

Planning Committee

16 November 2017

Reference:
APP/17/00410

Area Team:
South Team

Case Officer:
Ms J Storey

Ward:
Bebington

Location:
Proposal:

Storeton Hall Farm, LEVER CAUSEWAY, STORETON
Refurbishment and re-use of Storeton Hall and other historic buildings, new-build residential development, the relocation of the existing equestrian business, associated car parking, external works and landscape works.

Applicant:
Agent :

P.J.Livesey Homes Ltd & Mr Peter Bowling

Site Plan:



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Development Plan Designation:

Green Belt

Infill Village in the Green Belt

Planning History:

Location: Storeton Hall Farm, LEVER CAUSEWAY, STORETON
Application Type: Screening for EIA
Proposal: Screening Opinion
Application No: SCR/17/00309
Decision Date: EIA NOT REQUIRED
Decision Type:

Location: Storeton Hall Farm, LEVER CAUSEWAY, STORETON
Application Type: Full Planning Permission
Proposal: Refurbishment and re-use of Storeton Hall and other historic buildings, new-build residential development, the relocation of the existing equestrian business, associated car parking, external works and landscape works.
Application No: APP/17/00410
Decision Date:
Decision Type:

Location: Storeton Hall Farm, Rest Hill Road, Storeton. L63 6HT
Application Type: Full Planning Permission
Proposal: Change of use of beef farm into equine stabling, erection of W.C.s and associated facilities.
Application No: APP/88/06414
Decision Date: 22/09/1988
Decision Type: Approve

Location: Storeton Hall Farm, Lever Causeway, Storeton. L63 6HT
Application Type: Full Planning Permission
Proposal: Erection of a potato/grain store.
Application No: APP/88/06200
Decision Date: 01/09/1988
Decision Type: Approve

Location: Lindley, Lever Causeway, Storeton, Wirral, CH63 6HT
Application Type: Full Planning Permission
Proposal: Erection of single storey rear extension.
Application No: APP/08/05621
Decision Date: 16/06/2008
Decision Type: Approve

Location: 1, Storeton Hall Farm Cottages, Rest Hill Road, Storeton. L63 6HN
Application Type: Full Planning Permission
Proposal: Erection of single storey kitchen extension.
Application No: APP/85/06562
Decision Date: 03/12/1985
Decision Type: Approve

Location: Storeton Hall Farm, Lever Causeway, Storeton. L63 6HT
Application Type: Full Planning Permission
Proposal: New vehicular access and erection of an infill boundary wall to existing access.

Application No: APP/91/07372
Decision Date: 21/02/1992
Decision Type: Approve

Location: Lindley,Lever Causeway,Storeton,Wirral
Application Type: Full Planning Permission
Proposal: Conversion of garage to study and erection of new detached garage.
Application No: APP/74/00656
Decision Date: 20/09/1974
Decision Type: Permitted development

Location: Storeton Hall Farm,Lever Causeway,Storeton,Wirral,L63 6HT
Application Type: Full Planning Permission
Proposal: Change of use for part of Storeton Hall Farm as a restaurant.
Application No: APP/79/12796
Decision Date: 19/11/1979
Decision Type: Refuse

Location: Storeton Hall Farm,Lever Causway,Storeton,Wirral,L63 6HT
Application Type: Full Planning Permission
Proposal: Retail food sales at the farm shop.
Application No: APP/80/15128
Decision Date: 05/08/1980
Decision Type: Conditional Approval

Summary Of Representations and Consultations Received:

Summary of representations

Having Regards to the Councils Guidance for Publicity on Planning Applications, 170 notifications were sent to surrounding properties and a site notice was displayed near the site. At the time of writing, there are 3 qualifying petitions of objection containing a total of 395 signatures together with 44 individual objections and 7 letters of support. It is also understood that there is an E -petition containing 758 signatures, but the Local Planning Authority have no way of verifying the number of signatures. The council policy is that petitions must have address and signature. If a petition is an E petition the signature might not be hand written but should still include the address and post code
The objections can be summarised as:

1. Building houses in Storeton should not happen
2. Increase in traffic and highway safety implications
3. People who hack the horses will find it more difficult
4. Stress to horses through the building works
5. Wirral Green Belt and Historic area and loss of views
6. Effect on the Wildlife
7. Impact on existing residents through loss of tranquillity
8. Previous application on Marsh Lane was refused on Green Belt Grounds
9. New dwellings will double the size of the village and loose its unique character
10. As I builder find it difficult to understand the need for 31 dwellings to justify investment in

historic buildings

11. Should find another option to find the funds to preserve the existing stable and storage building
12. Unjust that neighbours will suffer through applicant furthering his business interests
13. Increase in noise, litter and traffic and will make people exercising horses more dangerous
14. Reduce the number of horses stabled and change view of horses grazing to a view of a housing estate
15. Change in the character of the area
16. Significant increase in traffic generation
17. English Heritage saying they need to save this building is a farce – saving it to sell
18. Amount of traffic proposed is vastly underrated
19. Widening the access and removing hedge rows making the approach to bend more difficult
20. Extremely upsetting that historic building will be turned into residential property
21. This is the ancestral home of my ancestors
22. Possible solution, preserve building and have a Stanley Centre and reduced residential development
23. Plenty of brownfield sites in Bebington, New Ferry etc. with opportunities to build affordable homes without destroying an area used for leisure purposes.
24. Will lead to more development in the Green Belt
25. I couldn't build a bungalow in the Green Belt
26. Contrary to UDP Policies
27. Development is over-baring, out of scale and out of character in terms of appearance
28. Affect the setting of the Listed building
29. Applicant doesn't care – not undertaken any consultation
30. Utility report is incorrect and the water supply will need to be protected and maintained during demolition
31. Eradication of Village life
32. Urbanising a rural area and street lighting
33. Suburban style streetscape is not considered to be special circumstances
34. Recognise that the buildings proposed is on land already occupied, concerned about establishing a principle of allowing building on the Green Belt
35. Object to the independent review of the finances of the development being confidential, lacks transparency and reduces the ability to test the proposal

36. Owners should not benefit from a messy site
37. Not object to development of existing farm buildings rather excessive size
38. Application from people based in Manchester, do not have local knowledge or care for the area
39. Estimate of the number of cars is inaccurate
40. Applicant just after windfall of money from the site
41. Destruction of valuable, ancient woodland, flora and fauna
42. Maybe a general housing shortage, cannot be used as an argument to spoil a quiet hamlet
43. Site has trees protected by TPO, seems to count for nothing
44. Spoil views and privacy
45. New occupiers may not be understanding to noise, smell and flies in the summer months
46. Too many trees will be lost
47. No public sight of the key bit of evidence to demonstrate whether this quantum and impact is actually required.
48. No reason to deprive area of loss of Green Belt
49. No affordable housing
50. Everyone living here protects the conservation area
51. Disturbing reports of development at Mostyn House by this developer
52. Set a precedent for similar development in the Green Belt
53. The livery yards existence and continuation as such is no way dependent on this application
54. Increase in noise and general disturbance

Support

1. Support the re-development of Storeton Hall building but nothing else
2. It's encouraging to see a landowner attempting to halt the decay with Specialist partners who are sympathetic towards our English Heritage
3. The development will also allow a small number of new residents to enjoy the countryside
4. Very stylish development in keeping with the local countryside and other homes
5. Massive move forward for the village
6. Fantastic development, improve the quality plus the added benefit of an improved equestrian facilities
7. It has been in a state of disrepair for many years now with no sign of anyone taking up the monumental task of restoration of these buildings.

8. There is only one way to improve the currently derelict buildings and secure some sort of future for the site.

One response with various positive and negative comments

1. The building is in desperate state of decay and requires urgent and expensive remedial work
2. The Site must be developed in a serious manner to prevent vandalism which are already occurring
3. The number of dwellings seems excessive with regards to the volume of traffic it will generate
4. Both existing accesses to the site are unsuitable
5. Traffic is already at dangerous levels, with the possibility of an additional 60 vehicles maybe an additional roundabout would assist
6. Police and LA records indicate that there have been deaths and serious injuries on this stretch of road in recent years.
7. The re-location of the equestrian Centre would seem to be a good idea, but new access is not acceptable in its present form
8. I am in full agreement that the site must be re-developed if only to protect the village
9. I am the secretary of Wirra Archaeology and we approve of this development in principle, but have concerns about an adjacent area of land which we consider to be of extreme archaeological importance, which we understand might be annexed to this development
10. On balance a commercial scheme would have been a better solution but market forces have to prevail, would be ideal for a visitors centre
11. An abridged scheme may be the answer

Storeton Residents association – Objection

- Support attempts to restore Grade II Listed Hall, but not the development of 27 suburban style cul-de-sac dwellings or the conversion of the building into private sale residential.
- Conflicts with Green Belt Policy
- No affordable housing to reflect rural needs
- Accept that the viability Assessment does not form part of public ally accessible submissions, but fail to see how the conversion of the buildings for private sale can legitimise the new residential development
- Concerns regarding the impact of the development on the country roads
- The proposed street lighting serves to pollute it context
- No communication has been had with the developer and the association

The Bromborough Society – objects to the proposal based on the potential to marginalise and detract from the character and setting of Storeton Hall and its ancillary structures. The current scheme

is overcrowded and out of character.

