

Planning Committee

24th June 2015

Reference:
APP/15/00380

Area Team:
North Team

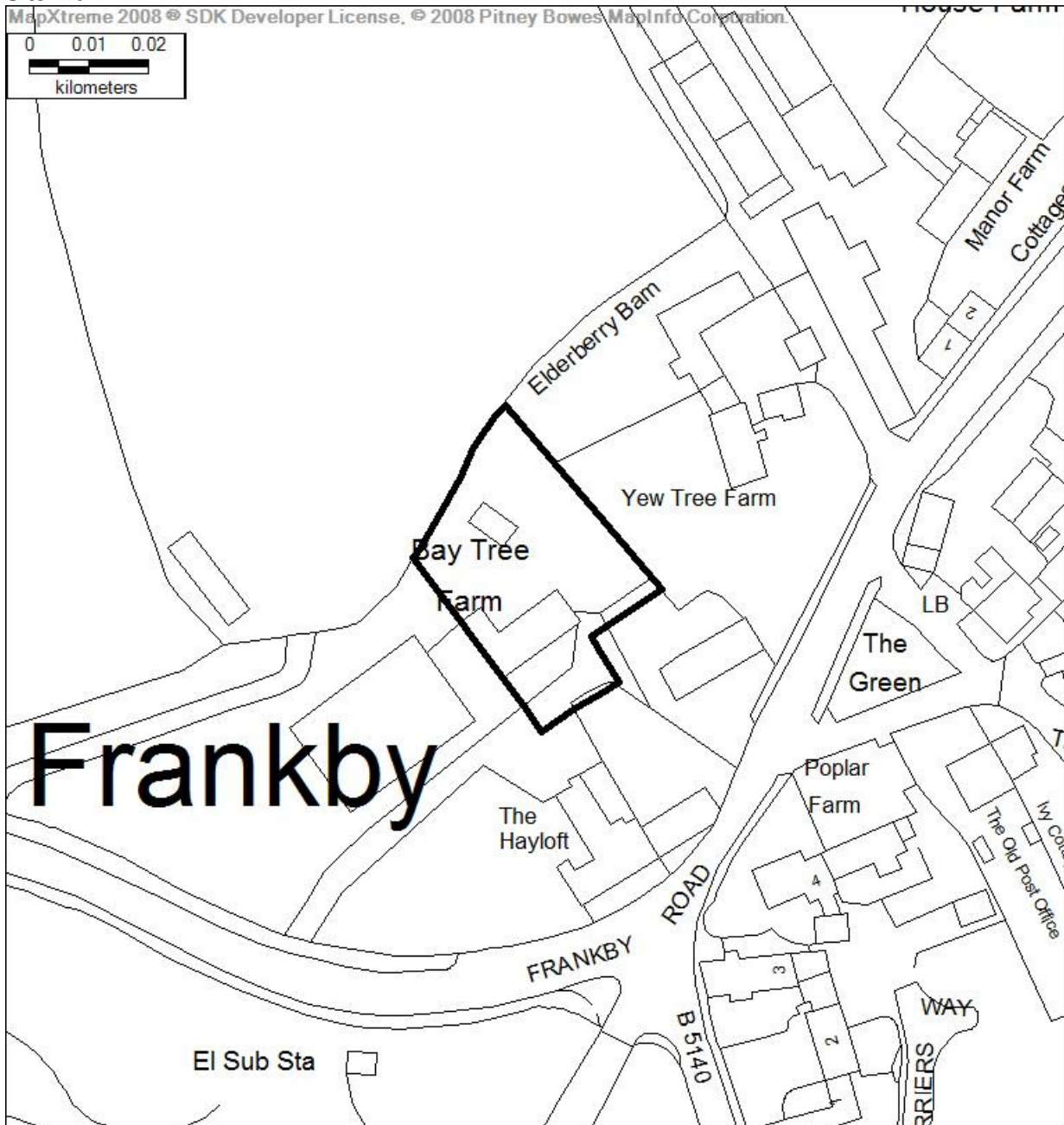
Case Officer:
Mrs S Day

Ward:
**Greasby Frankby
and Irby**

Location: Bay Tree Farm, FRANKBY ROAD, FRANKBY, WIRRAL
Proposal: The conversion and extension of the existing barn to form one residential dwelling and associated works, including; the erection of a car port.

