

Development Plan allocation and policies:

Green Belt

Conservation Area (for illustrative purposes)

Planning History:

- Location: Jasmine Cottage, 67 Stanley Lane, Eastham, Wirral, CH62 0AQ
Application Type: Full Planning Permission
Proposal: Erection of a two storey rear extension
Application No: APP/07/05170
Decision Date: 18/04/2007
Decision Type: Refused
- Location: St Marys CE Primary Playing Field, Stanley Lane, Eastham, Wirral, CH62 0AQ
Application Type: Work for Council by Council
Proposal: Construction of bitumen macadam playing surface and access footpaths and erection of 3 metre high ball stop fencing.
Application No: APP/04/07852
Decision Date: 13/05/2005
Decision Type: Approved
- Location: St Marys CE Primary Playing Field, Stanley Lane, Eastham, Wirral, CH62 0AQ
Application Type: Work for Council by Council
Proposal: Construction of bitumen macadam playing surface and access footpaths and erection of a 1.3 metre high ball stop fence.
Application No: APP/04/07443
Decision Date: 03/12/2004
Decision Type: Withdrawn
- Location: St Marys, CE Controlled Primary Sch, Stanley Lane, Eastham, Wirral, CH62 0AQ,
Application Type: Work for Council by Council
Proposal: Erection of main entrance, staff toilets and disabled toilet extension
Application No: APP/02/06635
Decision Date: 04/10/2002
Decision Type: Approved
- Location: St Marys, CE Controlled Primary Sch, Stanley Lane, Eastham, Wirral, CH62 0AQ,
Application Type: Listed Building Consent
Proposal: Erection of main entrance, staff toilets and disabled toilet extension
Application No: LBC/02/06643
Decision Date: 04/10/2002
Decision Type: Approved
- Location: St Marys CE Primary School, Stanley Lane, Eastham, Wirral, CH62 0AQ
Application Type: Work for Council by outside body
Proposal: Erection of a single storey extension.
Application No: LBC/99/06470
Decision Date: 17/12/1999
Decision Type: Approved
- Location: St Marys, CE Controlled Primary School, Stanley Lane, Eastham, Wirral, CH62 0AQ
Application Type: Work for Council by outside body
Proposal: Erection of a single storey extension.
Application No: APP/99/06469
Decision Date: 22/10/1999

Decision Type: Approved

Location: Eastham St. Mary's C. of E. Primary School, Stanley Lane, Eastham. L62 0AQ

Application Type: Work for Council by Council

Proposal: Erection of a single storey classroom extension and entrance/corridor link.

Application No: APP/92/05874

Decision Date: 21/07/1992

Decision Type: Approved

Location: St. Marys C. of E. Primary School 69, Stanley Lane, Eastham. L62 0AQ

Application Type: Work for Council by Council

Proposal: Erection of rear single storey extension to accommodate extra toilets.

Application No: APP/85/06638

Decision Date: 24/10/1985

Decision Type: Approved

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

Having regard to the Council's Guidance on Publicity for Applications 17 notifications were sent to adjoining properties and a Site Notice was posted adjacent to the site. In addition, the application was publicised with a Press Notice in the Wirral Globe. At the time of writing this report 3 letters of objection have been received and the objections can be summarised as follows:

1. house face directly into garden reducing privacy and view
2. planned car park is not enough for the conversion let alone the new properties
3. loss of trees
4. flat roofed extension to Unit 1 is almost in contact with no 67
5. extensions change the relationship between the two properties, no separation from the adjoining school, no open space
6. harmful to the character of the conservation area
7. cannot maintain own property
8. narrow gap will be a trap for rubbish
9. overlooking to jasmine cottage
10. overlooking from new windows
11. inadequate parking
12. where are the bins to be stored.

Eastham Village Preservation Association - Objects to the proposals and their objections can be summarised as follows:

1. Proposal contravenes many of the established planning policies that relate to application in Eastham Village Conservation Area, including developments effecting the setting of conservation areas, development in the Green Belt and development affecting the setting of listed buildings;
2. The proposals result in inappropriate extensions with the resulting loss of historic fabric;
3. No affordable housing being proposed;
4. Creates a precedent for further development in the village;
5. Will result in an unacceptable increase in traffic;
6. Not convinced about the "enabling development" development arguments presented in the Heritage Statement - to link the developments for the school and the proposed new residential development is a device to get around planning policies in the Green Belt and within the Conservation Area and this is not acceptable; and
7. Pre-application discussions between the Council and the applicant are prejudicial to the impartial consideration of this application now it has reached a formal application stage

Having expressed the above objections, the EVPA would like to make it clear that they have no objections to the principle of converting the former school building to residential use provided it is done in such a way that it doesn't affect the external appearance of such an important listed building in its grouping. Nevertheless, they do ask that the current proposals are refused.

