

Planning Committee

18 February 2016

Reference:
APP/15/00956

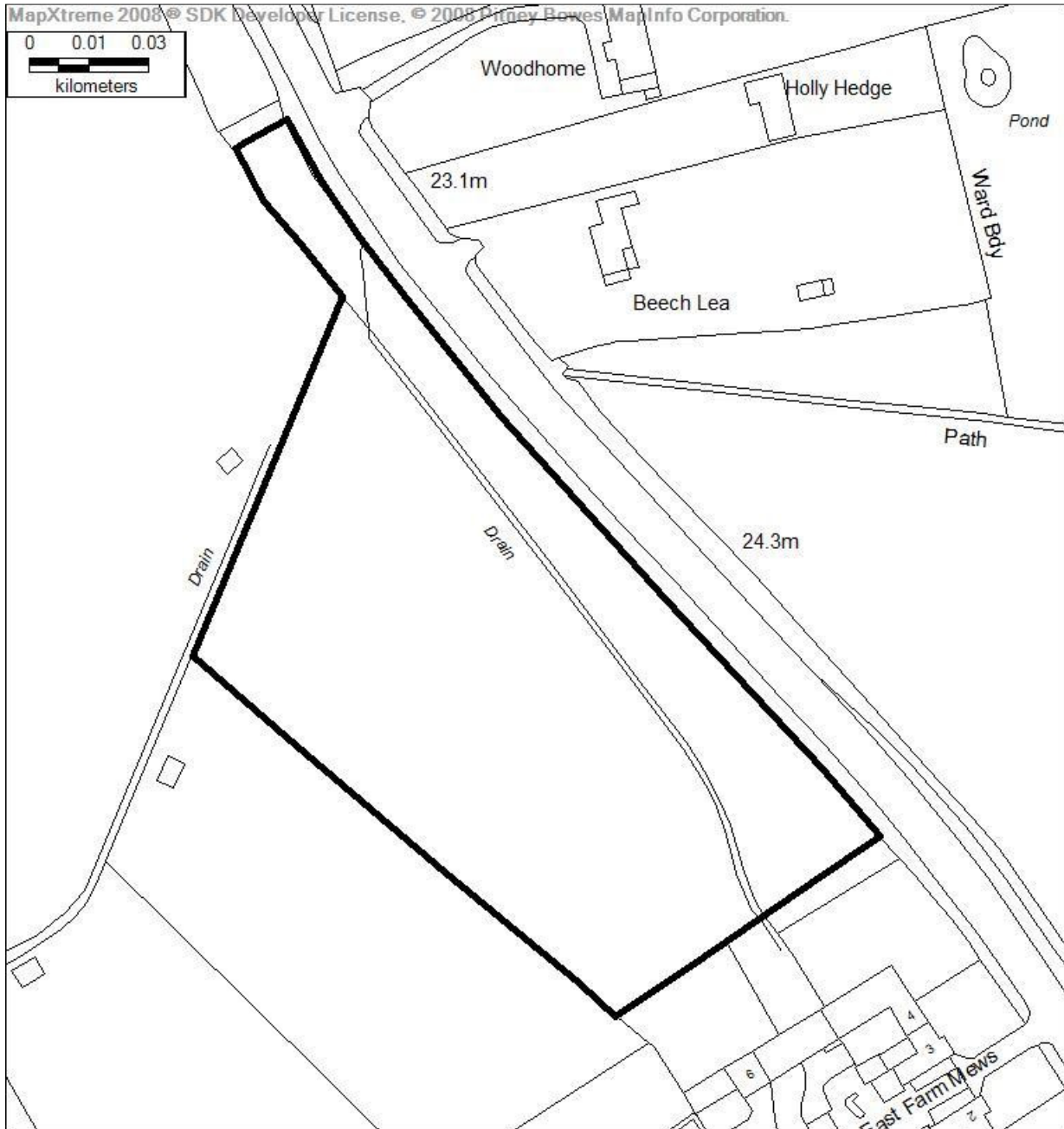
Area Team:
North Team

Case Officer:
Mr N Williams

Ward:
**West Kirby and
Thurstaston**

Location: East Farm, Column Road, Caldy, Wirral, Merseyside
Proposal: Create one new 5 metre wide entrance onto Column Road
Applicant: Mr Clifford Ryan
Agent : N/A

