

APPLICATION NO: 22/00299/FUL

CASE OFFICER: Andrew Hunt

WARD: Northwood

PARISH:

LOCATION: Coach Road Farm, Cut Lane, Kirkby, Knowsley, L33 3AJ

PROPOSAL: CONVERSION OF 1 NO. AGRICULTURAL BUILDING INTO 1NO.
DWELLING INCLUDING DETACHED GARAGE TOGETHER WITH
CREATION OF ACCESS AND OTHER ASSOCIATED WORKS

Site Description

The application site is a large detached barn situated within a remote complex of farm buildings on Cut Lane. The barn is of historical interest but is not listed or within a conservation area. It is therefore considered to be a non -designated heritage asset.

Proposal

The proposal is for the conversion of 1 no agricultural building into 1 no dwelling including integral/detached garage together with creation of access and other associated works.

Consultations

Arboricultural Officer – No objections.

Environmental Health – No Objection subject to conditions in relation to contamination, importation of soil/material, a materials management plan, a construction management plan and construction hours.

Highways - Highways have no objection to the proposed development subject to the development being carried out in accordance with drawing MG2022/02 A which should be an approved drawing.

Merseyside Environmental Advisory Service – The application must be assessed against three tests set out in the Habitats Regulations prior to determination. If the mitigation/ measures outlined the submitted dusk bat survey report are implemented in full on site then the favourable conservation status of bats will not be impacted. No Objection subject to conditions in relation to bats, lighting, breeding birds and nesting habitats.

Merseyside Fire and Rescue Service – No Objection subject to informatives.

Natural England – No Objection. Based on the plans submitted, Natural England

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considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Representations

This application has been publicised by letters sent to 6 neighbours. Two comments and one objection have been received consisting of the following main points.

Representations

- Where will the access be ?
- Does this meet NPPF Green Belt Policy.
- There will be intensification of Cut Lane which is a narrow single track road with no passing places and in a poor state of repair. Additional traffic is likely to make the road more dangerous.
- Additional properties may negatively impact water supply and pressure to the area.
- The design of the metal Dutch Barn is out of character for the area.

Objections

- The proposal is inappropriate development in the Green Belt and contrary to NPPF para 147.
- The design of the buildings is out of character with the historic building with the use of unsympathetic, large windows, patio doors and rooflight. The existing features should be retained.
- There will be additional traffic on Cut Lane which is a narrow single track road with no passing places and in a poor state of repair. Additional traffic is likely to make the road more dangerous.
- It is unclear where the water supply for the development will come from, the development may reduce water supply/pressure.

Planning History

None Relevant

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-

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to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following policies are relevant to the determination of this application.

KNOWSLEY LOCAL PLAN: CORE STRATEGY

CS2 - Development Principles
CS5 - Green Belt
CS19 - Design Quality and Accessibility in New Development
CS20 - Managing the Borough's Historic Environment
CS21 - Greenspaces and Trees

SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN (ADOPTED JUNE 2006)

G6 - Conversion or Change of Use of Existing Buildings in the Green Belt
DQ4 - Trees and Development

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

ISSUES AND ASSESSMENT:

PROPOSAL

The application is for the conversion of 1 no agricultural building into 1 no dwelling including detached garage together with creation of access and other associated works.

**The application was originally for 2 dwellings, however, the conversion of the metal Dutch Barn has been removed from the proposals, leaving only the conversion of the stone barn. The changes reduce the scale of development and do not result in greater impact on neighbours, therefore no re-consultation was required.*

PRINCIPLE OF DEVELOPMENT

The application site is situated within the Green Belt.

Core Strategy Policy CS5 states that Inappropriate development will not be permitted in the Green Belt except in very special circumstances in which it has been demonstrated that the

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harm to the Green Belt (including any harm to its openness, purposes or to its visual and recreational amenities) would be clearly outweighed by other considerations.

UDP Policy G6 states that Proposals for the conversion or change of use of existing buildings in the Green Belt will be permitted provided they meet certain criteria including that the proposals would not have a materially greater impact on the openness of the Green Belt and that the building is of permanent and substantial construction.

NPPF Para 149 states that the construction of new buildings is inappropriate in the Green Belt subject to certain exceptions, one of which (g) allows the redevelopment of previously developed land.

*“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
– not have a greater impact on the openness of the Green Belt than the existing development;
or”*

NPPF para 150 also states that other forms of development are also not inappropriate in the Green Belt.