CONSULTATIONS:

Head of Environment and Regulations (Pollution Control Division) - No objections

Director's Comments:

Planning Committee resolved to defer consideration of this application at its meeting on 20 August 2015 to allow for a Member's Site Visit to take place.

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application has been taken out of delegation by Councillor Carubia on the grounds that the proposal represents unacceptable alterations to an important Listed Building within the Conservation Area, inappropriate implications for new dwellings in the Green Belt, the impact on the important building in the centre of the (Eastham Village) Conservation Area of which the school is a part, the impact on traffic levels, loss of privacy to Jasmine Cottage and the end cottages in White Row.

INTRODUCTION

The proposed development comprises of the conversion of St Mary's former Primary school into three, two bedroomed dwellings and the construction of two new dwellings at the rear of the school. The proposal also includes for the renovation of the Old Masters House bringing the total number of units to 6.

PRINCIPLE OF DEVELOPMENT

The application site is located within Eastham Village Conservation Area and within Wirral's Green Belt. There is no provision for new housing in the Green Belt under UDP Policy GB2, which sets a general presumption against the proposed development. Therefore, the application is a departure from the Unitary Development Plan and has been advertised as such.

SITE AND SURROUNDINGS

St Mary's primary school and no 69 Old Masters House is a grade II Listed building and is within a site that measures approximately 0.47 acres. The buildings and site are located within the centre of the Village on the western side of Stanley Road. St Mary's Church is located to the south of the site. The properties surrounding the school are predominately residential and vary in ages and styles. The conservation area appraisal carried out by Donald Insall sites the primary school building as making a critical contribution to the character of the Conservation Area.

The building has been vacant for over eight years, during which time its condition has deteriorated.

POLICY CONTEXT

The following Unitary Development Plans are relevant to this proposal:-

UDP Policy GB2 - Development in the Green Belt

UDP Policy CH1 Development Affecting Listed Buildings and Structures

UDP Policy CH2 Development Affecting Conservation Area

UDP Policy CH3 Demolition Control within Conservation Areas

UDP Policy CH10 Eastham Village Conservation Area

UDP Policy GB2 – Guidelines for development in the Green Belt states that within the Green Belt, there is a general presumption against inappropriate development and as such, development will not be approved except in very special circumstances. Planning permission will not be granted for development in the Green Belt unless it is for the purposes of limited extensions, alteration or replacement of existing dwellings, subject to policy GB4 and Policy GB5

UDP Policy CH2 – Development Affecting Conservation Areas advises that development within such

areas will be permitted where the visual and operational impact of the proposal can be demonstrated to preserve and enhance

- The distinctive characteristics of the Area, including important views into and out of the designated area
- The general design and layout of the area, including the relationship between its buildings. Structures, trees and characteristic open spaces
- The character and setting of period buildings and other elements which make a positive contribution to the appearance and special character of the area.

When granting consent, special regard will be given to matters of detailed design, especially within main frontages and prominent elevations, and to the nature quality and type of materials proposed to be used.

UDP Policy CH10 – Eastham Village Conservation Area states that the principle planning objectives for the area will be to

- Maintain a sense of separation from the surrounding built up area through the retention of open spaces around the village core
- Preserve the setting and sense of enclosure afforded by boundary walls, hedges and mature landscaping
- Preserve the visual setting of the village cross and war memorial and the Church of St. Mary, with its yard and lynch-gate

National Planning Policy Framework paragraph 88 states that when considering any planning application in the Green Belt, Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. "Very special circumstances will not exist unless potential harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other material considerations".

In addition, para 89 states that the construction of new buildings in the Green Belt is inappropriate, exceptions include, limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, 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. The applicant has stated that this paragraph in the NPPF, provides support for the proposal in National Planning Policy terms, particularly as this reasoning is reiterated in para 90 which advises that certain forms of development are not inappropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it and include for the re-use of buildings provided that the buildings are of permanent and substantial construction.

In this instance, the Listed School and masters house have become redundant, and the proposal is further supported by section 12 of the NPPF which states that in determining planning applications, local planning authorities should take account of: The desirability of sustaining and enhancing the significant heritage assets and putting them to viable uses consistent with their conservation; The positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 140 of the NPPF states that Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but would secure the future conservation of a heritage asset, outweigh the disbenefit of departing from these policies.

The applicants have advised that the cost of converting the school to the high standard that will be required to secure the future as a heritage asset require the enabling development of the proposed dwellings at the rear of the school. A financial appraisal has been submitted which provides a justification for requiring this form of enabling development.