Councillor Muspratt objects to the proposal on the basis that it is inappropriate development in the Green Belt, will change the character of the area, does not allow public access to the historic building once restored, highway implications

Councillor Jerry Williams objects to the proposal on the basis that the development is excessive in the Green Belt, urbanise and overwhelm this tiny hamlet, no affordable housing, leaves the barn door open for further invasion of Wirral's diminishing green belt, highway implications, the restoration of the hall is welcomed but not in these circumstances, hall will be done in a brutish manner, there is no interpretation facility.

Conservation Areas Wirral – Objects to the proposal on the following grounds:-

1. Development does not enhance the setting of the heritage assets
2. Applicants have not demonstrated very special circumstances
3. Not a sustainable form of development
4. Do not preserve or enhance the designated and un-designated heritage assets
5. Significant impact on the Green Belt
6. No access to financial appraisal

Birkenhead History Society – Objects to the proposal

1. Distracts from the setting of the hall
2. Obscures vistas
3. Destroys archaeological evidence in the buildings, which have not yet benefited from an archaeological dig
4. Increase in Traffic will have an impact on recreational use of the area walkers, cyclists, runners and riders
5. Poor site drainage
6. Affects the calm and charm of Storeton Village

Allison McGovern MP – supports Councillor Jerry Williams's objections

Historic England – support the proposal on heritage grounds-, the proposed development would be beneficial for the conservation of Storeton Hall, bringing the historic structures into good order and giving them a viable use. The development proposals have been informed by detailed assessments of the buildings and archaeology of the site, and although there would be some impact on the historic fabric this would be limited. The remainder of their comments are considered within the report

MEAS – No objections subject to the attached conditions.

Wirral Wildlife – No objections subject to a European protected species mitigation licence being applied for following planning permission.

Wirral Archaeology - support the development in principle, but object to the proposed density of the

scheme and if approval is given density should be reduced.

Mountwood Society – objection on the grounds that infringement of the Green Belt, change in character of the area, contrary to UDP Policy.

Environmental Health No objection subject to the attached conditions

Engineers – no objection subject to the attached conditions

United Utilities – No objection subject to the attached conditions

Natural England - No objections

DIRECTORS COMMENTS:

This application was deferred from the planning committee in October to allow members to visit the site.

INTRODUCTION

This application is for the refurbishment and sub -division of Storeton Hall and Storeton Hall Barn for 4 no Residential Units, demolition of non-listed buildings, associated new residential development , new equestrian buildings, car parking and Landscaping works, access as existing from Lever Causeway and Red Hill Road and improvements to the existing equestrian access from Rest Hill Road.

The submitted scheme includes the refurbishment and sub division of the heritage assets into 4 separate residential units. These buildings are referred to as the solar wing, the farm building which is attached at right angles and incorporating the wall of the medieval hall and Storeton Hall Barn.

The new build residential development comprises of 27 detached and semi-detached two and three storey houses and a terrace of two storey cottages. The internal roads and driveways are to be accessed as existing from Lever Causeway and Red Hill Road.

The existing equestrian centre and livery stables are to be re-located to the eastern part of the application site. The scheme includes a new barn, stables and associated facilities. The existing access at Rest Hill Road is to be realigned at the junction, regraded and surfaced.

PRINCIPLE OF DEVELOPMENT

The conversion of Storeton Hall and limited development within the infill part of Storeton Village and equestrian facilities are acceptable in principle subject to UDP Policies GB3, GB6 and AG8. 22 of the proposed houses in this proposal would constitute inappropriate development within the Green Belt. Both the Wirral UDP Policy GB2: Guidelines for Development in the Green Belt and the National Planning Policy Framework (NPPF) indicate that such development should not be approved except in very special circumstances, and the potential harm to the Green Belt is clearly outweighed by other considerations.

The Local Planning Authority is required have special regard to the desirability of preserving the Grade II* listed building or its setting or any features of special architectural or historic interest under s66 of the Planning (Listed Building and Conservation Areas) Act 1990.

The application is a departure from the Unitary Development Plan and must be referred to the Secretary of State if the Local Planning Authority does not propose to refuse planning permission.

SITE AND SURROUNDINGS

The application site comprises of a collection of buildings, residential unit, equestrian facilities and paddocks with access to the site is provided from Red Hill Road, Lever Causeway and Rest Hill Road. Land levels at Rest Hill Road drop from the equestrian centre down to a small valley and then rises up to Storeton Hill towards Mount Road To the east.

The site is located within a rural context, with Storeton a defined village as per Policy GB7 and the site

is partly within this boundary.

Surrounding buildings include agricultural buildings, agricultural fields and residential property. Storeton Village is largely made up of sandstone houses and farm buildings with the occasional brick building.

The site is currently occupied as an equestrian centre, the applicant advises that there are approximately 85 horses in residence. Many of the buildings within the site are in a poor state of repair. Storeton Hall was constructed circa 1370 and designated a Scheduled Monument and Grade II* in 1962 and is on Historic England's "Heritage at Risk" register.

The site is within the Green Belt with part of the site designated as an Infill Village within Wirrals Unitary development plan.

POLICY CONTEXT

Wirral Unitary Development Plan

Policy URN1 makes it clear the Local Planning Authority will be concerned to ensure that full and effective use is made of land within the urban areas and that various types of land including sites within the Green Belt will be protected from inappropriate development.

Policy GB2 creates a general presumption against inappropriate development in the Green Belt and makes it clear that such development will not be approved except in very special circumstances.

Policy GB3 permits the re-use of buildings in the Green Belt, subject to the proposal having no greater impact on the openness, the buildings are of permanent and substantial construction and capable of conversion.

Proposal GB7 identifies Storeton Village as a village where limited infill development in small gaps may be considered within a defined area on the UDP Proposals Map under the terms of UDP Policy GB6.

Policy AG8 – Proposals for new Livery Stables will be determined in terms of their impact upon the character and appearance of the area.

Policy LAN1 does not permit proposals where the visual impact on the character, appearance and landscape setting of the area would be inappropriate.

Policies GR5 and GR7 set out the requirements for landscaping and the protection of trees.

Policies WAT1, WA2, WA3, WA4, and WA5 only permit development that would not increase the risk of flooding, where drainage and surface water runoff can be controlled with regard to the need for the protection of water resources including groundwater. In addition, Waste Local Plan Policies WM8 and WM9 set out the requirements for waste management, recycling and efficient use of resources.

Policies NCO1 and NC7 only permit proposals that would not adversely affect protected wildlife and habitats.

Policies TRT3, TR11 and TR13 make it clear that regard will be given to minimising vehicular and pedestrian conflict, securing access for disabled people, minimising the need to travel, parking and servicing arrangements and ensuring there is no negative impact on routes used by cyclists when assessing the impacts of the proposed development

Policy CH1 states that development affecting a Listed Building or structure will only be permitted where the proposals are of a nature and scale appropriate to retaining the character and design of the building and its setting and that adequate provision is made for the preservation of the special architectural or historic features of the building or structure.

Policy CH24 Development proposals liable to destroy, damage or otherwise disturb features of archaeological interest in these areas or which would have a detrimental impact on their setting will be

refused. Written consent from the Secretary of State would also be required for the alterations to the Monument.

Policy CH25 advises that in assessing development proposals liable to affect areas known or suspected to contain important un-scheduled archaeological remains, consideration will be given to the archaeological interest of the site in terms of the rarity, condition and estimated age of the remains.

Emerging Core Strategy

Policy CS3 in the Core Strategy Local Plan Proposed Submission Draft (December 2012) would continue to reflect the national requirement for the Green Belt and Policy CS11 would set an overall strategy to preserve and enhance the openness of the Rural Area in which the strategy would be to preserve and enhance the openness and a rural character of the smaller settlements at Brimstage, Raby and Storeton

National Planning Policy Framework (NPPF).

NPPF sets a presumption in favour of sustainable development unless specific policies indicate that development should be restricted.

NPPF (paragraph 79) attaches great importance to the Green Belt. The fundamental aim is to prevent urban sprawl by keeping land permanently open. The five stated purposes of the Green Belt are to:

- prevent unrestricted sprawl;
- prevent the merging of neighbouring towns;
- assist in safeguarding the countryside from encroachment;
- preserve the setting and special character of historic towns; and
- assist in urban regeneration

NPPF paragraph 87 indicates that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that Local Planning Authorities 'should ensure substantial weight is given to any harm to the Green Belt' and states that 'very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'. Paragraph 89 makes it clear that the construction of new buildings in the Green Belt should be regarded as inappropriate development, besides limited exceptions. The exceptions include limited infilling in villages under policies in the Local Plan and redevelopment of previously development sites which would not have a greater impact on the openness and purpose of the green belt.

Local planning authorities are advised to avoid new isolated homes in the countryside unless there are special circumstances such as:

- where the development would secure the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of the heritage asset; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting (NPPF paragraph 55 refers).

