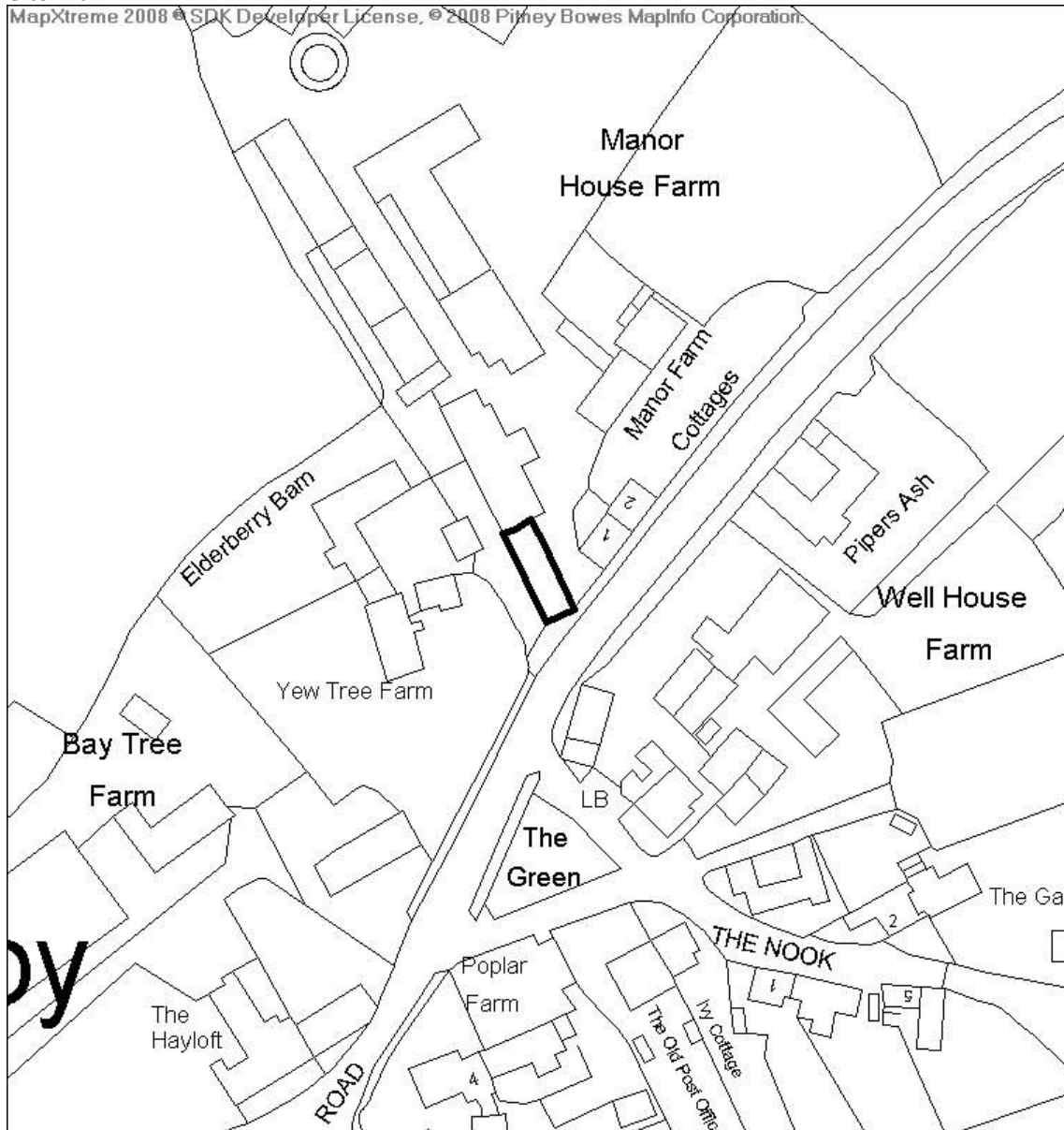
Case Officer:
Mrs S Lacey

Ward:
**Greasby Frankby
and Irby**

Location: Barn at Manor Farm, FRANKBY ROAD, FRANKBY, CH48 1PE
Proposal: Change of use of barn from storage to one holiday let accommodation and external alterations.