Applicant: Mr G McGaffney
Agent : Nathaniel Lichfield & Partners

Site Plan:



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Development Plan allocation and policies:

Green Belt

Conservation Area (for illustrative purposes)

Planning History:

Location: Bay Tree Farm, FRANKBY ROAD, FRANKBY
Application Type: Planning Pre-Application Enquiry
Proposal: Conversion of barn to form one residential dwelling
Application No: PRE/14/00314/ENQ
Decision Date: 23/01/2015
Decision Type: Pre-Application Reply

Location: Fields to the north and north west of Bay Tree Farm Frankby Road, Frankby, Wirral, CH48 1PE
Application Type: Full Planning Permission
Proposal: Erection of two blocks of 5 stables (10 in total).
Application No: APP/03/07553
Decision Date: 27/02/2004
Decision Type: Refuse

Location: Bay Tree Farm, Frankby Road, Frankby, Wirral, CH48 1PE
Application Type: Full Planning Permission
Proposal: Conversion of barn and shippon into 2 dwellings erection of a garage extension to Bay Tree Farm House and realignment of access road.
Application No: APP/00/06944
Decision Date: 05/01/2001
Decision Type: Approve

Location: Bay Tree Farm, Frankby Road, Frankby, Wirral, CH48 1PE
Application Type: Full Planning Permission
Proposal: Erection of a new agricultural storage barn
Application No: APP/05/07424
Decision Date: 17/02/2006
Decision Type: Withdrawn

Location: Land to the North and West of, Bay Tree Farm, Frankby Road, Frankby, Wirral, CH48 1PE
Application Type: Full Planning Permission
Proposal: Formation of new access driveway and erection of ten stables.
Application No: APP/07/05142
Decision Date: 01/06/2007
Decision Type: Approve

Location: Bay Tree Farm, Frankby Road, Frankby, Wirral, CH48 1PE
Application Type: Prior Notification of Agricultural Works
Proposal: Erection of an open framed dutch barn
Application No: AGN/02/07588
Decision Date: 18/02/2003
Decision Type: Returned invalid

Location: Bay Tree Farm House, Bay Tree Farm, Frankby Road, Frankby, Wirral, CH48 1PE,
Application Type: Full Planning Permission
Proposal: Erection of new agricultural storage barn
Application No: APP/06/06127
Decision Date: 14/07/2006
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

In line with the Council's Guidance for Publicity of Applications, neighbour notifications were sent to 4 neighbouring properties and a notice posted on site. Objections have been received from 4 neighbouring properties at, Royden Manor, 285 Frankby Road, Poplar Farm, 1 and 4 The Nook, Elderberry Barn and Yew Tree Farm. The grounds for objection are:-

1. Proposal is contrary to Green Belt Policy and no very special circumstances have been demonstrated
2. Proposal will have a detrimental impact on the appearance and setting of the Conservation area.
3. The development will erode the Green Belt
4. Proposal is contrary to UDP policy CH2 as it does not preserve or enhance the Conservation area.
5. Loss of privacy to adjacent properties
6. Development will be visually overbearing
7. Parking adjacent to neighbouring gardens will lead to noise pollution and dust
8. Proposal exploits loophole in legislation.
9. The barn is still in use for Hay storage
10. Conversion would be in direct conflict with precedents set in determining other applications in the surrounding area.