NPPF paragraph 140 also makes it clear that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

The English Heritage document Enabling Development and the Conservation of Significant Places, offers specific guidance on the assessment of enabling development proposals. In particular, it contains various criteria against which to assess such proposals. These are:

- (a) It will not materially harm the heritage values of the place or its setting;
- (b) It avoids detrimental fragmentation of management of the place;
- (c) It will secure the long-term future of the place and its continued use for a sympathetic purpose;
- (d) It is necessary to resolve the problems arising from the inherent needs of the place rather than the

circumstances of the present owner or the purchase price paid;

(e) Sufficient subsidy is not available from any other source;

(f) It is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimizes harm to other public interests; and

(g) The public benefit of securing the future of the significant place through the enabling development decisively outweighs the disbenefits of breaching other public policies.

If it is decided that a scheme of enabling development meets all these criteria, English Heritage believes that planning permission should only be granted if:

(a) The impact of the development is precisely defined at the outset;

(b) The achievement of the heritage objective is securely and enforceably linked to it;

(c) The place concerned is repaired to an agreed standard, or the funds to do so are made available, as early as possible in the course of the enabling development, ideally at the outset and certainly before completion or occupation; and

(d) The planning authority closely monitors implementation, if necessary acting promptly to ensure that obligations are fulfilled.

In addition this, the Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning. Planning policies and decisions must aim to ensure developments; function well and add to the overall quality of an area over the lifetime of the development, establish a strong sense of place, create and sustain an appropriate mix of uses, respond to local character and history, create safe and accessible environments and be visually attractive (NPPF Part 7 refers).

Planning Considerations and assessment

In assessing this application, the main issues are whether the disbenefits of the proposed enabling development outweigh the benefits, having particular regards to:

- The acceptability of the proposals relating to the hall
- Provision of new equestrian facilities
- Impact of the proposal on the site of Archaeological importance.
- The effect on the setting of the Listed Building and scheduled ancient monument
- Principle of the proposed works to Listed Building and scheduled ancient monument
- Principle of the proposed development on the Green Belt
- The effect on the character and appearance of the surrounding Green Belt
- Whether the amount and type of the proposed enabling development is justified having regard to the needs of Storeton Hall- Viability process

The proposed works to the Storeton Hall

Storeton Hall contains 14th Century standing buildings and other remains and is both listed Grade II* (National Heritage List for England ref. 1075385) and Scheduled (NHLE ref. 1004918). The proposals would directly affect these designations including the physical fabric of the buildings and remains, and also their setting.

The solar wing of the hall-house, the link building and the outer wall of the Great Hall survive, having been incorporated into farm buildings in the 17th Century. The surviving medieval structures, incorporating high-quality masonry, are of the highest significance as the remains of a high status dwelling of the late medieval period. The significance of the historic complex is reflected in its scheduling as an ancient monument under the provisions of the Ancient Monuments and Archaeological Areas Act 1979 (as amended), and by its listing in Grade II*

Storeton Hall is a scheduled Ancient Monument and only one of nine within Wirral. A key objective in the NPPF is to conserve England's Heritage assets in a manner appropriate to their significance. The NPPF supports a proportional approach so that the more significant the heritage asset the greater the weight should be given to its conservation. Storeton Hall dates back to 1370 and was designated as a Scheduled Monument and Grade II* listed building in 1962. The applicant has advised that the owner has undertaken emergency repair works to maintain the remaining wall of the former medieval hall. The historic buildings are in urgent need of more major works to ensure the buildings will be here for the future. The Hall is on Historic England's Heritage at Risk register. Four separate units are proposed to be created within the existing buildings. These can be summarised as:-

Building 1 - The solar wing - 1 unit

Building 3/4 the farm buildings attached at right angles incorporating the wall of the medieval Hall - 1 unit

Building 6 Storeton Hall Barn (brick barn - non-designated heritage asset) - 2 units

The proposals include the repair of the exterior fabric of the medieval and post medieval buildings, including conservation repairs to stone work, selective re-pointing, re-roofing, the replacement of modern windows with new fenestration and the re-opening of some blocked openings which was agreed with Historic England. Tracery in the hall windows will be repaired and missing elements inserted.

The applicants have advised that the alteration works to the principal buildings (1 and 3/4) have been devised to minimise loss of the historic fabric. Where later fabric is to be removed this is to expose significant features that were covered during post-medieval alterations to the buildings. The approach to the 2-storey 17th century building 3 is to create a double-height volume for part of the space, to enable the former hall windows to be viewed.

The proposed changes are largely internal and include new linings and partitions that are reversible to enable a residential use. In some instances, floor levels will have to be adjusted to provide adequate headroom below tie beams.

Historic England has advised that Storeton Hall is the surviving part of a high status medieval hall-house, which was incorporated into farm buildings in the 17th Century. Its significance as the remains of a high-status medieval dwelling, with few parallels in the region, are reflected in its scheduling as an ancient monument, and its listing in Grade II*. The historic structures are currently disused, and in poor structural condition, and have been included in Historic England's Heritage at Risk Register for some years. The proposed development would be for the beneficial for the conservation of Storeton Hall, bringing the historic structures into good order and giving them a viable use. The development proposals have been informed by detailed assessments of the buildings and archaeology of the site, and although there would be impact on the historic fabric, this would be the minimum intervention required to bring the building back into beneficial use. Once the building has been restored and maintained as proposed, it is likely to be removed from Historic England's At Risk Register.

Furthermore, the Authority is advised by Historic England that the proposed development would be beneficial for the conservation of the scheduled and listed structures at Storeton hall, bringing them into good order and providing them with a viable use. The restoration and re-use of the historic features such as windows would assist in the understanding of the historic appearance and function of the buildings. Whilst there would be some impacts on the historic fabric, both from the conversion of the Hall to two dwellings and from the intervention of modern services, these would be relatively limited.

The conversion to housing is one part of the wider application for this site. Several supporting documents have been submitted with the application which provides historical and architectural background to the Hall. An assessment of the condition of the hall has also been undertaken and submitted with the application. The assessment details the condition of each element of the hall and buildings and notes the problem areas and elements in need of repair.

Historic England have confirmed that the repair and conversion of the historic buildings is in line with

Government policy on the conservation of historic assets contained in section 12 of the National Planning Policy Framework Historic England advise that a case for enabling development must be supported by acceptable works to the Listed Building. In this instance the works are considered to be acceptable and compliant and Paragraphs 128 and 131 of the NPPF.

It is fully acknowledged by Historic England that Storeton Hall and associated buildings on the site are in great need of repair. As such it is considered entirely relevant and reasonable to consider this proposal against the enabling guidance whereby the proposed 27 new dwellings on the site would fund the restoration of the Storeton Hall. In reaching this conclusion, it is acknowledged by the Council that the restoration of the listed building and schedule ancient monument could not reasonably be achieved in any other way.

The application is supported with an historical significance assessment, a heritage impact assessment, a descriptive conservation report and a repairs schedule, along with the archaeological reports, which are all considered being necessary to safeguard the long-term future of the historic asset

The negotiated scheme secures the removal of the following buildings:

7: Eastern Barn

8: Stables

9: Twentieth century brick extension

9 -18: A group of late twentieth century or recent buildings, which have no architectural quality and are constructed of modern materials.

Moreover, the scheme re-establishes an appropriate historic context for the principal listed buildings on the site, a crucial element of which is that the solar wing and outshot (1), the link block (2), the hall element (3), north west farm building (3), south east farm building (4), south west end of solar wing and Storeton Hall barn (6). Although a sub-division of the Hall into several units may allow for a reduction in the numbers of new dwellings to finance the restoration works, the retention of the Hall as a single dwelling or the hall with the barns have both been considered by both the Council's Conservation Officer and Historic England, to be a fundamental requirement, that if not respected, would undermine the underlying objective of securing good conservation works.

The application seeks approval for removal of the modern interventions within the Hall, and reinstatement of appropriate detailing, together with repairs and minor alterations to the former barn. Buildings 2 and 5 which are formerly attached to the solar wing are to be part of converted units; the scheme has been devised to ensure that as much as possible the significance of building is enhanced or reinstated with minimal alterations and minor additions which are generally considered to enhance the appearance of the heritage assets.

Storeton Hall and the associated historic structures are currently disused and in poor structural condition. Roofs and floors have distorted as the result of rot and insect damage to structural timbers, whilst the external walls are suffering from bulging, separation in places between inner and out leaves, and a general loss of pointing. Changes over the years of agricultural use have seen historic windows and other openings blocked, to be replaced by modern windows, many in positions bearing little relation to the historic layout of the complex. The deteriorating condition of the Hall is reflected in its longstanding inclusion in Historic England's at Risk Register.

The repair and conversion of the historic buildings is in line with Government policy on the conservation of historic assets contained in section 12 of the NPPF and local policy CH1, CH24 and CH25.

The location is both scheduled and listed. Under section 61 of the Planning (Listed Buildings and Conservation Areas) Act 1990 proposed works are subject to a requirement for Scheduled Monument Consent (SMC) in addition to any planning permission that may be needed. However, separate Listed Building Consent is not needed in these circumstances. SMC is administered by Historic England and determined by the Secretary of State for Culture, Media and Sport. Consent has now been given for these works. Therefore the future of the Hall is secured by these proposals in an acceptable way that does not harm the significance of the asset. If planning permission is not granted for the enabling works the repair and conversion of the Hall would not take place, as there would insufficient funding to

do so. The general principle to be followed to establish the need for and the scale of any enabling development is that if the cost to restore the Heritage Asset (the hall and barn) is greater than its Market Value on completion then there is a Conservation deficit which needs to be addressed by the enabling development. Enabling Development is a development proposal that would not normally be permitted under planning policies but would release only enough additional value in order to overcome the Conservation deficit. In this case the proposed new residential development would not produce sufficient value to meet the conservation deficit. For this reason the proposal also includes the conversion of the barn. Together these developments would address the conservation deficit.

