

Planning Committee

21 June 2018

Reference:
APP/17/01521

Area Team:
South Team

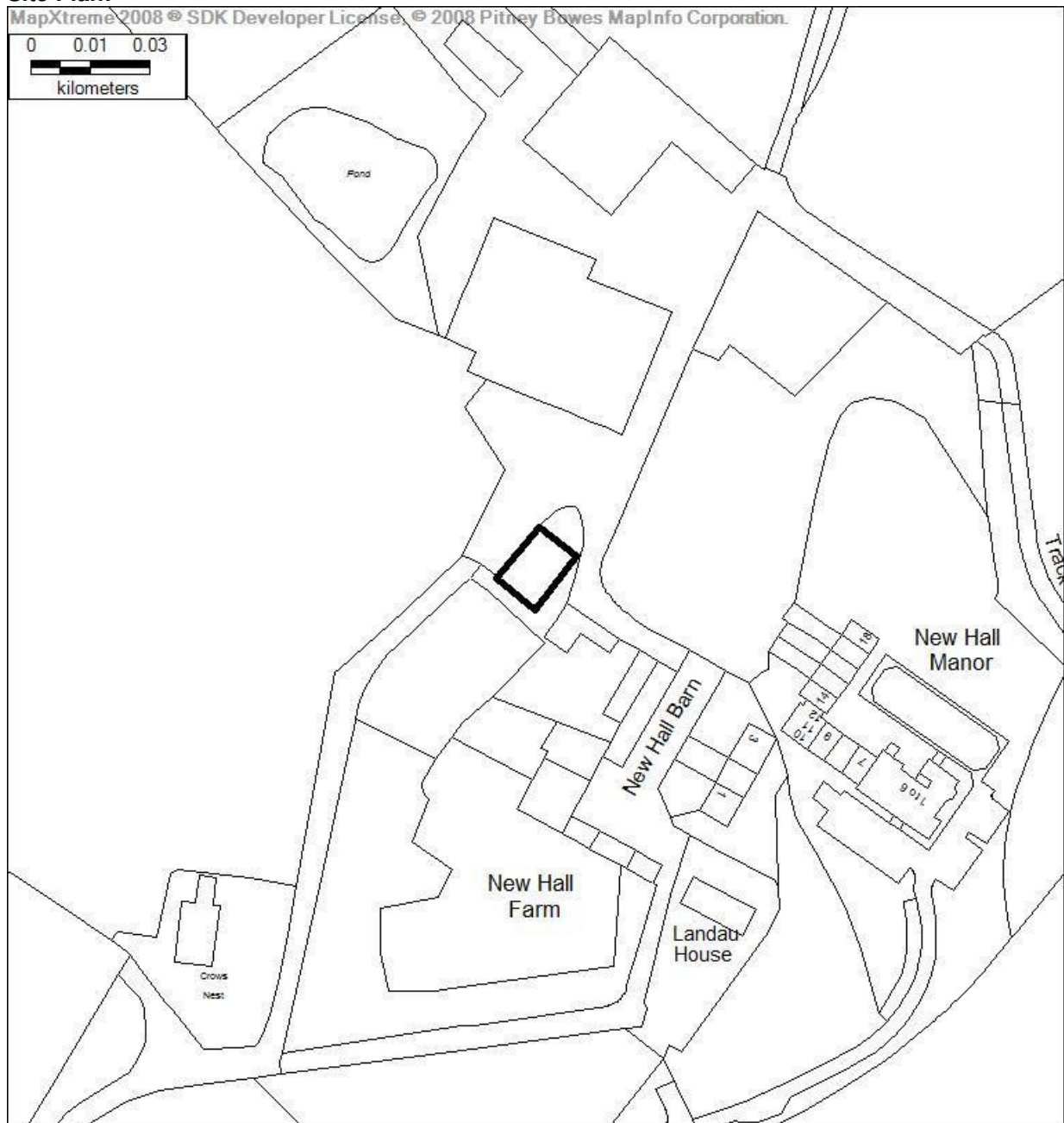
Case Officer:
Mrs S Day

Ward:
Clatterbridge

Location: Crows Nest, CHESTER HIGH ROAD, THORNTON HOUGH, CH64 3TE
Proposal: Demolition of existing brick building, currently used as a workshop and store for their business Wirral Turf, and build a detached dwelling / annexe to The Crows Nest. - Amended Plans

Applicant: Wirral Turf
Agent : W&CDS Ltd

Site Plan:



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Development Plan designation:
Green Belt

Planning History:

Location: Barn east of New Hall Livery Stables, Chester High Road, Thornton Hough.
L64 3T
Application Type: Full Planning Permission
Proposal: Conversion of barn to dwelling, (amendment to approval no. App/90/7714/E).
Application No: APP/92/05743
Decision Date: 21/07/1992
Decision Type: Approve

Location: New Hall Livery, Chester High Road, Thornton Hough. L64 3TE
Application Type: Full Planning Permission
Proposal: Conversion of farm buildings to dwelling and garage.
Application No: APP/90/07714
Decision Date: 05/07/1991
Decision Type: Refuse

Location: New Hall Livery, Chester High Road, Thornton Hough. L64 3TE
Application Type: Full Planning Permission
Proposal: Conversion of two barns to three dwellings and conversion of stables to three
garages.
Application No: APP/90/06672
Decision Date: 14/09/1990
Decision Type: Refuse

Appeal Details

Application No	APP/90/07714
Appeal Decision	Conditionally Allowed
Appeal Decision Date	16/12/1991

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

In line with the Council's Guidance on Publicity for planning applications, 24 letters were sent to neighbouring properties and a Site Notice displayed on site. Three representations of objection have been received. The reasons for comment/objection relate to:-

1. Lack of boundary treatment.
2. Loss of privacy
3. Impact on trees
4. Concern relating to access over land and covenants relating to this.

