

**Planning Committee**

15 February 2018

**Reference:**  
**APP/17/01363**

**Area Team:**  
**South Team**

**Case Officer:**  
**Mrs S Day**

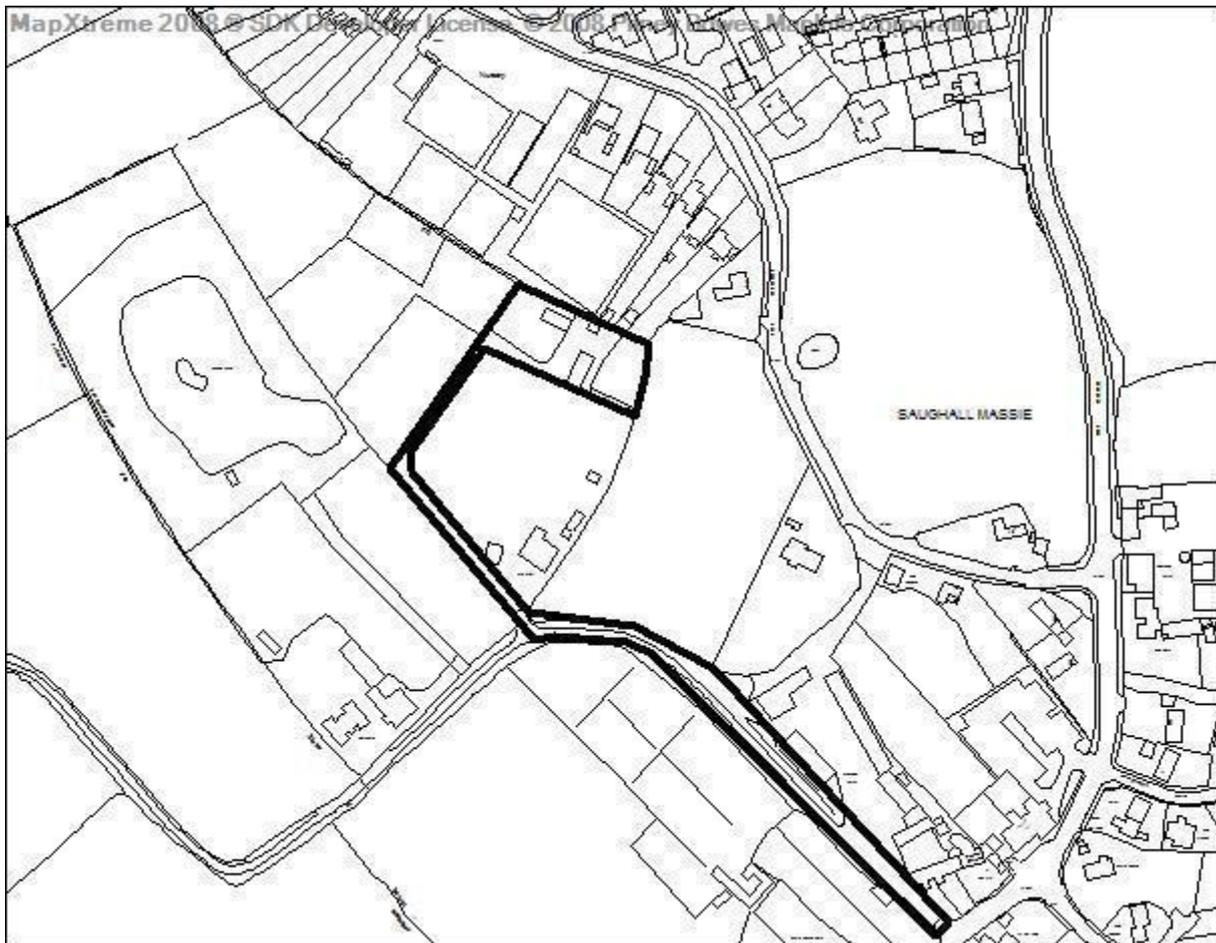
**Ward:**  
**Moreton West and  
Saughall Massie**

**Location:** Land North of Old Croft, BARNACRE LANE, SAUGHALL MASSIE,  
CH46 5NE

**Proposal:** Alterations to reduce size of existing newly constructed barn following  
planning appeal

**Applicant:** Mr Upton  
**Agent :** PWE Design

**Site Plan:**



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**Development Plan designation:**

Green Belt

Conservation Area (for illustrative purposes)

## Planning History:

Location: Old Croft, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NJ  
Application Type: Full Planning Permission  
Proposal: Retention of maintenance access track.