Historic England's guidance requires any form of enabling development to be "the minimum in order to secure the long term future of the heritage assets." The important point arising from this is that any decision will be a matter of judgement for the decision taker weighing up all the relevant factors. What is important is that the development and the agreements attached to it secure the future of the heritage asset.

There have been detailed discussions with Historic England on the nature of both internal and external alterations to the listed building resulting in a number of changes to the proposals for the listed building since the applications were submitted. The proposed layout of enabling development around the Storeton Hall helps to maintain the openness of the immediate surroundings and maintains existing views of Storeton Hall. New views of the Storeton Hall from the north would be created with the removal of the stables (building 8) and the south where modern structures (buildings 11 and 12) are removed and will only be partially interrupted by the new development.

The effect on the setting of the Listed Building and Scheduled Ancient Monument (SAM)

Historic England note that the current setting of the Hall is currently formed by modern agricultural and equestrian buildings, many of which are constructed in unsympathetic materials, and are considerable size, no longer in use, and in a deteriorated condition. The yard areas are paved in concrete and other hard modern material which also detracts from the setting of the historic complex. They state that the construction of 27 new-build residential units to the east and south of Storeton Hall Complex would clearly alter the setting of the historic buildings. However, in their opinion, given the current very poor setting of derelict agricultural buildings and hard yard areas, consider that the introduction of residential development, built of sympathetic materials and incorporating soft landscaping would improve the setting of the Hall. Keeping the area to the immediate south and west of the Hall as a walled garden will serve to separate it to a certain degree from the associated residential development. Overall it is considered that the impact of the proposed new build would not be harmful.

The Council's Conservation officer concurs with this view and advises that the scale and nature of the enabling development is considered appropriate for the SAM and listed buildings. The works that need to be done to the SAM to a condition that will secure its future have been assessed by surveyors and agreed on behalf of the Council by independent advisors and approved by Historic England's financial team. Therefore, the scale of the development can be considered the minimum necessary to secure the future of the asset based upon current market conditions and house values. Following lengthy negotiations Historic England has agreed that the SAM would not be harmed by the development subject to appropriate conditions on a planning permission. Of particular importance is retaining as much of the internal layout as possible. The retention of internal features has been agreed in principle with the developer, the details of which would be secured by condition and through the Scheduled Ancient Monument Consent process.

The design, layout and scale of the new development have been informed by the character of the immediate area and are considered to be of architectural merit in the context of the listed building. Therefore, the impact on the character of those areas would be limited. The scale of the development is necessary to provide sufficient value to meet the conservation deficit. However, in order to preserve the setting of the SAM, the open areas have been retained around it that might otherwise have been available for the enabling development. It has been necessary to balance these factors and it is considered that the layout achieves an acceptable compromise.

The proposed changes are largely internal and include new linings and partitions that are reversible to enable a residential use. In some instances, floor levels will have to be adjusted to provide adequate headroom below tie beams.

The NPPF para 132 states: "Significance can be harmed or lost through alteration or destruction of the

heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification." The proposals would result in the comprehensive repair and restoration of the heritage assets, which is urgently required, and will have an on-going use which will ensure the assets are used, enjoyed and maintained. Overall Historic England has balanced the degree of harm against the benefits arising and believes the case has been made that the level of new build is justified under the NPPF. The proposed dwellings are considered respectful to the setting of Storeton Hall, as is its conversion. Together with the new landscaping scheme, the traditional rural style boundary treatment and the reduced lighting scheme. The level of harm when weighed against the gain of securing the Grade II* Hall is considered appropriately proportional. The scale of any harm or loss to the designated and non-designated features both within the immediate area and the Hall and its associated features can be viewed as less than substantial. The public benefit which will be gained through the conservation and repair to the Hall is considered to outweigh any minimal/perceived harm to its setting or that of Storeton Hall.

Historic England has advised that Storeton Hall is the surviving part of a high status medieval hall-house, which was incorporated into farm buildings in the 17th Century. Its significance as the remains of a high-status medieval dwelling, with few parallels in the region, are reflected in its scheduling as an ancient monument, and its listing in Grade II*. The historic structures are currently disused, and in poor structural condition, and have been included in Historic England's Heritage at Risk Register for some years. The proposed development would be for the beneficial for the conservation of Storeton Hall, bringing the historic structures into good order and giving them a viable use. The development proposals have been informed by detailed assessments of the buildings and archaeology of the site, and although there would be impact on the historic fabric, this would be the minimum intervention required to bring the building back into beneficial use. Once the building has been restored and maintained as proposed, it is likely to be removed from Historic England's At Risk Register.

Impact of the proposal on the site of Archaeological importance.

Merseyside Environmental Advisory Services have assessed the submitted documents on behalf of the Local Planning Authority and have advised that:-

Storeton Hall is a designated heritage asset, both a Scheduled Monument & Grade II* Listed Building, recorded on the MHER (DME 15 & DME 2381 & MME 1497 respectively). Buildings 4 (South East Farm Building) & 6 (Storeton Hall Barn) are both recorded on the MHER as non-designated heritage assets (MME 15866 & MME 1503 respectively). Building 4 dates to the Mid-19th century whilst building 6 dates to the early 18th century and was previously listed Grade III.

Below-ground archaeology

Oxford Archaeology North's evaluation of the site encountered undated features in the form of walls and a ditch, whilst the test pits excavated next to the Hall did show a potential for deposits of a medieval date to be encountered. Small amounts of undated pottery were also recorded in a number of the geo-technical excavations across the site. A condition will be applied to ensure that No development shall take place until the applicant has submitted a written scheme of investigation for archaeological work for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

Standing buildings

The archaeological watching brief on the opening-up works revealed that "both Great Hall windows contained previously unknown carved stone tracery consistent with a fourteenth century date. The information recorded has allowed a tentative reconstruction of the original form of the windows and detail regarding the character of their blocking. Tracery did not survive in the Solar window, although evidence may survive to produce a partial reconstruction of the windows original form."

As the proposed works within the scheduled area will require scheduled monument consent from Historic England, and that without the necessary consent it will not be possible to implement any planning permission that is granted. The Local Authority has now been provided with a copy of a scheduled monument consent issued by Historic England authorising the specified development to go ahead.

Should members be minded to approve the application it is suggested that in line with the

recommendation for further works mentioned in both the Summary and in section 4.3 of Oxford Archaeology North's Evaluation, Test Pitting & Watching Brief report, namely "a watching brief during concrete and/or surface covering removal as well as any ground works within the scheduled area" to be carried out. It is considered that such works can be secured by the condition attached to this report.

Green belt implications and Very Special Circumstances

The proposed new build comprises of the construction of 27 detached and semi-detached 2 and 3 storey dwellings and a terrace of 2 storey houses. The internal roads and driveways are to be accessed from Lever Causeway and Red Hill Road.

It is proposed to rationalise and re-locate the existing equestrian centre and livery stables to the east of the site with access from Rest Hill Road which is to be realigned.

The planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Section 66 of the Planning (Listed Building and Conservation Areas) requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission for development which affects a listed building or its setting.

Unitary Development Plan Proposal GB7 identifies villages within the Borough within which new infill development will be subject to Policy GB6. Part of the application site is within the Storeton Village where the converted buildings and five of the proposed new dwellings would be located. The new houses, together with the proposed landscaping are designed to replicate a traditional farm house style. The design and form of the proposed development is discussed in detail below. However it is considered that the proposed residential development due to its layout, scale design and use of materials will not have a detrimental impact on the character of the village.

The remainder of the site is located within the Green Belt. As such the development for the proposed dwellings would not fall into any of the categories of appropriate development listed in UDP Policy GB2 and the National Planning Policy Framework. As such, the proposed housing would constitute inappropriate development. Inappropriate development is by definition harmful to the Green Belt and could not be supported by the Local Planning Authority unless there are very special circumstances which both justify the development and outweigh the harm to the Green Belt by reason of its inappropriateness and any other harm.

It is acknowledged that new housing development in the Green Belt is considered to be inappropriate development, which is by definition, harmful to the Green Belt. However, the potential harm would be outweighed by other material considerations.

It is also noted that NPPF advises that new buildings may be acceptable on previously developed land. Para 89 States that :- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield Land), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.

The proposal includes the demolition of a large number of modern buildings of little or no heritage value.

The applicant's very special circumstances are the significant improvements that will accrue to the Scheduled ancient monument. Parts 12 of the NPPF states that Local Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. (Para 132). Specifically in relation to enabling development, local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies. (Para 140)

Enabling Development and the Conservation of Significant Places, sets out the guidance for the consideration of Enabling Development proposals. It states that Enabling Development that would secure the future of a significant place, but contravene other planning policy objectives, should not be

acceptable unless certain criteria are met. Key amongst these are that:

- it will secure the long-term future of the place and, where applicable, its continued use for sympathetic purpose;
- that sufficient subsidy is not available from any other source; and
- that it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimises harm to other public interests.