As part of the submitted application, the applicants have provided details of both the existing and proposed gross floor area, taking into account both the removal of a number of unsightly extensions and out buildings and the floor space proposed through the development of the two properties to the rear of the school. The overall internal floor space, external footprint and volume of the structures on site

following the proposed development will be reduced. This will equate to a reduction in the overall volume of built form by just over 50%

In addition, the proposed two dwellings are to be constructed at the rear of the school which is located within a built up, urban area. Planning permission was granted in xxx for the construction of six dwellings on the adjacent site which are comparable in size and location to the two proposed dwellings.

Due to the location of the dwellings at the rear of the existing school building and its position within a suburban location with similar properties in close proximity to the proposed dwellings It is considered that the proposal will not be detrimental to the openness of the Green Belt, nor is it considered to be visually obtrusive or to over dominate the Listed building.

Development Management Policies in the Joint Waste Local Plan for Merseyside and Halton are also applicable. Policy WM8 requires development to incorporate measures for achieving efficient use of resources; Policy WM9 also requires development to provide measures for waste collection and recycling, including home composting.

APPEARANCE AND AMENITY ISSUES

The layout and design of the development must satisfy the criteria of in that the proposal in general terms must relate well to adjacent properties and not result in a detrimental change in the area.

The submitted application involves the retention and conversion of the existing building and the removal of unsightly single storey extensions at the rear. The elements of the building which are to be demolished are referred to in Negative terms in the Conservation Area Appraisal and Management Plan.

The proposed conversion will retain the original fabric of the existing buildings and original features are to be revealed including original windows that have over the years been covered over and sealed. There are minimal alterations to the front elevation and include the addition of three heritage roof lights, a new entrance door and porch to serve unit 3 and the cills of windows serving main rooms will be dropped 600mm to allow additional light to those rooms.

Access to unit 1 of the converted property will be from an entrance, located behind the existing sandstone gateway adjacent to no 67 Stanley Lane. Dwellings two and three will accessed from the front of the school with unit 2 using the existing entrance, and a new access created for unit 3. The forth unit will be located in the Old Masters House.

Two new dwellings are proposed at the rear of the existing school within the former playground and comprise of two, two storey, detached two bed houses. The applicants have advised that they will be constructed in Cheshire brick with timber detailing. The fenestration will be timber or aluminium frames and the roof constructed from reclaimed slate.

Vehicular access and parking for all six units will from Stanley Lane between the Old Masters House and no 71.

There are a number of trees within the existing site; the majority of these will be retained. Two trees within the existing playground at the rear of the site are to be removed. The Councils tree Officer has raised no objections to their removal.

The immediate area around this site contains a mix of house types and styles with no overall dominate characteristic and the proposed new dwellings are not considered to represent a departure from any character area. The houses sit well within the plot and minimise any potential impacts on neighbouring properties. As such the proposal is not considered to harm the character of the area.

SEPARATION DISTANCES

The interface distance between the School building and the proposed new dwellings will be 24m. The two new dwellings will be located 4m apart, with the elevations that face each property containing windows that serve a bathroom and stairway. It is considered that this distance is acceptable and no

habitable rooms are affected. The nearest adjacent property is no 53 Stanley lane and is located approximately 21m to the west of the site and achieves the required interface distance between properties.

HIGHWAY/TRAFFIC IMPLICATIONS

The applicants have amended the proposal to provide a minimum of a 4m wide access to the rear of the site. There are no highway objections 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

Given the above and having regards to UDP Policies UDP Policy CH1, CH2 CH10 and GB2, GB3 the proposed development is not considered to have a harmful visual impact on its surroundings or the character of this conservation area. The two new dwellings would allow an important listed building to be brought back into an acceptable use, thereby securing the future of a heritage asset. The removal of unsightly extensions and the construction of two new dwellings to the rear are not considered in this particular case to harm the visual amenities of the Green Belt in terms of size, scale or character. It is considered that these are material considerations which constitute very special circumstances to allow this development within the Green Belt.

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:-

Given the above and having regards to UDP Policies UDP Policy CH1, CH2 CH10 HS4 and GB2 the proposed development is not considered to have a harmful visual impact on its surroundings or the character of this conservation area. The two new dwellings would allow an important Listed building to be brought back into an acceptable use, thereby securing the future of a heritage asset. The removal of unsightly extensions and the construction of two new dwellings to the rear are not considered to harm the openness or the visual amenities of the Green Belt in terms of size, scale or character. It is considered that these are material considerations which constitute very special circumstances to allow this development within the Green Belt .