Applicant: Mr S Jones
Agent : Garry Usherwood Associates Limited

Site Plan:



Development Plan allocation and policies:

Green Belt
Conservation Area (for illustrative purposes)

Planning History:

Location: Barn at Manor Farm, FRANKBY ROAD, FRANKBY, WIRRAL, CH48 1PE
Application Type: Full Planning Permission
Proposal: Change of use of barn from storage to two holiday let accommodation units.
Application No: APP/12/00852
Decision Date: 05/09/2012
Decision Type: Refuse

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance on Publicity for Applications, seven letters of notification were sent to the occupiers of adjoining properties. A Site Notice was also displayed. At the time of writing this report, six separate letters of objection (from Elderberry Barn, Yew Tree Farm, The Old Post Office, 1, 5 The Nook, Royden Manor) and a qualifying petition containing 55 signatures had been received and these can be summarised as follows:

1. The lane is too narrow for two vehicles to pass, access for emergency vehicles, and no adequate turning space, resulting in cars reversing onto the main road;
2. There is no vehicular right of way over the lane;
3. There is no urgency to change the agricultural use of the barn;
4. Doorways directly onto the lane are extremely dangerous;
5. The store area is a fire risk;
6. There is nowhere for builders/workmen to park during construction;
7. The site is adjacent a grade II listed building;
8. Inappropriate new openings;
9. The existing opening should be utilised, and cars exiting from Manor Farm would have less highway safety implications;
10. A sympathetic residential conversion may be preferable;
11. Loss of privacy;
12. The original wooden structure would need to be destroyed to facilitate the development;
13. The Green is regularly full of vehicles and there is no parking provision;
14. The proposal will alter the character and use of the building;
15. The site is a Conservation Area and further commercial developments should not be allowed;
16. Manor Farm is noted as a scheduled Ancient Monument and a busy working farm;
17. There is no proposed garden space;
18. A vehicle blocking the lane will cost residents essential earnings if they are not able to exit their property;
19. Is there any control of the number of people staying at the premises;
20. Concern regarding future applications;
21. The Council should list and protect the building;
22. Unworkable proposal for sustainable business model;
23. Serious factual inaccuracy in the supporting documents (the barns are associated with a working farm and the building is in good condition);
24. Unsuitable architectural alterations (shutters).

Councillor Clements requested the application be removed from delegation on the grounds of traffic issues, the comments of the previous Planning Inspector, and the impact on the adjacent grade II listed building.

CONSULTATIONS

Head of Environment and Regulations (Traffic & Transportation Division) - no objection.

Wirral Society - objected on highway safety issues;

The Frankby Conservation Area Advisory Committee objected on the principle of conversion, the impact on the character of the Conservation Area, parking and safety/traffic concerns. This included concerns for the potential for up to 4 additional vehicles in the village, a large car would not be able to pull into the garage and will need to reverse onto Frankby Road, a car cannot be unpacked in the garage leading to blocking the lane, potential damage to a wall, intensification of use, access/egress, potential future planning applications, consideration the building is viable as part of the farm, the structural report is not available, concerns the venture will fail, the loss of an historic building, concerns Frankby is at commercial capacity, loss of privacy, clutter.

Merseyside Fire and Rescue Service set out access for fire appliances should comply with Approved Document B5 of the Building Regulations, and the premises should comply with Section 55 of the County of Merseyside Act 1980.

Wirral Wildlife - no objection subject to a bat survey concluding no bats are present.

Merseyside Cycling Campaign - no objection, and noted two Sheffield hoop stands on a revised drawing would be acceptable.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Councillor Clements requested planning application be removed from delegation. A qualifying petition of objection has been received signed by 55 signatures.

INTRODUCTION

The proposal is for the conversion of an existing agricultural barn from storage to a holiday let accommodation unit, with external alterations.

A previous planning application (APP/12/00852) for a conversion to two holiday lets was refused on 2nd July 2012 as follows:

"The Local Planning Authority considers that the proposal unacceptable, in that it would result in an intensification of an existing means of access, and that any vehicles waiting on the highway at the access with Frankby Road or manoeuvring in the lane to enter and/or leave the site of the proposed use would create hazardous conditions contrary to the interests of highway safety. The provision of parking space at Peel Hey is not considered to be within reasonable control of the Local Planning Authority in order to prevent parking in the adjacent lane, thereby requiring vehicles to reverse on to Frankby Road given the lack of a suitable turning area in the lane, which would be detrimental to highway safety. The proposal is therefore contrary to Policies GB3, TL9 and TL10 of Wirral's Unitary Development Plan".

The applicant appealed the Council's decision (APP/W4325/A/12/2187579). The appeal was dismissed on 13 March 2013. The Inspector considered the main issue was the effect of the development with detached parking 65m away from the site was on highway safety. The appellant had no control over the parking area. In the event of vehicles being parked in the narrow access it would be difficult for drivers to manoeuvre within the space and potentially increase the number of cars reversing onto Frankby Road. This is exacerbated by the severely restricted viability to the south by a boundary wall and a bus stop. Therefore due to lack of control over the provision of parking over the lifetime of the development, the parking of vehicles on the access lane to the south of the barn is likely to occur, to the detriment of highway safety and contrary to policies GB3, TL9 and TL10 of the Wirral UDP which require suitable access and parking provision.

