

Planning Committee

8 September 2020

Reference:
APP/19/01262

Area Team:
Development
Management Team

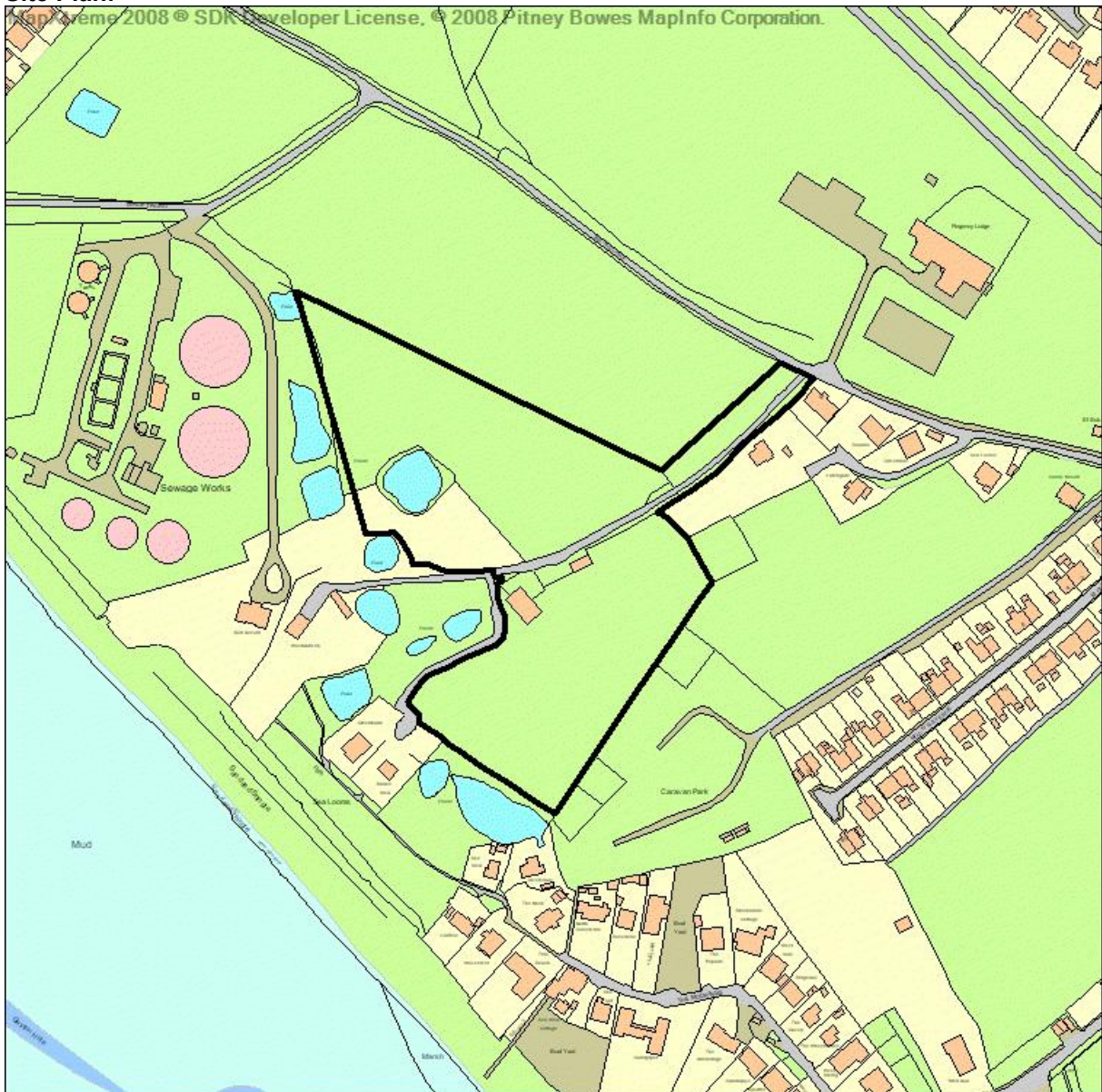
Case Officer:
Mr M Wood

Ward:
Heswall

Location: Sea Looms, BROAD LANE, HESWALL, CH60 9LE
Proposal: Erect new stables and associated facilities for private use.
Applicant: Mrs Neville
Agent: Jones and Wathen Ltd.

Qualifying Petition: No

Site Plan:



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Development Plan designation:

Green Belt
Coastal Zone

Planning History:

None relevant.

Summary of Representations and Consultations Received:**1.0 WARD MEMBER COMMENTS**

1.1 No comments received.

2.0 SUMMARY OF REPRESENTATIONS

Having regard to the Council's Guidance for Publicity on Planning Applications, notifications were sent to adjoining properties and a site notice was displayed near the site. At the time of writing, 15 objections have been received.

2.1 REPRESENTATIONS

15 objections have been received and can be summarised as follows:

1. Impact on wildlife
2. Highway issues/access
3. Impact upon Green Belt
4. Impact upon amenity of neighbouring occupiers

2.2 CONSULTATIONS

Environmental Health- No objection

Highways - No objection

MEAS- No Objection

Natural England - No objection

3.1 Reason for referral to Planning Committee

3.1.1 Application has been referred to Planning Committee due to 15 individual objections coming forward over the course of the application process.