Site Plan:



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Development Plan designation

Area of Special Landscape Value
Green Belt

Planning History:

Location: East Farm Column Road Caldy Wirral CH48
Application Type: Full Planning Permission
Proposal: A wooden agricultural storage building with a concrete base
Application No: APP/14/00402
Decision Date: 15/05/2014
Decision Type: Refuse

Location: East Farm Column Road Caldy Wirral CH48
Application Type: Full Planning Permission
Proposal: Two proposed agricultural buildings with greenhouse, tractor and trailer storage, and tools building.
Application No: APP/14/00885
Decision Date: 10/09/2014
Decision Type: Refuse

Location: EAST FARM, COLUMN ROAD, CALDY, WIRRAL
Application Type: Full Planning Permission
Proposal: A small agricultural storage building and a small greenhouse
Application No: APP/14/01449
Decision Date: 13/01/2015
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, 20 notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, there had been a petition of objection containing 46 signatures and 5 individual objections received, objecting on the grounds of highway safety; loss of trees; accesses are unnecessary; claim of a fruit farm is 'suspect'; impact on Green Belt. One letter of support was also received.

Councillor Geoffrey Watt requested that the application be taken out of delegation on the grounds that nearby residents are concerned that the proposed development, by reason of its size and scale, represents an unjustifiable development in the Green Belt involving the unnecessary loss of trees affecting the setting of Stapledon Wood and the Caldy Conservation area, contrary to policies GB2, LA1, LA2, CH2 and CH11 of the Wirral Unitary Development Plan; the Caldy Conservation Area Appraisal & Management Plan and the National Planning Policy Framework.

CONSULTATIONS

Head of Environment & Regulation (Pollution Control Division) - No objection

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

Director's Comments:

REASON FOR REFERRAL

Councillor Geoffrey Watt requested that the application be taken out of delegation (see above), and additionally a qualifying petition of objection containing 46 signatures was received.

INTRODUCTION

The application is to create one new access onto Column Road, at a width of 5 metres.

The application originally proposed to create two new entrances, each 9 metres wide. However, this was considered to be excessive and potentially harmful to the Green Belt given the fairly minimal

activity on the site at present.

SITE AND SURROUNDINGS

The application site is a large field located within the Green Belt. The field is in a fairly poor condition, although there has been some small fruit trees planted which form the beginnings of the applicant's proposed fruit and vegetable farm. There is a narrow vehicular entrance to the north east corner of the site, and this is currently accessed from Column Road, albeit there is not a dropped kerb available directly opposite the access. The field is largely screened from Column Road by a belt of trees, and these are protected by a Tree Preservation Order.

POLICY CONTEXT

The proposal is subject to Wirral Unitary Development Plan Policy GB2: Guidelines for Development in the Green Belt, which makes provision for essential facilities for uses of land which preserve the openness and purpose of the Green Belt. The National Planning Policy Framework (NPPF paragraphs 89 and 90 allows other forms of development, including local transport infrastructure, provided they preserve openness and do not conflict with the purposes of the Green Belt.

APPEARANCE AND AMENITY ISSUES

The applicant originally proposed to create two new entrances onto the site from Column Road, each 9 metres wide. However, given that the site is barely developed and there was only minimal information provided regarding the proposed local fruit/vegetable business to be developed on the site, the requirement for two large entrances seemed premature. As such, one proposed entrance was removed from the proposal, and the remaining proposed entrance reduced to a more acceptable 5 metres width.