The applicant has amended the scheme to reduce the proposal to a single holiday let, and proposes a parking area at ground floor.

PRINCIPLE OF DEVELOPMENT

The principle of the development is acceptable subject to the provision of Policies GB3, TL9, TL10, CH2 and CH12 of Wirral's Unitary Development Plan, SPG15, the Frankby Village Conservation Area Character Appraisal and Management Plan and the National Planning Policy Framework (NPPF).

SITE AND SURROUNDINGS

The site comprises a two storey 18th Century sandstone barn situated at the southern tip of the adjacent Manor Farm. It is located in the Green Belt and Frankby Village Conservation Area. Like many of the buildings within the Frankby Village Conservation Area, it is of visual and archaeological importance and is within close proximity of two Grade II listed buildings (Yew Tree Farm and Elderberry Barn). There is a lane on the western side of the barn which provides access to these residences and further farmland and buildings to the rear. It is understood this is a public right of way for pedestrians, but not vehicles. To the northern side of the barn is the yard of Manor Farm, which is a working farm. The barn itself holds a prominent position within the Conservation Area and surrounding street scene. It is currently used for storage purposes and has undergone various unsympathetic alterations in recent years, including the installation of signs and a roller shutter on the north eastern elevation, facing in to the farm yard.

POLICY CONTEXT

Policies GB3, TL9, TL10, CH2 and CH12 of Wirral's Unitary Development Plan (UDP), SPG15, the Frankby Village Conservation Area Character Appraisal and Management Plan and the National Planning Policy Framework (NPPF) are directly relevant in this instance.

APPEARANCE AND AMENITY ISSUES

The principle of converting existing buildings in the Green Belt is acceptable in the context of UDP Policies GB3, TL9 and TL10. The long term sustainability of historic building, and creation of rural tourism, is also in line with national planning policy as detailed in the NPPF. In terms of the proposal's impact on the Green Belt, the loss of an agricultural storage building and its conversion to holiday accommodation is not considered to be inappropriate development or have a materially greater impact on the openness of the Green Belt.

The proposal utilises the majority of existing openings. Alterations to the fabric of the building include the removal of the roller shutter, which is considered to be a benefit, and moving this opening from the northeast elevation to the southwest elevation, and an additional door. As this does not result in a significant net increase in openings the proposal is considered acceptable. The proposed rooflights will be conditioned to be conservation rooflights to minimise the impact on the Conservation Area. The proposed materials, including wooden windows, slate roof, and metal rainwater goods are considered acceptable, and can be conditioned.

Objections were received from local residents on the grounds that the proposal was unsympathetic and the conversion would undermine the character of Frankby village and the surrounding conservation area. The applicant has carried out archaeological report in June 2012 which deemed the previous proposal suitable without significant modification of the existing building, or not to such an extent that it would undermine its historic value. In conservation terms, the proposal would secure the long term use of a building which holds a prominent position within the village. The structure does appear to be in a poor state, with much degradation of the upper floor in evidence. As the archaeological report makes clear, the roof has been raised at some point, and the trusses that are visible appear mid-late 19th century in date. Therefore the retention of one or more trusses by incorporating them into the first floor conversion so that they are visible in at least one of the proposed units is favourable where possible, and it is considered reasonable to attach a planning condition to this effect. Although it would not be in its original position it is important to retain as many of the historic features of the building as possible to protect its integrity.

Objections were received on the grounds that the tourism related use of the building is not suitable in a small village, and given the close proximity of Peel Hey Guest House, and Hillbark, there is an over concentration of commercial uses. The building has been vacant for some time and there is no apparent need for the barn to remain in agricultural use. To leave the barn vacant whilst unrefurbished and without wholesale re-roofing may be detrimental to its lifespan. In the longer-term the collapse of the roof and further degradation could result which on such a prominent building in the village would be very unwelcome. Therefore in the interest of conserving the historic building, and finding a viable alternative for its long term use, the proposal is in line with Part 12 of the NPPF which seeks LPA's to take into account the importance of heritage assets and view them as an irreplaceable resource and conserve them accordingly. It is considered a single holiday let is an appropriate use and will not harm the original building or the character of the Conservation Area. The Local Planning Authority has a duty to try and capture new investment in redundant farm buildings of this type, and

the use as holiday lets would seem to accord well with our objective to promote the enjoyment of Wirral's countryside and its rural villages. The proposal is also largely in line with Part 3 of the NPPF which states that support should be given to proposals which support sustainable economic growth in rural areas through the conversion of existing buildings. In addition it highlights the importance of sustainable rural tourism and promoting growth in these areas.