CONSULTATIONS:

Head of Environment & Regulation (Traffic & Transportation Division) - No Objection

Frankby Conservation Area Advisory Group - Object to the proposals. Barn is still required for storage and its conversion is contrary to SPG15. Contrary to conservation policies as it does not preserve or enhance the Conservation area. Proposed carport is too big and to be constructed using inappropriate materials. Curtilage is too big and will harm the openness of the green belt.

Council for The Protection of Rural England - Barn is a recent construction and its conversion is at odds with Green Belt Policy.

The application was taken out of delegation by **Councillor Clements** regarding concern about the character and openness of the green belt.

Director's Comments:

The application was deferred from Planning Committee on 3rd June 2015 to allow for Member's to carry out a formal Committee Site Visit.

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application has been taken out of delegation by Councillor Clements due to concerns about its impact on the character and openness of the green belt and Frankby Conservation Area.

INTRODUCTION

The application relates to the extension and conversion of an existing barn to a residential use. The proposals include the erection of a timber car port and the creation of a curtilage around the building.

PRINCIPLE OF DEVELOPMENT

The conversion and re-use of buildings within the green belt can be acceptable in principle subject to National and local guidelines relating to the green belt and conservation areas.

SITE AND SURROUNDINGS

The site consists of an existing barn which is located within the Frankby Conservation area and the adopted Green Belt. In addition the site also falls within an area of archaeological importance.

The barn was approved in 2006 following a previous proposal which was refused. The barn sits behind the main group of buildings to the north of Frankby Road and takes access from Frankby Road. The barn is constructed mainly of breezeblock which has been clad in timber and has a slate roof. The site is bounded to the north east and North West by existing hedging which forms a boundary with the

adjacent property and fields to the north. The entrance to the barn faces the rear of the site (North West) with a rough surfaced access to the east of the barn. In addition to the barn, there is an existing structure on the site which appears to have been in situ for some years.

POLICY CONTEXT

Both national and local green belt policy acknowledges that the re-use and extension of existing buildings in the green belt can be appropriate. This is subject to any extension being proportionate to the host building and not having a greater impact on the openness of the green belt or the purposes of including land within the green belt.

The Council's Supplementary Guidance note¹⁵ sets out guidance for the conversion of redundant agricultural buildings in the green belt. In general terms proposals which preserve the setting and character of such buildings can be acceptable.

UDP policy CH2 establishes the general requirements for development in Conservation areas. New development should demonstrate that it preserves or enhances the distinctive characteristics of the area including views into and out of the conservation area and the setting and layout of existing buildings.

Policy CH12 relates specifically to the Frankby Conservation area. The principal planning objectives of this policy are to, retain the unifying features of the area, preserve a compact settlement and to preserve the rural historic character of the village.

Policy CH25 sets out the criteria for assessing proposals which may have some archaeological significance. Development proposals may need to be accompanied by an archaeological assessment. The nature of this assessment should be proportionate to the importance of the site and the works proposed.

APPEARANCE AND AMENITY ISSUES

The proposals relate to the conversion and extension of the existing barn and the erection of a car port. Under the provisions of both national and local planning policy, the conversion and re-use of buildings in the green belt can be appropriate so long as the building is capable of conversion without substantial alteration, any extensions are proportionate and there is no greater impact on openness of the green belt. The Council's Supplementary guidance note 15, sets out the criteria for conversion of buildings in the green belt. Whilst this document is a little out of step with current green belt policy, as it is no longer necessary for buildings to be redundant, it nonetheless sets out the general approach which should be taken regarding the appearance of the buildings. This is particularly important when the barn is located in a conservation area.

The barn which is the subject of this application is not a traditional stone barn like others in the conservation area but it is a substantial structure which is robust enough to withstand a conversion. The exterior appearance is vertical timber boards. The proposed external appearance to the sides and rear retains this appearance but with wider gaps between some timbers to provide windows. The main elevation of the barn faces North West across open land and is predominantly glazed. The alterations to the building are simple and would retain the characteristics of the building. An extension to the barn is proposed which brings the northern corner of the barn in line with the other "arm" of the rear elevation. This results in an extension measuring 18.9 square meters, given the floor space of the existing building at 42 square metres, this is not a disproportionate extension to the building.