Application No: APP/15/00232  
Decision Date: 02/04/2015  
Decision Type: Approve

Location: Land North of Old Croft, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NJ  
Application Type: Full Planning Permission  
Proposal: Replacement of existing buildings with new stable and storage/workshop buildings

Application No: APP/15/00685  
Decision Date: 18/09/2015  
Decision Type: Approve

Location: Barnacre Lane, Saughall Massie Village, Wirral CH46 5NJ  
Application Type: Full Planning Permission  
Proposal: Retrospective application for the installation of a security gate along Barnacre lane.

Application No: APP/14/00971  
Decision Date: 15/08/2014  
Decision Type: Returned invalid

Location: From Barnacre to Prospect Farm, Barnacre Lane, Saughall Massie, Wirral, CH46 5NJ  
Application Type: Circular 34/76  
Proposal: Rebuild existing LV overhead line with aerial bundle conductors  
Application No: ELC/06/05720  
Decision Date: 14/07/2006  
Decision Type: No objections

Location: Land north of Old Croft, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NJ  
Application Type: Full Planning Permission  
Proposal: Replacement Stable & Storage/Workshop Buildings (As Built Design)  
Application No: APP/16/00852  
Decision Date: 21/10/2016  
Decision Type: Refuse

Location: Land North of Old Croft, BARNACRE LANE, SAUGHALL MASSIE, CH46 5NJ  
Application Type: Planning Pre-Application Enquiry  
Proposal: Refurbishment & repair of existing farm buildings and or conversion to form habital dwelling  
Application No: PRE/14/00396/ENQ  
Decision Date: 18/12/2014  
Decision Type: Pre-Application Reply

## Appeal Details

Application No APP/16/00852  
Appeal Decision Dismissed

Appeal Decision Date

### **Summary Of Representations and Consultations Received:**

#### **Consultations**

Traffic Management - No objection

Saughall Massie Conservation Area, - Objection, proposal is intended as a dwelling, applicant has breached planning regulations

#### **Neighbours**

In line with the Council's policy for publicity of planning applications, letters were sent to 6 neighbouring properties and a notice posted on site.

3 objections received including Councillor Bruce Berry and Conservation Areas Wirral and a neighbouring property. In addition, a qualifying petition of objection has been received. The reasons for objecting relate to:-

- Applicants disregard of planning system and plans to use building as a house.
- Site has not been used for horses as stated
- Build quality is more appropriate to a house than a barn.

### **DIRECTORS COMMENTS:**

#### **REASON FOR REFERRAL**

The application has attracted a qualifying petition of objection

#### **INTRODUCTION**

The Proposed reduction to the size of the existing unauthorized building to accord more closely with the original permission.

#### **PRINCIPLE OF DEVELOPMENT**

Within the Green Belt, complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development can be considered appropriate development. Provision is made in UDP Policy GB2 for essential facilities for outdoor sport and recreation, which preserve the openness and do not conflict with the purposes of the Green Belt.

#### **SITE AND SURROUNDINGS**

The application site previously consisted of two single storey buildings which are part of a larger parcel of land. The buildings were in a poor state of repair but have previously been used as stables and associated storage/workshop. The buildings and land are within the adopted green belt but are outside the Saughall Massie Conservation area. Surrounding uses are a mix of agricultural and open land uses with some residential properties. To the immediate south of the site is the land related to the dwelling 'Old Croft'. The access to the application site is from a recently approved access road which follows the boundaries of the land adjacent to Old Croft.

The replacement of the two buildings was approved in 2015 by virtue of application APP/15/00685. Work has commenced on both buildings with the workshop which is the subject of this application, nearing completion.

#### **POLICY CONTEXT**

Policy GB2 of the Wirral Unitary Development Plan lists the forms of development which are considered appropriate in the Green Belt, this includes outdoor recreation which in turn includes some equine uses.