The other main issue to consider is the impact of the increased comings and goings to the site and whether this would result in a detrimental change in the character of the area or harm the amenities of neighbouring properties. In terms of additional noise and disturbance generated by patrons entering the unit from this side, it is of a scale unlikely to be significantly above the comings and goings of the residences already served by the lane. It is not considered necessary to condition the maximum number of occupants.

SEPARATION DISTANCES

Habitable room windows directly facing each other should be at least 21 metres apart. Main habitable room windows should be at least 14 metres from any blank gable. The proposal will not reduce the existing interface distances. The replacement openings facing Yew Tree Farm retain 23 metres to its front elevation. The remainder proposed in the north-east elevation would utilise existing openings, and taking into account the comings and goings that already take place in the yard of Manor Farm, the proposal is not considered to increase overlooking. The proposed rooflights are not considered to increase overlooking. The proposal is therefore not considered to result in an increase in direct overlooking to neighbouring properties or loss of privacy.

HIGHWAY/TRAFFIC IMPLICATIONS

Policies TL9 and TL10 states that where proposals for new tourist facilities within the Green Belt and rural areas do not have adequate highway access and on-street parking they will not be permitted.

The previous application was refused as it was considered that it would result in an intensification of an existing means of access, and that any vehicles waiting on the highway at the access with Frankby Road or manoeuvring in the lane to enter and/or leave the site of the proposed use would create hazardous conditions contrary to the interests of highway safety. The provision of parking space at Peel Hey was not considered to be within reasonable control of the Local Planning Authority in order to prevent parking in the adjacent lane, thereby requiring vehicles to reverse on to Frankby Road given the lack of a suitable turning area in the lane, which would be detrimental to highway safety. The proposal is therefore contrary to Policies GB3, TL9 and TL10 of Wirral's Unitary Development Plan.

By reducing the proposal to one unit, the potential for vehicle meeting each other on the lane and by providing an integral parking area within the building, which will also facilitate turning manoeuvres for occupants of the building. The garage area measures 5.5 metres in length and 4 metres in width, and is considered to accommodate a vehicle. The amendments are considered to have overcome the previous reason for refusal and addressed the Inspectors concerns outlined in the appeal decision. The proposal is not considered to result in highway or traffic implications, subject to a condition retaining the parking area.

The objections raised in relation to rights of access over the public right of way, this is not a planning issue but a civil legal matter.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

In response to the concerns regarding bat roosting in the barn raised by Wirral Wildlife, the applicant commissioned a full ecological report by an ecological consultant. Physical searches provided no evidence of bat habitation in the buildings on site. It is recommended further bat surveys are conducted immediately prior to the project commencing.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

It is considered the proposed use would be an appropriate and viable use which would not harm the openness of the Green Belt, the character of the barn and Conservation Area, and may secure the

future of the barn. The proposal for a 2-bed unit is not considered to result in significantly higher levels of activity in the vicinity of the site that would cause demonstrable harm to the character of the village or the amenities of the occupiers of adjoining properties. The amendments to the previous application has overcome the previous concerns raised by the Council's Highways Engineers and the Planning Inspector. The proposal complies with Policies CH2, CH12, GB3, TL9 and TL10 of Wirral's Unitary Development Plan and 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 and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

It is considered the proposal is an appropriate and viable use which would not harm the openness of the Green Belt, the character of the barn or the character of Frankby Conservation Area. The proposal complies with Policies CH2, CH12, GB3, TL9 and TL10 of Wirral's Unitary Development Plan and the National Planning Policy Framework.

**Recommended Approve
Decision:**

Recommended Conditions and Reasons:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 01 May 2014 and listed as follows: drawing numbers 381 01 (dated 21.05.2012), 381 02 Revision D (dated 21.05.2012), 381 03 Revision D (dated 19.06.2012), 381 04 Revision B (dated 19.06.2012), 381 05 Revision A (dated 19.06.2012).

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

3. Before any construction commences, samples of the facing and roofing 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.

4. Before any construction commences, details of the proposed windows, rooflights, rainwater goods and doors 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.

5. Before any construction commences, details of the retained trusses to be used in the construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

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 ground floor parking area, as shown on drawing number 02 revision D (dated 21.05.2012), shall be retained as an open parking space available for parking at all times.

Reason: In the interest of highway safety.

Further Notes for Committee:

1. Notwithstanding the conclusions and recommendations of the EBS Bat Roost Survey & Report (dated 23 June 2014), you are advised that additional resurveying should take place prior to any renovation/demolition works, particularly if development is not commenced immediately as the building has the potential for bats to be present in the future. Bats are protected species. If you discover bats you must cease work immediately, contact Batline on 01704 385735 for advice. You are reminded that unauthorised interference could result in prosecution. All site workers must be made aware of the potential to find any roosting bats during any phase of the works through site inductions.

Last Comments By: 16/06/2014 16:07:55

Expiry Date: 26/06/2014