In order to justify the principle of the proposed enabling development the applicant has submitted a justification statement and financial details of the costs entailed in the works proposed to the listed building and the value achievable from the housing development and the restored listed building. The financial information has not been made public as with all such submissions to the council as it is commercially sensitive; however it has been assessed by independent consultants on behalf of the council and the estates team at Historic England to establish whether there is a conservation deficit and whether the proposed enabling development is the minimum necessary.

The NPPF (para 89) states that one of the potentially appropriate forms of development in the Green Belt includes the partial redevelopment of previously developed sites, whether redundant or in continuing use, which would have a greater impact on the openness of the Greenbelt and the purpose of including land within it than the existing development.

The proposal will result in the removal of larger, bulkier buildings and swathes of hardstanding and its replacement with dwellings and gardens and landscaped areas is considered to have a much reduced impact on the openness of the Green Belt.

The proposal does represent inappropriate development in the Green Belt, however, in addition to the very special circumstances in relation to the requirement for enabling development to facilitate the repair and conversion of the scheduled ancient monument and listed building, substantial weight should be given to the advice within the NPPF

The proposed residential development is less bulky and less obtrusive than the existing buildings to be removed and will result in far more landscaping within the site and significant weight must be given to this.

The proposed buildings will be less intrusive when viewed from surrounding areas, including public footpaths and bridle ways and therefore, less impact on the on the character of the wider area.

Overall, it is considered that potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by the circumstances outlined above. As such, very special circumstances do exist and the proposal is considered to be acceptable in this regards.

Assessment of enabling development

In general, enabling development is a planning tool used to secure the implementation of a proposal for the long term future and conservation of existing establishments. The essence of enabling development is that a scheme that would otherwise be unacceptable in planning terms is necessary to generate funds needed to secure the future of an existing establishment, subject to those needs being fully demonstrated. The principle of developing land for residential use to secure the future of a scheduled ancient monument and Listed Building is supported, subject to those needs being demonstrated.

English Heritage have stated, It will be for the Authority to determine whether the proposed development meets the criteria set out in *Enabling Development and the Conservation of Significant Places*, and if so, whether the public benefit of securing the future of Storeton Hall outweighs the disbenefits of breaching other planning policies. However, the Enabling Development appraisals has been reviewed by Historic Englands Development Economics team, and have stated that they consider that the amount of enabling development does appear to be the minimum necessary to bring this longstanding building at risk back into long term-term beneficial use.

Enabling Development and the Conservation of Significant Places, sets out the guidance for the

consideration of Enabling Development proposals. It states that Enabling Development that would secure the future of a significant place, but contravene other planning policy objectives, should not be acceptable unless certain criteria are met. Key amongst these are that:

it will secure the long-term future of the place and, where applicable, its continued use for sympathetic purpose;

- that sufficient subsidy is not available from any other source; and
- that it is demonstrated that the amount of enabling development is the minimum necessary to secure the future of the place and that its form minimises harm to other public interests.

In order to justify the principle of the proposed enabling development the applicant has submitted a justification statement and financial details of the costs entailed in the works proposed to the listed building and the value achievable from the housing development and the restored listed building. The financial information has not been made public as with all such submissions to the council as it is commercially sensitive, however it has been assessed by independent consultants on behalf of the council and the estates team at Historic England to establish whether there is a conservation deficit and whether the proposed enabling development is the minimum necessary.

They have also advised that there have been previous attempts to find viable uses for the buildings in order to safeguard their long-term future and these have been unsuccessful. Furthermore, the applicants have worked closely with Historic England to design a scheme that will provide a viable long term future for the heritage assets, together the reorganisation and modernisation of the equestrian facilities. The assessor concluded that these documents stated and provided detailed information and data to support the developers assertions that the project as proposed allowed for the minimum amount of enabling works / new units to fund the restoration and conversion works to the ancient monument and the re-siting of the Livery business and also that this project would not be viable if any affordable units were provided due to the resultant Conservation Deficit as per the cost data provided.

The applicants advise within the submitted statements that previous attempts to find viable uses for the buildings in order to safeguard their long term future, have been unsuccessful. The applicants have worked closely with Historic England to design a scheme that will provide a viable long term future for the heritage assets, together with the reorganisation and modernisation of the equestrian accommodation and facilities funded by the new build housing scheme. In order to facilitate the new - build development, alterations are required to the equestrian block

The applicants further stress that the proposed development will be made more sustainable by the safeguarding and consolidating the established equestrian business on the site, retaining existing stable blocks and re-arranging ancillary uses . The development cost for the replacement equine facility was agreed with the owner as a construction cost, rather than the market value of the business as a going concern which would carry a higher value.

Marketing the site

The applicant has submitted a letter from Clive Watkin who has been advising the applicant since around 2008 on options for conversion/development of Storeton Hall to ensure it has a long term viable use. Over the years, and prior to the agents involvement in the site, Clive Watkins explored with the various different options for commercial occupiers, but given the nature of the building requiring significant investment to bring it up to modern standards, and being significantly restricted in the scope for upgrading and conversion given its protected status, they were unable to identify any viable future user.

A key issue has always been the location of the building within the centre of an equestrian yard, and that the majority of potential users would require a more comprehensive redevelopment of the site to be carried out in order for the accommodation to suit the running of a business. The whole site including the building have a permitted use associated with the operation of an equestrian centre and in reality, given the surrounding environment, this or any other similar agricultural use would be the only likely future use for the building without such a comprehensive redevelopment.

Public Benefits

In terms of public benefits, it is considered that by bringing this partly derelict and deteriorating site and important historic buildings back into viable use is of significance in the decision making process. Historic England are fully supportive of the works and its conversion back into residential use. The

proposed end use is a private one and this point that has been raised by some objections to the proposal. However, it is currently within private use. Indeed it was first built as a private residence. The applicant has advised that he has looked into many options for the site including uses that you could argue are more "public" but nothing viable has ever progressed. The proposals allows for this Scheduled Ancient Monument and Grade II* listed building to be retained and its future secured. This is of significant public benefit to the people of Storeton and the Borough of Wirral:

NPPF para 126 advises that local authorities "should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance." NPPF and Historic England guidance require local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The application site contains a Scheduled Ancient Monument/ Grade II* Listed Building that has been of grave concern to Historic England, and has been on their 'Heritage at Risk' register, for many years. The Council has advised that "the refurbishment of the existing derelict, listed brick buildings are to be supported, providing that the character and integrity of the listed buildings remain intact and preserved or/and repaired".

Previous attempts to find viable uses for these highly significant historic buildings, in order to safeguard their long-term future, have been unsuccessful. The applicants have worked closely with Historic England to design a scheme that will provide a viable long term future for the heritage assets, funded by the new-build development of family houses. The scale of additional development to be considered as enabling development has been agreed (by Wirral Council's assessors) to be the minimum necessary to secure the viable long term future of the heritage buildings. Detailed historical appraisals and archaeological investigations have taken place to ensure that all the valued heritage features that remain will be conserved and re-used without further damage. Therefore, the applicants consider that the very limited harm that could be caused to the heritage assets during the construction process will be clearly outweighed by the significant benefits of bringing this partly derelict and deteriorating site and important historic buildings back into viable use.

In terms of the concerns that there will be no public access to the hall following the renovation, the applicants are proposing to install an interpretation board within the development .It is suggest that this is sited within the landscaped area to the south-east of the Hall and would provide history of the Hall along with historic plans and details of how people could access further information This interpretation board would remain at the site in perpetuity.

Subsidy from other sources

Enabling development should always be seen as a subsidy of last resort. The enabling development guidance requires that an investigation should be carried out of the potential for grants which could be considered in combination with enabling development.

The applicants advisors have advised that they have made a search of possible grant fund availability and advise that there is currently no readily available funding to restore the Hall. In addition, " Peter Bowling (who has owned the property for 30+ years) has had variously conversations with the then English Heritage over the years to identify whether any subsidies would be available to bring the building into long term use. Clearly any such funding would need to go towards not only any initial conversion/restoration costs, but also the long term management of the building going forward.

Many sources were explored, including the Heritage Lottery Fund, however given the significant level of investment required; any such grants that could be applied for would need to be coupled with other third party funds. Any traditional lending sought in this instance would require a minimal level of return on the investment into order to make it commercially viable, which clearly wouldn't be possible without significant enabling development given the level of conservation deficit.

In 2008, funding was secured for a programme of dendrochronological testing as part of an English Heritage study, however unfortunately no further funding streams could be identified for any further more comprehensive works.

APPEARANCE AND AMENITY ISSUES

The site is set within a small village, containing predominately farm buildings and a small number of dwellings.

A number of modern agricultural buildings which are in a poor state of repair are to be demolished and the proposed new housing scheme developed on the site.

The application has been submitted in full in order to assess the impact of the development on both the heritage assets and this rural, Green Belt Location.