UDP Policy LA5 sets out the Council's criteria for horse shelters and stables. Subject to satisfying the green belt policies, they can be acceptable if of an appropriate scale and design and not intrusive. In addition, 0.4 hectare of land is required for each horse within the same location.

UDP Policy GB2 is considered to be consistent with the aims of the National Planning Policy Framework (NPPF), which identifies appropriate facilities for outdoor sport and recreation as long as it

preserves the openness of the green belt. In addition, limited infilling or redevelopment of brownfield sites can be considered as appropriate under NPPF so long as it does not have a greater impact on the openness of the green belt or the purposes of including land in it.

### **APPEARANCE AND AMENITY ISSUES**

The current proposals are for changes to the building which currently exists on site, is partially completed and which differs from the approved plans (15/00685). An application to retain the larger building was refused and dismissed on appeal (16/00852) The differences are as follows:-

#### **APP/15/00685 (approved)**

Ridge height -4.7m  
Eaves height - 2.5m  
Dimensions - 5.438 x 12.241m  
area - 66.566m<sup>2</sup>

#### **APP/16/00852 (refused)**

Ridge height - 5.7m  
Eaves height - 3.2m  
Dimensions - 6.038x 12.241m  
area - 73.911m<sup>2</sup>

Current proposals:-

Ridge height -4.7m  
Eaves height - 2.3m  
Dimensions - 5.960x 12.241m  
area -72.95m<sup>2</sup>

Thus, the building will have the same height as the original approval, a slightly lower eaves height but will be 0.5m wider with a resulting increase in area of almost 7m<sup>2</sup>.

In addition, the elevations will change in that additional windows and a wider door will be removed to more closely reflect the original approval and lessen the appearance of a domestic dwelling.

The changes are considered close enough to the dimensions of the building that was previously approved to not make a material difference. Importantly, the bulk of the building will be reduced and the domestic appearance.

Whilst the works to reduce the building have not yet taken place, a condition will be placed on this decision to require the works to have taken place by the end of May 2018. In addition to this, there is still a live enforcement notice which could be enforced if the condition is not complied with.

It is considered that the reduced building would have no greater impact on the openness of the green belt than the original building and as such the new building is of a size which is not disproportionate to the buildings it replaced and will have no greater impact on the openness of the green belt. As such the proposals are considered appropriate development. No change of use is proposed and as such no greater level of activity is anticipated. Objectors have expressed concern that the buildings could be converted to residential use as permitted development. This permitted development would only apply to agricultural buildings which do not include equine uses and related activity.

### **SEPARATION DISTANCES**

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

### **HIGHWAY/TRAFFIC IMPLICATIONS**

There are no Highway Implications relating to this proposal.

### **ENVIRONMENTAL/SUSTAINABILITY ISSUES**

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

### **HEALTH ISSUES**

There are no health implications relating to this application.

### **CONCLUSION**

The proposed changes to the building do not result in a disproportionate addition to the original building and are not in conflict with local and national Green Belt Policy

**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 proposed changes to the building do not result in a disproportionate addition to the original building and are not in conflict with local and national Green Belt Policy

**Recommended            Approve**  
**Decision:**

**Recommended Conditions and Reasons:**

1. The alterations approved through this consent shall be carried out and completed within three months of the date of this approval.

**Reason:** To ensure a development which does not conflict with Unitary Development Plan Policy GB2 and the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 14 November 2017 and listed as follows: CL1586-0714-AM Rev 1

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

3. 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 policy WM8 of the Waste Local Plan.

4. Prior to the development hereby approved being brought into use, arrangements for the storage and disposal of refuse, and vehicle access thereto, shall be made within the curtilage of the site, in accordance with details previous submitted to and agreed in writing by the Local Planning Authority, prior to the first occupation of the building.

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

5. The workshop and store hereby approved shall only be used in association with the approved stables as ancillary to the main equestrian use of the land and for no other purpose.

**Reason:** To protect the character and amenities of neighbouring properties and to protect the openness and character of the Green Belt, having regard to Policy GB2 of the Wirral Unitary Development Plan.

**Further Notes for Committee:**

**Last Comments By: 06/12/2017 09:07:23**

**Expiry Date: 28/12/2017**