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. NO DEVELOPMENT SHALL BEGIN UNTIL 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 HS4, CH2 and GB3 of the Wirral Unitary Development Plan.

3. The design of the foundations, for the proposed two new 3 bedroomed houses on former

playground area, shall take account of the of nearby trees and must be as prescribed in appropriate guide lines (The building Regulations 1991: Approved Document A, BS 5837:2005, BRE Digests 240:1980, 298:1985 and NHBC Standards, Chapter 4.2) as a minimum standard. The foundations must be constructed to withstand any influence of existing trees with regard to future potential indirect/direct tree related building damage

Where appropriate, the foundations should be of pile and beam construction and the ground beam must not require any greater excavation than 250mm below existing ground level.

No development shall take place until there has been submitted to and approved in writing by the local planning authority technical details of the proposed foundations to include their dimension in relation to existing ground levels.

Reason: To ensure that existing trees, covered by tree preservation orders, are not harmed by loss of roots or are put under pressure of removal due to actual or perceived risk of potential building

4. No works or development shall take place until a scheme for the protection of the retained trees- The Tree protection plan (section 5.5, BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations) has been agreed in writing with the LPA. This scheme shall include:

- A. the details of each retained tree as required at section. 4.4 of BS5837 in a separate schedule.
- B. a plan or relevant drawings, including proposed site layout plans, to a scale and level of accuracy appropriate to the proposal that shows constraints posed by existing trees (section 5.2 BS 5837), the position, crown spread and Root Protection Area (section 4.6 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- C. a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Tree work-Recommendations.

An arboricultural method statement (section 6 BS 5837) containing;

- D. the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 6.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.
- E. the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (para 6.2.3 of BS5837).
- F. the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 6 of BS5837).
- G. the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (para 5.5.6 of BS5837).
- H. the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para. 5.5.6 of BS5837) of any retained tree, including those on neighbouring or nearby ground.
- I. the details of any special engineering required to accommodate the protection of retained trees (section 7 of BS5837), (e.g. in connection with foundations, bridging, water features, surfacing)
- J. the details of the working methods to be employed with the demolition of buildings, structures and surfacing within or adjacent to the RPAs of retained trees (section 7 BS 5837).
- K. the details of the working methods to be employed with regard to the access for and use

of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

- L. the details of the working methods to be employed with regard to site logistics and storage, including an allowance for slopes, water courses and enclosures, with particular regard to ground compaction and phytotoxicity.
- M. the details of the method to be employed for the stationing, use and removal of site cabins within any RPA (para. 6.2.2.3 of BS5837).
- N. the details of tree protection measures for site works, landscaping operations and management (section 8 of BS5837).
- O. the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: In the interest of tree protection and to comply with Policy GR7 of the Wirral Unitary Development Plan.

- 5. 21 days before any development is commenced resulting in any alteration of existing ground levels, demolition or alteration of the structure, written notice shall be given to the local planning authority whereupon the local planning authority, within 21 days of receipt of such notice, shall specify in writing to the developer which persons authorised by the local planning authority shall be allowed access to the site to inspect tree protection measures and construction of driveways / access near trees, for the purpose of arboricultural investigation.

Reason: In the interest of tree protection and to comply with Policy GR7 of the Wirral Unitary Development Plan

- 6. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 12th May 2015 and listed as follows:
14055-106 (24.4.15),14055-114 (24.4.15),14055-1112 (24.4.15),14055-111
(24.4.15),14055-110 (24.4.15),14055-107 (24.4.15),14055-108 (24.4.15),14055-109
(24.4.15),14055-113 (24.4.15),14055-003 (09.10.15),14055-002A (09.10.15),14055-005
(09.10.15),14055-006 (09.10.15),

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

- 7. NO DEVELOPMENT SHALL TAKE PLACE until full details of soft and hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall detail the locations, species and heights of all existing and proposed trees, shrubs and hedge planting and all existing and proposed grassed and hard surfaced areas and any other natural or proposed features. The approved scheme shall be implemented in full in the first planting season following first occupation of the dwellings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy GR5 of the UDP.

- 8. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of appearance and that the proposed development enhances the visual amenity of the locality in accordance with Policy GR5 of the UDP.

- 9. 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 policies WM8 and WM9 of the Waste Local Plan.

10. PRIOR TO THE FIRST OCCUPATION OF THE DWELLINGS arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory appearance and adequate standards of hygiene and refuse collection, having regard to policies WM8 and WM9 of the Waste Local Plan.

Further Notes for Committee:

Last Comments By: 15/07/2015 17:20:40
Expiry Date: 07/07/2015