*“150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
d) the re-use of buildings provided that the buildings are of permanent and substantial construction”;*

The development would involve the conversion of the existing Stone Barn Building. The building is considered to be of substantial construction as it has 4 solid walls and an enclosed roof, it is also built of stone. The conversion would largely retain the existing footprint with only minor changes (including paved areas outside). These changes do not materially affect the openness of the Green Belt. It is therefore considered that the conversion of the building is acceptable in principle.

The proposal would also include a new building (a detached garage), this would result in a slighter greater impact on the openness of the Green Belt than the current site. However, when the dwelling is converted, the site will gain permitted development rights for outbuildings. The height of the garage proposed is 4 metres with an eaves height of less than 2.5 metres. This means that the proposed structure would be permitted development if it were located 2 metres away from the boundary. This is a relevant material consideration and means that the structure can be built anyway within the site without planning permission at a future date. The council would also have less control over material if the garage were built under permitted development rights whereas with the current application the council can ensure a more attractive traditional type design in keeping with the historic nature of the site and stone barn. Given this, it is considered that it would be unreasonable to require the removal of the garage from the current scheme.

Overall, given the minor additional impact on the Green Belt, the material consideration of the permitted development fallback position, and that fact that an improved design could be secured via the current application means that very special circumstances have been demonstrated for the garage building.

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Overall, the development would not have a substantial impact on the openness of the Green Belt. As a result, the development is consistent with Core Strategy Policy CS5, UDP and NPPF.

DESIGN, ACCESS AND LAYOUT

Policy CS19 (Design Quality and Accessibility in New Development) in the Core Strategy sets out several criteria that developments will be expected to conform to so that they enhance local distinctiveness and the identity and accessibility of new places. The NPPF identifies that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

The building and wider site is several centuries old and of historical interest. It is considered to be a non-designated heritage asset. The design of the scheme has been amended to reduce the amount of large windows in the stone barn. It is considered that the conversion has struck an appropriate balance between smaller windows and openings to fit in with the current character of the building and larger windows needed to create an attractive residential environment. It is considered that requiring smaller and fewer windows would not be compatible with residential amenity or provide a good level of light and outlook. The proposed fence at the front of the site has been changed to a more traditional timber post fence (facing cut lane) that allows views to and from the site. It is considered that this is a more appropriate form and in keeping with the character of the area.

Given the non -designated status of the building it is considered that the changes would not materially harm the character of the building or local area.

Overall, the development is consistent with Core Strategy Policies CS19 and CS20.

RESIDENTIAL AMENITY

Policy CS19 in the Core Strategy requires new developments to maintain a good standard of amenity for all existing and future occupants of land and buildings by avoiding unacceptable impacts on existing residents and future occupiers.

The Amended New Residential Development Supplementary Planning Document (SPD) 2018, gives guidance on the separation distances that should be maintained between residential properties to ensure that harm is not caused to amenity by overshadowing, loss of privacy or through undue dominance. The SPD sets out that:

- 22m should be provided between existing rear principal elevations and proposed principal elevations for two storey properties
- 20m should be provided between the principle elevations of two storey properties
- 12m should be provided between the principal elevation of one property and the gable elevation of another, and
- properties should have a garden depth of at least 10m.

Existing Residents

The only residential property in the immediate vicinity is the farmhouse.

The only building (garage) would be located away from the farmhouse at the northern end of the site. The changes to the barn would be minor and would not materially impact on neighbours. It is considered that other properties would be located too far away to be

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materially impacted by the proposal. Given the small scale of building works it is considered that a construction management plan would not be justified.

Overall, the development will not harm the amenity of neighbouring properties. The development complies with Core Strategy Policy CS19.

Future Occupiers

The proposed dwellings would provide an acceptable level of amenity for future occupiers with all habitable rooms capable of being provided with a window that would ensure good outlook and light.

The proposed dwellings would also have sufficient garden space at the rear.

Overall, it is considered that the development will provide a good standard of amenity for future residents. The development complies with Policy CS19 of the core strategy.

ECOLOGY

The proposal has the potential to impact on national and international sites nature sites. Therefore, the Council therefore does need to consider the proposals against the three tests (Habitats Regulations). It is considered that if the mitigation/compensation measures outlined in section 7.7 to 7.10 of the submitted dusk bat survey report (Tyrer Ecological Consultants, September 2022) are implemented in full on site then the favourable conservation status of bats will not be impacted. With these measures the application will not adversely affect national and international nature sites. It is considered that overall there will be no harm to ecology provided conditions are attached in relation to bats, lighting, breeding birds and nesting habitats. This is supported by the views of Merseyside Environmental Advisory Service who have no objection subject to conditions.