The plan for this site is to create an organic fruit and vegetable farm and this, in principle, would generally be in keeping with land within the Green Belt. However, at present, there is little development of the site other than some fruit trees. The applicant contends that this is largely due to the difficulty in working the field by hand - caused by the existing access being insufficient to accommodate larger vehicles. On this basis, the creation of a new access, 5 metres wide, would allow some further development of the site for this purpose - but without inflicting potential harm on the Green Belt caused by two excessively wide accesses being created. The creation of one new entrance onto this land will have some impact on the Green Belt, but it is likely to be minimal. There are numerous other accesses and entrances along Column Road, and an additional one is unlikely to have a significant impact upon Column Road. Whilst the access itself is not agricultural, the access will allow agricultural vehicles onto the land in order to support the overall agricultural use of the plot and the proposed access is therefore acceptable in terms of Green Belt policy due to it being used to support the rural environment.

The proposed access has been chosen where there are few trees, and although two trees will be removed, they are considered to be only small and in poor condition. Conditions have been attached to ensure that the construction of the access will take into account the roots of retained trees, with a paving grid which does not harm roots being used.

A number of objections have stated that the creation of large accesses onto this land is a means to make the site more developable for residential purposes. However, there is little evidence to support this - and in any case, any such development would require planning permission and would therefore be assessed against relevant policy at the time.

SEPARATION DISTANCES

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

HIGHWAY/TRAFFIC IMPLICATIONS

The creation of one new access in this location will not result in any highway safety issues and there is therefore insufficient reason to warrant refusal of the application.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

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

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

In conclusion, the creation of new 5 metre wide access will not have an unacceptable adverse impact upon the appearance of the Green Belt, or the character of the surrounding area and the proposal is therefore considered to comply with Wirral Unitary Development Plan Policy GB2 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 policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The creation of new 5 metre wide access will not have an unacceptable adverse impact upon the appearance of the Green Belt, or the character of the surrounding area and the proposal is therefore considered to comply with Wirral Unitary Development Plan Policy GB2 and the National Planning Policy Framework.

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. The development hereby permitted shall be carried out in accordance with the approved plans amended and received by the local planning authority on 1st February 2016

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

3. 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:

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

the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction (section 7.4 BS 5837).

The design of the vehicular access shall take account of all trees situated on or off site and must be in line with appropriate guide lines (section 7.4 of BS 5837: Trees in relation to design, demolition and construction - Recommendations) and Arboricultural Advisory and Information Service, Practice Note 'Driveways Close to Trees 1996'). The driveway which are within 4 m of existing trees, must be constructed utilising minimum excavation techniques incorporating appropriate surfaces to avoid damage to trees and to withstand any influence of existing trees with regard to future potential indirect/direct tree related damage. 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 driveway, which are within 4m of existing trees, to include their dimensions (in relation to existing ground levels), specifications (materials) and when they are to be constructed in relation to other development works.

Reason: To ensure that existing trees are not damaged or put under pressure of removal due to actual or perceived risk of potential driveway damage, which will maintain the visual and environmental quality of the site and surrounding area.

4. The following activities must not be carried out under any circumstances:
- A. No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - B. No works shall proceed until the appropriate Tree Protection Barriers are in place, with the exception of initial tree works.
 - C. No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
 - D. No mixing of cement or use of other materials or substances shall take place within a Root Protection Area (RPA), or close enough to a RPA that seepage or displacement of those materials or substances could cause them to enter a RPA.
 - E. No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the LPA.

Reason: To ensure that existing trees are not damaged or put under pressure of removal due to actual or perceived risk of potential driveway damage, which will maintain the visual and environmental quality of the site and surrounding area.

Further Notes for Committee:

1. 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. The proposed vehicle crossing shall be built in accordance with LPA concrete commercial crossing specifications. 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: 01/12/2015 09:48:00
Expiry Date: 16/12/2015