The application proposes 27 new dwellings which comprises of a mix of detached, semi-detached and terraced properties, with associated access, car parking and landscaping. In terms of design, the scheme proposes a selection of traditional and contemporary take on a rural theme. The architects have advised that during their research into the area highlighted several features that were common around Storeton and have been included in the finished design. These include a traditional barn form, oversized chimneys, large blocks of materials and double height windows. The houses positioned to the south-east of Storeton Hall are informally grouped around a road junction in the form of a village green. At the entrance to the farm yard, the new houses are arranged in pairs or a group of three to reflect the village pattern, with the detached houses further to the east beyond the historic buildings.

The new housing to the south and south west of the historic buildings is designed to reflect traditional forms and fit in with the village pattern. The architects have advised that the submitted layout was informed by the existing urban grain of Storeton and its surroundings. The existing buildings tend to follow a road or lane or are clustered around a courtyard/hard standing area. The clustered layout is reflective of a traditional farm group, where several buildings are accessed off a shared yard area.

The architects have advised that the proposed layout is informal in its approach and the amended layout has led the development of building clusters within the site. The orientations of the dwellings give the feel of as village, with irregular gaps between buildings to reflect the existing character of Storeton. The applicants have used a more traditional style of architecture adjacent to the heritage assets in the form of terraces with stone detailing and dormer windows. The positioning of these on site creates an open courtyard areas and landscaped areas around the heritage assets. Further into the site a mix of contemporary and traditional architecture is proposed. The proposed houses are bespoke and have all been specifically designed for the site.

The historic landscape setting of Storeton Hall has been eroded due to the use of the site for Agricultural purposes during the twentieth century. The majority of the site contains hard concreted surfaces which appear alien and unsympathetic to the character of the buildings. The proposed landscape approach is for larger plots screened by structural planting to rear boundaries with hedgerows to the side and front boundaries.

The submitted landscape proposals include a mix of native and ornamental species to provide variety and all round cover. The front boundaries will be defined by a combination of ornamental hedge and shrub planting. The side and rear gardens will contain a mix of brick walls, timber post and rail fences and hedge planting.

In order to separate the proposed dwellings from the equestrian activities, a 7ft high wall is proposed, which is to be faced on the residential side by brick with a planted landscaped buffer.

There have been concerns raised that the proposed dwellings are an urbanising feature in this rural landscape. However, it is considered that the setting of the scheduled monument is improved and the overall residential design is based on a typical village/ farmstead form clustered around nodes and small private drives leading to small number of units. Amendments have been made to the proposed lighting which now comprises of low level pillar style lighting.

Provision of new equestrian buildings

In order to facilitate the enabling residential development, the proposal also includes relocating the equestrian centre which currently functions across most of the site. These buildings have no historic or architectural merit and are on the whole run down and in various states of disrepair. The proposal involves the demolition of a number of existing buildings and the construction of a new equestrian

block, storage barn and muck store, and second riding arena adjacent to the existing arena. The new buildings will all be within the site of the existing equestrian facilities to the east of the proposed housing scheme. The site is currently hard surfaced and contains a number of existing buildings in a poor state of repair.

This part of the proposal is in effect the reconfiguration and improvement of the existing facility. Unitary Development Plan Policy states that non-agricultural uses for sport and recreation should be appropriate in the Green Belt providing it preserves its openness and not conflict with the purposes of including land within it. The physical structures are to be located on land that contains existing run down equestrian and agricultural buildings. The proposed riding arena and horse box parking will be located on an area which contains some hard surfacing and grass land. It is considered that this part of the proposal is compliant with both National and Local plan policy and should preserve its openness.

UDP Policy AG8 advises that proposals for new livery stables or other commercial equestrian activities involving overnight accommodation of horses located within the Green Belt will only be permitted where there is an existing residential property or existing property suitable for conversion to residential use is available on or nearby the site.

The applicant has confirmed that he intends to reside in his existing dwelling adjacent to the proposed new livery to continue to manage the business.

Affordable housing

Brian Kinnear on behalf of the council has assessed the submitted viability assessment and has confirmed that the quantum of new build enabling development proposed is the minimum necessary to ensure the funding of the restoration and conversion of the historic buildings and reconfiguration of the livery business, and that it is not presently viable to provide any affordable housing on site or in the form of a commuted sum.

Heads of terms

Should consent be granted for enabling development it is essential that the benefits which are justification for the development are gained and this is controlled through a 106 agreement. Ideally, the Hall should be repaired before the housing is developed, however the EH guidance accepts that this is not always financially possible and as such recommends a phasing agreement setting out the phasing of the work to be done to the hall with the phasing of the enabling development to ensure the work to the Hall is one step ahead of the housing and so that first phase secures the structure of the Hall. The application has been submitted with phasing information as follows:-

- Not to occupy more than 50% of the New Build Dwellings prior to the completion of the Enveloping Works.
- Not to Occupy the final New Build Dwelling prior to the completion of the Internal Conversion Works

However, it is considered that this should be more detailed and in the form of a plan of the housing, the costing works to the hall divided into smaller portions to ensure that the works are on-going alongside the erection of the dwellings, equestrian buildings and services including roads. Officers are working closely with the Applicant to have this phasing information agreed as soon as possible.

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. If there are differences in land levels or where development adjoins that of different ridge height, such as three-storey development adjacent to two-storey property, a greater separation should be provided. For every metre difference in ridge height (or part thereof) the above distances should be increased by 2 metres. This proposal meets the required interface distances for some of the properties, however, Plots 11 – 12 will only achieve an interface distance of 16m. In relation to Plots 6-16, the interface distance will be 19.3m this relationship is improved as by the fact Plot 6 is at an angle. The separation distance between is 13.5m, however, the obtuse angle of Plot 18, minimising the potential for overlooking. In relation to plots 23-24, 17m separates these two properties, the garage for Plot 23 provides a form of screening between the properties. The proposed development does not impact on any existing residential

properties, any future purchasers will be aware of the position of each surrounding property.

HIGHWAY/TRAFFIC IMPLICATIONS

There are currently two existing vehicular accesses within the red line of the site. One from the west of the site from Lever Causeway which will remain as existing and serve the residential element of the proposal and the second from the south of the site from Red Hill Road. There is an existing access to the site which is to be closed and a new access created approximately 15m away. A large number of concerns have been raised regarding the increase in traffic, access to the site, etc.

The applicants' Highway Consultants, who prepared the submitted Transport Statement, have reviewed the objection letter and concluded that there does not appear to be a highway reasons why the Lever Causeway access as submitted could not be used to serve the whole development. Even if Red Hill Road were to carry all of this traffic, this is only estimated to result in an increase of 11 vehicles using this access in the AM peak hour, less than one vehicle every 5 minutes, and no change over the existing situation in the PM peak hour. This should be compared to the present situation where the Red Hill Road access carries agricultural machinery, large horse boxes, and other large vehicles associated with the livery stables, into the site.

The Transport Statement estimates that only circa 50% of development generated traffic will use the Red Hill Road access; the objector does not present any data to back up his contrary view that 80% will use this access. One objector suggests that the access onto Lever Causeway would be safer than the Red Hill Road access due to a greater level of visibility. However, the Highways Consultants confirm that both accesses have visibility in excess of that required in national guidance in Manual for Streets.

A letter of objection has been received that raises concerns regarding the Local Planning Authorities ability to favourably determine the application as it stands, due to procedural deficiency and the clear lack of evidence to demonstrate that satisfactory vehicular access can be provided and made available over the area of unregistered land within the application site. A decision to grant planning permission in these circumstances will be premature and unreliable, and the application should be withdrawn from the agenda and/or refused.

The applicant has responded to advise that they can demonstrate a right of access that can be enjoyed by the future occupiers of the proposed development. "Based on legal advice and due diligence, we are confident that we can implement the planning permission that we are seeking, including the provision of a safe and suitable access in accordance with the application. Where that not the case, we would not buy the site"

It is considered that property law matters attract little weight as a material consideration. Assuming that the application is granted the site will be developed in accordance with the consent and the conditions that are attached. This will ensure that the proposed access is delivered. Matters of title are not a precursor to determining a planning application.

The applicants have appropriately notified people of the application via the notice published in the Wirral Globe on the 12th July 2017 and via the completion of Certificate C of the application form. There have been no responses to this. There has been a further objection suggesting that the applicants haven't followed due process and that the LPA cannot therefore make a decision as Article 13 of the Town and Country Planning (Development Management Procedure)(England) Order 2015 requires the following:

"Where the applicant has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so by publication of the notice after the prescribed date in a newspaper circulating in the locality in which the land to which the application relates is situated."

However, the Notice under Article 13 also states "and where relevant on a web site". It is understood

that the Wirral Globe is not distributed within the CH63 area for the following reasons;

- there are no shops within the CH63 that could stock the paper; and
- No household within CH63 has ever asked for the Wirral Globe to be delivered to their property.

For anyone who lives in Storeton they are likely to travel to nearby settlements of Bebington, Heswall, Prenton etc, where the Wirral Globe is available in Shops there. Furthermore, the applicants have advised that when they published the notice in the paper, it was also published online so any interested party could view it on line

The councils Highway engineers have raised no objections to this proposal on highway grounds.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The application and submitted reports have been assessed by Mersyside Environmental Advisory service on behalf of the Planning Authority and offer the following comments;-

The applicant has submitted several survey reports in accordance with UDP policy NC7. These are set out below. Overall, the suite of reports meets BS 42020:2013. I advise the surveys are acceptable and will be forwarded to Cheshire rECOrd.