Overall, the application will not cause harm to ecology and complies with Core Strategy Policy CS8 and the NPPF.

HIGHWAYS

NPPF para 109 states that a development should only be refused on highways grounds if *“there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.

The number of units at the site has been reduced from 2 to 1. The access to the site is via a narrow lane, without passing places and which is in part in a poor state of repair. However, given the remote and rural nature of the site, this is not unusual for a development of this type. The additional volume of traffic generated by one dwelling would be relatively modest and significantly below the threshold where it would have a severe impact on the road network. The amount of car journeys would be relatively low.

Overall, there would not be significant harm to highway safety. This view is supported by the councils' highways department. Following clarification of access arrangements and ownership of cut lane, the council's highways department now have no objection to the application.

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Overall, the application complies with Core Strategy Policy CS7. Electrical vehicle charging points are required and can be secured via a condition. Due to the historic nature of the building the charging points will be required on the proposed garage.

TREES

It is considered that the development will not cause significant harm in relation to trees. This view is supported by the council's arboricultural officer who has no objection to the development. Overall, there would be no harm in relation to trees from the proposed development. Therefore, the application complies with Core Strategy Policy CS21 and UDP policy DQ4.

WATER INFRASTRUCTURE

In relation to water infrastructure there would be a relatively modest impact on water supply and water pressure due to the development being only for 1 dwelling. There is separate government guidance in relation to the responsibilities of those who manage septic tanks This is sperate to the planning process. An informative will be added to inform the applicant of relevant government guidance and of their responsibilities.

CONTAMINATION

It is considered that the application will not cause unacceptable contamination risks. This is supported by the views of Environmental Health who have no objection, subject to standard contamination conditions. The proposed development therefore complies with UDP Policy ENV5.

CONCLUSION

The development is acceptable in principle and would not cause harm in relation to highway safety, ecology, design, trees, or the amenity of neighbouring properties. The proposed development complies with policies included within the Core Strategy (2016), Knowsley Replacement Unitary Development Plan (saved policies 2009) and National Planning Policy Framework (2019).

RECOMMENDATION:

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents :-

- a. Biodiversity Enhancement Plan Issue 1.1 (received 28/11/2022).
- b. Ecology Info - (received 18/11/2022).

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- c. Upper Floor Plans and sections – MG2022/08 - (received 18/11/2022).
- d. Lower Floor Plans and sections – MG2022/07C - (received 18/11/2022).
- e. Boundary Treatments and Tree planting details - MG2022/03 B - (received 18/11/2022).
- f. Existing and Proposed Site Plans - MG2022/02 D - (received 18/11/2022).
- g. Proposed Garage - MG2022/10B - (received 18/11/2022).
- h. Proposed Elevations – Rev C - MG2022/09 C - (received 18/11/2022).
- i. Dusk Survey Results - (received 04/10/2022).
- j. Location Plan – Rev A - MG2022/01A - (received 29/09/2022).
- k. Arboricultural Method Statement - (received 24/06/2022).
- l. Arboricultural Impact Statement - (received 24/06/2022).
- m. Planning Design and Access and Heritage Statement (received 27/05/2022).

Reason: For the avoidance of doubt.

Pre Commencement

3) Contaminated Land

A Phase I site investigation shall be submitted for written approval prior to works commencing in order to establish whether there are any concerns of contamination from the current or previous use of the site or adjacent sites. This report shall include the results of a desk study, site walkover, and human health and environmental risk assessment.

If identified as necessary by the desk study a Phase 2 site investigation and remediation proposals shall be submitted for approval prior to works commencing. In any event the applicant/developer is requested to contact the Council's Environmental Protection Unit (Tel: 0151 443 4712) as soon as is practicable should previously unsuspected contamination be encountered during the development of the site. A site completion report shall be submitted for written approval prior to occupation confirming that encountered site conditions were as expected and detailing any necessary remedial actions.

Reason: In order to protect human health and avoid contamination.

4) Written Scheme of Investigation

No development or demolition shall take place until the applicant or their agents, has secured the implementation and submission of a report on a programme of historic building investigation. That programme of historic building investigation works should be undertaken in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the local planning authority prior to works taking place. The WSI must include the following:

- ☐ A programme and methodology of site investigation and recording.
- ☐ A programme for post-investigation reporting to include production of a final report of the significance of the historic building.
- ☐ Provision for appropriate publication and dissemination of the archaeology and history of the historic building.
- ☐ Provision for archive deposition of the report and records of the site investigation.
- ☐ Nomination of a competent person or persons / organisation to undertake the

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works set out within the approved WSI.