The proposal for an extension and a car port must however be assessed in terms of their impact on the openness of the green belt. At present the site contains the barn and a single storey structure which is located to the north of the barn. The existing structure measures 36 square metres which is larger than the proposed car port at 30 square metres. In addition the car port is to be positioned in a less prominent position adjacent to the barn and the boundary of the site. It is considered that, subject to the removal of the existing structure on the site, to the size and position of the additional buildings will not result in any greater impact on the openness of the green belt and would constitute appropriate development.

When considering the conversion of existing buildings, policy states that care must be taken to ensure that any curtilage does not erode the openness and character of the green belt. The existing barn had a vehicular access and hard surfaced area to the south of the barn which would remain the same. The

proposed car port would be located in this hard surfaced area. The proposed plans include a garden to the north of the barn with the boundary formed by the side of the barn and the edge of the field to the north of the barn. Whilst this would result in a garden a little larger than most conversions, it makes use of existing natural boundaries and is a logical area to use around the barn. The impact on the openness of the surrounding green belt can be minimised by strengthening of existing plating and the removal of permitted development right for any buildings or structures in this area.

Whilst objectors have raised concerns that the original construction of the barn was simply a device to allow a future conversion, this is not a material consideration in this instance. The barn was erected some years ago following a robust assessment of the proposal and has been used for the purpose of storage. Both national and local Green Belt Policy allow for the re-use of existing buildings and as such the proposals are considered appropriate development, which there is a presumption in favour of.

The impact on the Conservation area will be neutral, the building exists and the conversion retains the appearance of the building. Extensions are not untypical of the host building and other buildings in the conservation area.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be overlooked by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no Highway objections relating to this proposal.

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 proposals represent an appropriate development in the green belt which meets the requirements of local and national green belt policy. The alterations and extensions will not result in a detrimental change to the character of the Conservation area and are in keeping with Unitary Development Plan policies. CH2 and CH12

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 proposals represent an appropriate development in the green belt which meets the requirements of local and national green belt policy. The alterations and extensions will not result in a detrimental change to the character of the Conservation area and are in keeping with Unitary Development Plan policies. CH2 and CH12

Recommended Decision: **Approve**

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 1995 as amended (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings, other extensions or external alterations to the dwelling units shall be erected or carried out unless expressly authorised.

Reason: In order to protect the openness of the Green Belt and character of the area and to accord with Policy GB3 of the Wirral Unitary Development Plan.

3. 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: In order to protect the openness of the Green Belt and character of the area and to accord with Policy GB3 of the Wirral Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order) no walls, fences or other means of enclosure under Part 2, Class A shall be erected within any part of the site.

Reason: In order to protect the openness of the Green Belt and character of the area and to accord with Policy GB3 of the Wirral Unitary Development Plan.

5. Before development commences, a scheme of planting to provide screening to the boundaries of the site shall be submitted to and approved by the Local Planning Authority. The planting shall be carried out in accordance with the approved details and subsequently maintained to the satisfaction of the Local Planning Authority. The approved scheme shall be fully implemented in the first planting season following commencement of any part of the approved development.

Reason:

To ensure that proposed development does not prejudice the amenity of the locality .

6. The existing structure located to the north of the barn within the application site, shall be removed from site before development commences.

Reason; To protect the openness of the Green Belt in accordance with Unitary Development Plan Policy GB2 and the National Planning Policy Guidance.

7. Before any construction commences, samples of the facing, roofing and 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 CH2 of the Wirral Unitary Development Plan.

8. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on April 7th and May 19th and listed as follows: IL41412-001, Elevations, Floor plans.

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

Last Comments By: 13/05/2015 13:01:57

Expiry Date: 02/06/2015