Initially, there were a number of limitations with the original bat survey report. However, subsequent updates and additional reports have overcome those limitations.

Bats

In summary, it is confirmed that the buildings at Storeton Hall Farm (i.e. Great Solar, Chapel, Chapel Barn and Storeton Hall Barn) which are proposed for re-build and renovation are of Liverpool City Region-wide Importance for at least 4 species of bats as they provide:

- A small Brown long-eared maternity roost – Great Solar, Chapel and Chapel Barn;
- A natterer's bat maternity roost – Storeton Hall Barn;
- Common pipistrelle day roosts - throughout;
- A Leisler's bat day roost – Great Solar, Chapel and Chapel Barn;
- A natterer's bat hibernation roost – Great Solar, Chapel and Chapel Barn; and
- Common pipistrelle hibernation roosts – Great Solar, Chapel and Chapel Barn.

The proposed works will destroy and/or affect these bat roosts and a European Protected Species Mitigation Licence (EPSML) will be required before any works can commence. For the avoidance of doubt, this includes any intrusive archaeological or building assessment surveys.

The applicant has considered where roosts can be retained e.g. Storeton Hall Barn natterer's maternity roost, and also where roosts cannot be retained due to an issue regarding future warranties for the converted Great Solar, Chapel and Chapel Barn. Indicative mitigation for loss of bat roosts has been provided and Natural England has advised on where further mitigation would be required to support an EPSML application (*Natural England, DAS, July 2017*). The indicative mitigation, including type of mitigation and location, provides for alternative roost provision which I advise is acceptable. As part of an EPSML application temporary roost provision, permanent roost provision and enhancement roost opportunities will also be required. Enhanced bat roost opportunities include provision such as bat bricks within new build developments. In line with Natural England advice, breathable membranes should not be used where roosting bats may be found, particularly in purpose-built roost facilities or retained roosts. Instead, Type 1 bitumen roof felt should be used with appropriate ventilation slots created as required. This roof felt can be secured by planning condition.

Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations prior to determination. By including the assessment within the Planning Committee / Delegated Powers report shows how the Council has engaged with the Habitats Directive.

It is also acknowledged that part of the site is a Scheduled Monument that is 'at risk' and that the

proposals are to facilitate retention and management of the nationally important Monument.

The applicant, their advisers and contractors should be made aware that if any European protected species are found, then as a legal requirement, work must cease and advice must be sought from a licensed specialist. This particularly applies to other buildings or trees on site which currently have not been identified to offer roost potential or no bats were found to be using them.

A three-test assessment under the Habitat Regulations has been completed. Detailed consideration of bats within regard to the proposals has been undertaken including the provision of retained roosts and mitigation for loss of roost which should be retained in perpetuity. Monitoring and management of the roosts should be included in the EPSML application.

As the proposals involve the destruction of multiple bat roosts the applicant will require an EPSML prior to any works commencing on Storeton Hall Farm. To ensure this is in place the following planning condition is required:

Works will not commence unless the local planning authority has been provided with a copy of a License issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified development to go ahead.

Lighting for the development may affect the use of retained and new roost provision, together with commuting and foraging areas. A lighting scheme can be designed so that it protects ecology and does not result in excessive light spill onto these areas in line with NPPF (paragraph 125).

Great crested Newt

The Great Crested Newt report includes the results of a Habitat Suitability Index with scores ranging from 0.47 to 0.75 that is poor suitability to good suitability. Further e-DNA surveys confirmed likely absence of Great Crested Newt therefore no further consideration is needed.

Japanese knotweed

Japanese knotweed is present in several places within the site boundary. The PEA report indicates that some herbicide treatment may have taken place. However, it is unclear what treatment occurred or when it took place. The applicant is required to submit a method statement for approval that includes the following:

- A plan showing the extent of the plant;
- What method will be used to prevent the plant spreading further, including demarcation; and
- What method of control will be used, including details of monitoring.

A validation report is then required confirming the remediation treatment carried out and that the site has been free of the Japanese knotweed for 12 consecutive months for approval in writing by the Local Planning Authority.

Breeding birds

Built features or vegetation on site may provide nesting opportunities for breeding birds, which are protected. No tree felling, scrub clearance, hedgerow removal, vegetation management, ground clearance and/or building works is to take place during the period 1 March to 31 August inclusive. If it is necessary to undertake works during the bird breeding season then buildings, trees, scrub and hedgerows which are affected 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.

Concerns have been made regarding the loss of wildlife in relation to the proposed development. MEAS on behalf of the Council have no objection to the proposal on these grounds subject to the conditions attached at the end of this report.

Waste

The proposal involves significant excavation, demolition and construction activities and policy WM8 of the Merseyside and Halton Joint Waste Local Plan (WLP) applies. This policy requires the

minimisation of waste production and implementation of measures to achieve efficient use of resources, including designing out waste. In accordance with policy WM8, evidence through a waste audit or a similar mechanism (e.g. site waste management plan) demonstrating how this will be achieved must be submitted and can be secured by a suitably worded planning condition. The details required within the waste audit or similar mechanism is provided in Part Two.

The applicant has submitted sufficient information to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan.

Construction Environment Management Plan

It is advised that the applicant prepares a Construction Environmental Management Plan (CEMP) document to manage and mitigate the main environmental effects during the construction phases of the proposed development. The CEMP should address and propose measures to minimise the main construction effects of the development and, amongst other things, should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP would normally be expected to include the agreed method statements to mitigate or avoid adverse environmental impacts including:

- Invasive species eradication scheme;
- Ecological mitigation plan;
- Waste Audit or similar mechanism.

The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. . The details of the draft CEMP should be submitted to the Council, agreed and implemented prior to the discharge of the planning condition.

Archaeology Works

The Programme of Archaeological Works, as outlined in section 4.3 of Oxford Archaeology North's Evaluation, Test Pitting & Watching Brief report, should be described in a Written Scheme of Investigation (WSI) produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The WSI should be of sufficient detail so that the impact of the proposed works can be properly assessed by the Local Planning Authority.

At Wirral Council's request, MEAS will continue to liaise with the applicants archaeological contractor, to ensure that all aspects of the proposed archaeological mitigation are implemented in accordance with the appropriate professional standards.

Waste Audit

A waste audit or similar mechanism (e.g. site waste management plan) provides a mechanism for managing and monitoring construction, demolition and excavation waste. This is a requirement of WLP policy WM8, and may also deliver cost savings and efficiencies for the applicant. The following information should be included within the waste audit or similar mechanism:

- Details of persons responsible;
- Process for update;
- Process to ensure contractors/staff are aware of requirements (e.g. toolbox talks);
- Waste prevention, reduction and recycling actions;
- Forecast waste types (European Waste Codes recommended) and waste arisings (tonnages);
- Proposed facilities/carriers and waste management option(s) chosen; and
- Actual waste arisings (tonnages), facilities/carriers and waste management option(s) chosen.

EIA Screening

A Screening Request has been submitted and reviewed by MEAS. The Screening Request correctly identifies the scheme as falling within Schedule 2, 10(b) of the EIA Regulations 2011, as amended,

being an 'Urban Development Project. The projects scale exceeds the stated screening threshold of 1 hectare so that screening is necessary.

Having reviewed the Screening Report and considered the project against the provisions of the EIA Regulations (including screening criteria presented in Schedule 3) and the relevant National Planning Practice Guidance, it is considered that the proposals are unlikely to give rise to significant environmental effects and that EIA is therefore not required in this case.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal to erect 22 dwellings in the Green Belt would be contrary to UDP Policy GB2 and as such is a departure from the Wirral Unitary Development P. However, the proposed housing is to provide the finances for the restoration and repair of a Scheduled Ancient Monument and Grade II* Listed Building which is identified as a building at risk on Historic England's Register. The proposal has been presented as an enabling development and as such there is a balance to be struck between the harm and the benefits that can be accrued through the grant of planning permission.

Substantial weight must be given against the proposed development to the potential harm by reason of its inappropriateness and any other harm. However, in this particular case, enabling and securing the restoration and repair of Storeton Hall is a significant consideration in the planning balance. It has been found that the works to be undertaken to convert Storeton Hall are acceptable and are endorsed by Historic England and the Councils Conservation Officer. It is considered that no element of the scheme would result in an unacceptable impact on the amenities of existing residents, the access to the site are as existing and are considered to be safe and appropriate and the proposed development will not result in a severe impact on highway safety or capacity. It is considered that the proposed siting of the proposed dwellings within the site of the hall and on a site that contained agricultural buildings of a greater scale than the proposed housing have been sensitively designed to have the least possible impact on the rural character of the village. The design of the dwellings is considered to be of high quality and would result in a sensitive extension to the existing village. On balance, it can be accepted that benefits from securing the long term future use of Storeton Hall, a grade II* listed building and Scheduled Ancient Monument amount to very special circumstances that clearly outweigh the harm and justify inappropriate development in the Green Belt in this particular case.