Thornton Hough Community Trust believe the proposal is inappropriate development as it is not a conversion and is not an annexe to Crows Nest.

CONSULTATIONS:

Environmental Protection - No objection

MEAS - No objection subject to conditions

Highways - No objection

Cheshire West and Chester Council - No comments received

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application has been removed from delegation by Councillor Adam Sykes on the basis that it will be detrimental to the Green Belt.

INTRODUCTION

Demolition of an existing barn and the erection of a detached dormer dwelling.

PRINCIPLE OF DEVELOPMENT

The site is within the Green Belt and there is no provision for the proposed development in the Wirral Unitary Development Plan (UDP) Policy GB2 and the application has been advertised as a departure from the statutory development plan.

SITE AND SURROUNDINGS

The application site consists of a brick building set within an agricultural/commercial setting. The surrounding land consists of New Hall Farm and a number of other dwellings within the rural setting. Access to the site is a private road from Chester road and runs past the barn. The barn is adjacent to the stables and ménage of New Hall Farm.

POLICY CONTEXT

Although there is no provision for the proposed development in UDP Policy GB2 .The NPPF includes in the list of appropriate development;

“complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), 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”

It should be noted that agricultural land does not fall within the definition of brownfield land.

This advice ‘adds to’ the definition of appropriate development set out in the criteria in UDP Policy GB2, and by consequence of paragraph 215 of the NPPF, it is considered that the weight to be given to Policy GB2 is reduced.

Whilst applicable to the Primarily Residential Area, UDP Policy HS4 sets out criteria for new dwellings and their impact on their neighbours and surrounding area, which would also be relevant.

APPEARANCE AND AMENITY ISSUES

Crows Nest supports an existing agricultural and commercial business use within the adopted green belt. The wider site currently supports one dwelling with a number of other ancillary buildings. The proposed development seeks to replace an existing workshop and storage building with a building of a similar size which would be used as a dwelling. Although the dwelling is described as an annexe to the existing dwelling, Crows Nest, it is a separate dwelling.

The existing building is unlisted and is not a particularly attractive building. Its former use is considered to fall within the definition of previously developed land. The replacement building has a smaller footprint and a slightly lower eaves height . Although the ridge is 1.3m higher than the existing building and two dormers will add to the bulk of the building. In general terms however, the visual impact of the new dwelling will not be significantly greater than the existing barn.

The design of the dwelling is simple and will be constructed in materials which reflect the existing building. The site is immediately adjacent to the equestrian use of New Hall Farm but boundary treatment is proposed to differentiate between the two and first floor windows which would have overlooked the use have been removed.

The existing building already has a small green area adjacent to the north east of the building. This is to be retained as amenity space for the dwelling. No additional amenity space is proposed.

Objections have been raised regarding the existence of covenants relating to a surface water drain which runs under the land immediately north east of the building. The approval of this proposal does not impact on this.

It is considered that due to its limited size, the proposed building will have no greater impact on the Green Belt than the existing building. The residential use is compatible with the mix of residential and commercial uses which already exist in the immediate surrounding area.

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 objections to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

The Government attaches great importance to the Green Belt in National Policy for achieving sustainable development.

The application was accompanied by a bat roost survey which indicated no evidence of bats roosting in the existing barn.

There are several trees adjacent to the site which are not protected, the proposed development does not include their removal.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposed dwelling will not result in harm to the Green Belt or neighbouring uses and is considered to be appropriate within the terms of NPPF paragraph 89.

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 dwelling will not result in harm to the Green Belt or neighbouring uses and is considered to be appropriate within the terms of NPPF paragraph 89.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 10/1/18 and listed as follows: CRO001-001-A1 R2 and received by the local planning authority on 6/3/18 and listed as: CRO001/101 R4, CRO001/102 R4, CRO001/103, R4 CRO001/104 R4 and CRO001/010 R2.

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

3. Details of materials for all external work including samples, shall be submitted to and approved by the Local Planning Authority before any work is commenced.

Reason: To ensure a satisfactory development which does not prejudice the amenity of the

locality.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building hereby approved.

Reason: To safeguard the amenities of the occupiers of adjoining property and the area generally and to accord with Policy GB2 of the Wirral Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

Reason: To safeguard the amenities of the adjoining occupiers & appearance of the area and to accord with Policy GB2 of the Wirral Unitary Development Plan.

6. The proposed boundary treatment detailed on drawing CRO001/010 shall be erected before the dwelling hereby approved is occupied and retained as such thereafter

Reason: In the interests of amenity and to ensure the privacy of neighbouring uses.

7. A scheme for the provision of bird boxes on site to mitigate for the potential loss of breeding bird habitat shall be submitted to and agreed in writing with the Local Planning Authority before development commences. The boxes shall be installed before the dwelling is occupied.

Reason: In the interests of nature conservation having regard to Policy NC7 of the Wirral Unitary Development Plan.

8. 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 all buildings, trees, scrub, hedgerows and vegetation 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 are required to be submitted for approval to the Local Planning Authority.

Reason: In the interests of nature conservation having regard to Policy NC7 of the Wirral Unitary Development Plan.

9. The proposed mitigation measures in relation to bats detailed in the submitted report ; *Etive Ecology Ltd, Bat Inspection Report 4 January 2018*, shall be put in place before the dwelling hereby approved is occupied.

Reason: In the interests of nature conservation having regard to Policy NC7 of the Wirral Unitary Development Plan.

Last Comments By: 28/03/2018

Expiry Date: 30/04/2018