The Historic Building Investigation and Recording works should be described in a Written Scheme of Investigation (WSI) produced by an appropriately qualified and Experienced archaeologist.

Reason: In order to ensure the heritage of the site is appropriately recorded.

5) Nesting Habitat

Compensatory nesting habitat, as described within the submitted biodiversity enhancement plan (Biodiversity Enhancement Plan – Coach Road Farm, Tyrer Ecological Consultants, 25/11/2022) is to be installed prior to the start of works to any buildings on site. Installation of new nesting/roosting provision should be supervised by a suitably experienced ecologist.

Reason: In order to provide appropriate nesting habitats.

6) Garage Materials and EVCP

No work shall commence on the proposed garage until both of the following have been completed:

- a) details and samples of the proposed materials have been submitted to and approved by, the Local Planning Authority.
- b) details of an electric vehicle charging point have been submitted to and approved by, the Local Planning Authority. The chargepoint shall be:

- I. A minimum of 7KW, and
- II. at Least Mode 3 or equivalent,
- III. located in order to comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M.

The development shall be implemented in accordance with the agreed details,

Reason: In order to ensure appropriate materials and infrastructure is provided.

7) Lighting Scheme

Prior to the installation of any lighting, a lighting scheme shall have been submitted to and been approved by the local planning authority. The lighting shall be installed in accordance with the approved plans and retained thereafter.

Reason: In order to prevent harm to wildlife from inappropriate lighting.

Ongoing Conditions

8) Reasonable Avoidance Measures

During any construction work, the following measures should be taken to reduce potential harm to wildlife.

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- a. Existing vegetation on the site will be gradually cut and removed under ecological supervision to encourage any amphibians present to move away from the affected areas;
- b. The working area, together with any storage areas, will be kept clear of debris, and any stored materials will be kept off the ground on pallets so as to prevent amphibians from seeking shelter or protection within them; and
- c. Any open excavations (e.g. foundations / footings / service trenches etc) will be covered with plywood sheeting (or similar) at the end of each working day. The edges of these sheets will be covered with a thick layer of topsoil or similar) to prevent amphibians from seeking shelter beneath them. Any excavation must be in-filled and made good to ground level with compacted stone or similar at the earliest opportunity, so as to remove any hazard to amphibians.

Reason: To avoid harm to wildlife.

9) Bats Mitigation

The development shall only be carried out in accordance with all of the recommendations for mitigation and compensation set out in Sections 7.7 to 7.10 of the dusk bat survey report (Dusk Survey Results – Coach Road Farm, Tyrer Ecological Consultants, September 2022) which details the methods for maintaining the conservation status of bats unless otherwise varied by a European Protected Species licence subsequently issued by Natural England.

Reason: In order to protect bats.

10) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use.

Reason: In order to avoid harm to human health from contamination.

11) Importation of Soil/Material

No soil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development; a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: In order to avoid harm to human health from contamination.

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12) Materials Management Plan

Prior to the reuse of site won materials ('waste' and non-waste) a Materials Management Plan, signed off by a Qualified Person, shall be submitted to and agreed in writing with the local planning authority. The MMP shall demonstrate that any reuse of contaminated materials do not result in increased risk to the environment or human health.

Reason: In order to avoid harm to human health from contamination.

13) Breeding Birds

No tree felling, scrub clearance, vegetation management 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 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.

Reason: In order to protect the habitats of breeding birds.

14) Hours of Construction/Demolition

No construction work, including demolition and deliveries to and from the site shall take place on the site except between the hours:

08.00 - 18.00 Monday to Friday;

08:00 - 13:00 hours Saturday.

No work shall take place on Sundays or on Public Holidays.

Reason: To safeguard the amenities of nearby residents and to comply with Saved Policies S2 and H5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006.

<u>Signed Case Officer:</u>	<u>Andrew Hunt</u>
<u>Signed Authorising Officer:</u>	<u>Alan Kilroe</u>
<u>Date:</u>	<u>20/12/22</u>

INFORMATIVES

1) Merseyside Fire and Rescue – See Letter

2) Natural England License

Works should not commence unless a Natural England license has been obtained

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pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified development to go ahead.

3) Septic Tanks

The following government guidance gives information on the responsibilities of owners of septic tanks. <https://www.gov.uk/permits-you-need-for-septic-tanks/you-have-a-septic-tank-or-small-sewage-treatment-plant>

Appendix 1 – Site Photographs



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