In conclusion, subject to a section 106 agreement to secure the restoration and repair of the scheduled ancient monument and the maintenance of a sustainable drainage system, it is acknowledged that there is substantial harm from the proposed development, but that the development would secure the future conservation of a heritage asset, that there is no reasonable alternative, and that the benefit of securing this asset outweighs the disbenefits of the proposed development and is therefore considered sufficient grounds to recommend approval for this particular development, subject to referral to the Secretary of State.

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 proposal to erect 22 dwellings in the Green Belt would be contrary to UDP Policy GB2 and is a departure from the Wirral Unitary Development Plan. However, the proposed housing enable the restoration and repair of a Scheduled Ancient Monument and Grade II* Listed Building which is identified as a building at risk on Historic England's Register. On balance, it can be accepted that very special circumstances have been demonstrated to clearly outweigh the harm and justify development in the Green Belt in this particular case.

Recommended

Approve

Decision:

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. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution in line with paragraph 109 of the National Planning Policy Framework.

3. Prior to any part of the permitted development, being brought into use a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National Planning Policy Framework.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

5. Prior to the commencement of development, a full scheme of works for the reinstatement of the existing vehicular access onto Rest Hill Road that is rendered obsolete by the development and the provision of a new boundary feature shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved works have been completed in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development and to comply with policies contained within Wirrals 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 4th April 2017 and listed as follows: 11406_I-PO1, 436/11(02)035 D, 436/11(02) 042, 436/11(02) 041, 436/11(02)037, 436/11(02)043, 436/11(02) 034, 436/11(02)036, 436/11(02) 003L, 15221, 190-01-1301, 190-01-1301C, 190-01-1302C, 190-01-1302, 190-01-1304C, 190-01-13014, 190-01-1305, 190-01-1305C, 190-01-1107A, 190-01-1707C, 190-01-1107D, 190-01-1108C, 35656, 1522/01, 11406_L04-P01, 436-11(02)003L, 109-00/1009/B, 109-00/1001, 109-00/1001A, 109-00/1101A, 109-02/1001A, 109-01/1102A, 109-01/1103A, 109-01/1104A, 109-01/1105A, 109-01/1106A, 109-01/1006D, 109-01/1203, 109-01-1202, 109-01-1208A, 109-01-1209A, 109-01-1204A, 109-01-1203D, 109-01-1004D, 109-00-1005, 109-02-1003B, 109-01-1203B, 109-01-1101A, 109-02-1002A, 109-01-1002A, 109-04-1001, 109-16-1001, 109-00-1002, 109-00-1003, 109-01-1205A, 109-01-1207A, 109-01-1206A, 109-01-1201, 11406_L02, 436/11(02)018C, 436/11(02)030B, 436/11(02)032B, 436/11(02)031B, 436/11(02)033B, 436/11(02)034B, 436/11(02)010C, 436/11(02)011B, 436/11(02)013C, 436/11(02)014C, 436/11(02)015D, 436/11(02)016C, 436/11(02)017D, 436/11(02)012B, 12816-P1, 16-1917-P19, 16-1917-P20, 16-1917-P21, 16-1917-P22, 16-1917-P28, 16-1917-P29, 109-01-1303, 109-01-1303C, 109-01-1306E, AND 109-00-1012A received by the LPA on 22nd September 2017

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

7. Prior to the commencement of the approved equestrian facilities a scheme for the containment and storage of manure has been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved details to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of controlled waters and to accord with Policy EM6 of the Wirral Unitary Development Plan.

8. Reason: To ensure that the works comply with the Scheduled Monument Consent is granted under section 2 of the 1979 Act

9. Equipment and machinery shall not be used or operated in the scheduled area in conditions or in a manner likely to result in damage to the monument other than that which is expressly authorised in this consent.

Reason: To ensure that the works comply with the Scheduled Monument Consent is granted under section 2 of the 1979 Act

10. Reports on the results of the timber condition survey and the mortar sampling programme shall be submitted to Historic England (and copied to the LPA) within 3 months of the completion of the consented works.

Reason: To ensure that the works comply with the Scheduled Monument Consent is granted under section 2 of the 1979 Act

11. No development shall take place on the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance the Programme of Archaeological Works, as outlined in section 4.3 of Oxford Archaeology North's Evaluation, Test Pitting & Watching Brief report, should be described in a Written Scheme of Investigation (WSI) produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The WSI should be of sufficient detail so that the impact of the proposed works can be properly assessed and approved in writing by the Local Planning Authority.

Reason: To safeguard any archaeological interest of the site and to accord with Policies of the Wirral Unitary Development Plan.

12. The proposed landscaping as detailed within the submitted drawings shall be completed before the residential accommodation hereby approved is occupied and thereafter shall be maintained to the satisfaction of the Local Authority.

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

13. Prior to commencement, a scheme for the enhancement of biodiversity within the development site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall then be implemented in full in a timescale to be agreed in writing with the Local Planning Authority.

Reason: To secure biodiversity enhancement as required under PPS9 Key Principles and Wirral Unitary Development Plan Policies.

14. Before any equipment, machinery or materials are brought onto site, a 1 metre high fence or other barrier as agreed in writing with the Local Planning Authority, shall be erected around the outer limit of the crown spread of all trees, hedges or woodlands shown to be retained on the approved plan. Such fencing shall be maintained in a satisfactory manner until the development is completed. During the period of construction, no material shall be stored, fires started or trenches dug within these enclosed areas without the prior consent in writing of the Local Planning Authority.

Reason: To prevent damage to the trees/ hedges in the interests of visual amenity and to comply with Policies of the Wirral Unitary Development Plan.

15. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be carried out as approved.

Reason: In the interests of visual amenity and conservation and to comply with Policies of the Wirral Unitary Development Plan.

16. No tree, shrub or hedgerow felling, or any vegetation management and/or cutting operations or building works should take place during the period 1st March to 31st August inclusive. If it is necessary to undertake works during the bird breeding season, then buildings, trees, scrub and hedgerows which are affected 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 will be required

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

17. Prior to commencement of development, full details of a scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and clearly identify the extent of the Japanese Knotweed on a scaled plan.

Reason: To eradicate Japanese Knotweed from the development site, to prevent the spread of the plant through development works and to accord with the aims of Policies in the Wirral Unitary Development Plan.

18. Prior to the commencement of the development, the approved scheme and timetable for the eradication of Japanese Knotweed referred to in condition 17 above, shall be implemented in full and a validation report confirming the remediation treatment carried out and that the site is free of Knotweed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To eradicate Japanese Knotweed from the site and to prevent the spread of the plant through development works and to accord with the aims of Policy [S] in the Wirral Unitary Development Plan.

19. 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 of the Wirral Unitary Development Plan and policy WM9 of the Merseyside and Halton Joint waste Local Plan.

20. Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority and should include details of ecological mitigation, construction and demolition waste management, pollution prevention and soil resource management. The CEMP shall include the agreed method statements to mitigate or avoid adverse environmental impacts including:

- Invasive species eradication scheme;
- Ecological mitigation plan;

- Waste Audit or similar mechanism.

The CEMP should be compiled in a coherent and integrated document and should be accessible to site managers, all contractors and sub-contractors working on site as a simple point of reference for site environmental management systems and procedures. The provisions of the Construction Management Plan shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

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

21. Prior to the first occupation of any residential dwellings, details of the proposed interpretation board shall be submitted to and agreed in writing with the Local planning Authority. The approved scheme shall be implemented in full prior to occupation of Storeton Hall.

Reason: To ensure that the significance of the Scheduled Ancient Monument is available to view by the public and in order to provide understanding of the historic nature of the site.

22. No development shall commence until the local planning authority has been provided with a copy of a license issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorising the specified development to go ahead.

Reason: To meet the requirements of Regulation 53 of the Conservation and Habitats and Species regulations 2010

23. The proposed development shall be constructed in accordance with submitted material details received by the Local Planning Department on the 4th April 2017

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.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent Order or statutory provision revoking or re-enacting the provisions of that Order), no garages, outbuildings (excluding sheds) or other extensions to a dwelling shall be erected unless expressly authorised.

Reason: In order to protect the character of the area/residential amenities of nearby occupants and to accord with Policy HS4 of the Wirral Unitary Development Plan.

25. No development shall commence until details of works to create a new access onto Rest Hill Road have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to first use of the equestrian centre.

Reason – In the interest of road safety, to secure a suitable access including necessary sight lines.

26. NO DEVELOPMENT SHALL TAKE PLACE until details of secure covered cycle parking and/or storage facilities for the equestrian centre 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.

Further Notes for Committee:

1. Reuse of material on site

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK.

2. Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2017
- The Waste (England and Wales) Regulations 2011

3. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with relevant guidance and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

4. Noisy work on construction and demolition sites is restricted (in most circumstances) to the following hours:

- Monday to Friday: 8.00am to 6.00pm
- Saturday: 8.00am to 1.00pm
- Sunday: No noisy work
- Public Holidays: No noisy work

5. Should the construction/demolition contractor need to carry out noisy work outside of the permitted hours they can apply for permission from Environmental Health via an online application form that can be accessed at: -

<https://www.wirral.gov.uk/environmental-problems/pollution-control/construction-site-noise>

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