3.2 Site and Surroundings

3.2.1 The application site is an area of open grazing land that previously contained stable accommodation which has been recently demolished. Located within Green Belt to the west of Heswall, the site is also within an area designated as Coastal Zone. The site is accessed from a narrow lane leading off Broad Lane and is screened with established trees on the north and eastern boundary of the site. There are pockets of residential properties within the vicinity of the site, predominantly detached dwellings on large plots.

3.3 Proposed Development

3.3.1 The proposal is for a stables and associated ménage which is as amended scheme from the initial submission. The stables have been relocated and reduced in size and the now comprises of a footprint of 21.90m x 14.40m and is reduced in height to be single storey overall. The repositioned stables are now proposed to be located to the north east portion of the site and would be 'U shaped' immediately to the west would sit the new ménage that would have a 1.5 metre high surrounding fence and associated lighting.

3.3.2 There are all some minor alterations associated with the entrance which include a double gates and adjoining masonry wall the height of which has been reduced to 2 metres overall.

3.4 **Development Plan**

Wirral Unitary Development Plan (UDP) Policies

GB2 - Guidelines for Development in the Green Belt

AG1 - Development and Agricultural Policy

LA5 - Criteria for Horse Shelters and Stables

3.5 **Other Material Planning Considerations**

The National Planning Policy Framework 2018 (NPPF)

Section 2: Achieving sustainable development

Section 4: Decision Making

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt Land

Section 15: Conserving and enhancing the natural environment

3.6 **Assessment**

The main issues pertinent in the assessment of the proposal are;

- Principle of development and impact upon Green Belt
- Design;
- Highways and PROW;
- Ecology; and
- Amenity

3.7 **Principle of Development**

3.7.1 The principle of development: a stables and associated facilities located within the Green Belt is considered acceptable taking into account para. 145 of the NPPF as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

3.7.2 Various discussions and concessions have been made by both the LPA and the applicant in terms agreeing a position that would result in a level of acceptable impact upon the Green Belt whilst retaining its openness. This involved a scaled down version of new stables, removing the two-storey element of the initial submission along with reducing the entrance point by 1 metre in height. Policy GB2 of the UDP is the key consideration in terms of policy compliance whereby criterion ii) details that essential facilities for outdoor sport and outdoor recreation will be permitted which preserve the openness of the Green Belt.

3.7.3 Having, had extensive negotiations which has resulted in amended, reduced scheme come forward it is now considered that the proposal is acceptable in principle.

3.8 **Design**

3.8.1 The stable block will have capacity for 5 horses and contain a store and tack room. The appearance will be single storey with a combination hipped and gabled roof. The proposed materials will be concrete block with a finish to be agreed and slate effect tiles. The new entrance would be 2m high brick built with timber gate and a 1.5m high post and rail fence will surround the ménage.

3.9 **Highways**

3.9.1 The initial application indicated that the proposal was to provide stables with a commercial operation which raised concerns in relation to the amount of potential traffic on an unadopted single track. The applicant has now advised that the stables will be solely for private use to be used by the extended family and has allayed the concerns raised by Highways Engineers.

3.10 **Ecology**

3.10.1 MEAS have carried out a Habitats Regulation Assessment which concludes that there will

be no adverse impact on the integrity of European sites. The site is within 65m of the Dee Estuary Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar, and the Dee Estuary Site of Special Scientific Interest (SSSI), the HRA has also been assessed by Natural England who subsequently raise no objection to the proposal.

3.11 Amenity

3.11.1 There are a cluster of properties in relatively close proximity to the application site, predominantly to the north and careful consideration is required in terms of impact upon the amenity of these nearby residents. With that in mind a condition attached to the planning permission in relation to the associated lighting in order to ensure that their operation is such to have an acceptable level of impact on those affected. Said condition will control the hours of operation and also the lux levels to address this issue.

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 is not considered detrimental to the area and will preserve the openness of the Green Belt in this location and will not cause nuisance to the surrounding residential properties by virtue of its scale and use. The proposal complies with Council policy GB2 of the adopted Wirral Unitary Development Plan and the National Planning Policy Framework.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 18 May 2020 and listed as follows:

Proposed Block Plan 5228/3 A
Proposed Elevations 5228/4 Amended
Design and Access Statement Rev C
Site Location Plan

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

3. Full details of all external lighting associated with the proposal shall be submitted and approved by the Local Planning Authority prior to occupation. This shall include full details of lux levels and times of operation by means of a detailed lighting plan.

Reason: In the interests of amenity of neighbouring occupiers and to accord with Policy GB2 of the Wirral Unitary Development Plan.

4. Before any above groundwork commences, samples of the facing, roofing and window materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall then

be used in the construction of the development.

Reason: To ensure a satisfactory appearance to the development in the interests of visual amenity and to comply with Policy GB2 of the Wirral Unitary Development Plan.

Further Notes for Committee:

Last Comments By: 26/07/2020

Expiry Date: 11/11/2019