

<u>APPLICATION NO:</u>	23/00018/FUL	<u>CASE OFFICER:</u>	John Fleming
<u>WARD:</u>	Halewood North	<u>PARISH:</u>	
<u>LOCATION:</u>	Tarbock Country Manor, Netherley Road, Tarbock Green, Knowsley, L35 1QE		
<u>PROPOSAL:</u>	REMOVAL OF 2NO. WINDOWS TO FIRST FLOOR SOUTH ELEVATION AND REPLACE WITH DOOR, REMOVAL OF DOORS AND WINDOW TO FIRST FLOOR WEST ELEVATION AND INSTALL 2NO WINDOWS, ROOF ALTERATIONS / EXTENSION TO FORM BALCONY WITH GUARD RAIL TO SOUTH ELEVATION		

Site Description

The application property is a former public house which has been granted permission to convert it to a residential dwelling and works are currently ongoing associated with its redevelopment.

The application property lies in a rural location off Netherley Road. The property has a primarily arts and crafts character with gothic details found to the ground floor. It is faced in a cream render and has white UPVC doors and windows of a variety of sizes together with a large sloping mansard roof which includes a number of dormers visible from the public highway. The rear of the property is staggered in arrangement with a number of interconnecting flat roofs protruding beyond the rear of the main two storey building.

Adjacent to the application property to the west is a large parking area and local cattery which is managed by the applicants. To the east is Tarbock Village Hall. A small number of residential properties and associated outbuildings are located north of Netherley Road. To the site's southern boundary is open countryside.

Proposal

The application proposals have been revised since their original submission. The application proposals seek permission to remove 2no. windows located at first floor level to the south of the property and replace with doors together with the removal of existing doors and window to the first floor at the western elevation and the installation of 2no. windows. In addition, roof alterations and a small extension to form a balcony with guard rail is proposed at the southern elevation.

The two windows located at the western elevation would measure .81m in width by 1.16m in height and would be similar in appearance to one of the adjacent windows in terms of massing.

The southern elevation would include 1no. double door measuring 2.94m in width and 2.28m in height. It would access a new balcony area which would be secured by a 1930s style black guard rail. The balcony would attain a height of 3.7m and secured via the guard rail measuring 4.59m in height. The balcony would connect to the existing flat roof fire escape associated with its previous use as a public house.

Consultations

MEAS – Advised the need for a Preliminary Bat Roost report due to the scope of works relating to the roof. A PRA has been submitted and confirms no evidence of bat roosts were present. As such, no objection to principle of development subject to condition.

Representations

This application has been publicised by letters sent to 3 neighbours and displayed via site notice. No comments have been received.

Planning History

Ref: 74/00585/HIST – Single garage. Granted 19th September 1975.

Ref: 74/03084/HIST – illuminated post sign. Granted 18th April 1978.

Ref: 74/07305/HIST – Illuminated signs and new signpost. Granted 28th October 1982.

Ref: 74/07936/HIST – Illuminated display sign. Granted 28th November 1983.

Ref: 95/00319/APP – Erection of new entrance porch, lobby and single storey. Granted 3rd August 1995.

Ref: 11/00644/COU – Erection of 3no. buildings to form boarding cattery and small animal boarding within beer garden of public house resulting in a sui generis site use (public house and associated dwelling remain). Granted 8th February 2012.

Ref: 12/00383/FUL – Change of use of public house (use class A4) to mixed use development of cattery and residential dwelling (SUI GERIS USE). Granted 8th November 2012.

Ref: 16/00183/FUL – Erection of single storey extension to existing cattery to provide 31no. additional chalets. Granted 24th June 2016.

Ref: 19/00168/FUL – Erection of single storey rear extension with external works to front, rear and side elevation including installation of rear and side balcony. Granted 18th September 2019.

Ref: 21/00468/COU – Change of use of mixed use development of cattery and residential dwelling (sui generis use) to form separate units of a dwellinghouse (Use Class C3) and a separate cattery (sui generis use). Granted 30th June 2021.

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-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.

CS2 - Development Principles
CS5 – Green Belt
CS19 - Design Quality and Accessibility in New Development
CS20 – Managing the Borough’s Historic Environment
DQ5 – Development in Conservation Areas
H5 – Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties

The application property was previously subject to a change of use application to convert the existing public house to a C3 residential dwelling. As such, the parameters of the Householder Development SPD (2016) is also a material consideration for the purposes of determining this planning application.

The application property is located within both the Tarbock Village Conservation Area and the Green Belt.

The application property is located within the Green Belt. Policy CS5 relates to development within the Green Belt. It states that ‘inappropriate development’ will not be permitted except in very special circumstances in which it has been demonstrated that the harm to the Green Belt would be clearly outweighed by other considerations. Paragraph 149 of the NPPF (2021) states that the Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this however include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. As such, the alteration of the application property is acceptable and is not inappropriate development within the Green Belt.

Policies CS20 and DQ5 sets out the Local Planning Authority’s approach to development affecting the borough’s heritage assets and development within conservation area’s respectively. Policy DQ5 in particularly states that development within conservation area should be an appropriate scale, form, massing, height and materials having regard to the architectural detail of the existing building.

As such, given the relatively minor alterations proposed it would not result in a disproportionate addition to the application property and is considered acceptable in principle, subject to compliance with local planning policy and guidance referred to above.

Regarding the adopted Development Plan policies, the proposed alterations have regard to policies CS2, CS5, CS19 and CS20 of the adopted Local Plan Core Strategy (2016) and saved policies DQ5, H8 of the Unitary Development Plan (2006), together with the Householder Development SPD (2016).

These policies and guidance require that new development demonstrates a high standard of design, which does not adversely affect the character of the property or street scene; maintains a good standard of amenity for all existing and future occupants; avoiding overlooking and overshadowing, as well as an unacceptable overbearing impact.

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.

Assessment

Heritage

Policies CS19 and CS20 seek to preserve or enhance the Borough's historic and architectural assets. The application property is not a designated heritage asset and so the impacts arising and therefore assessed is that of the 'setting' of the conservation area.

The NPPF (2023) makes clear, significance derives not only from a heritage asset's physical appearance, but also from its setting and regard must be had as to whether the proposal will cause 'substantial harm', 'less than substantial harm' or 'no harm' to the heritage asset.

The Tarbock Conservation Area Appraisal identifies that the application site was once the location for the original Brick Wall Inn which predates the hamlet of Tarbock Village which was officially recognised with the Enclosure Act of 1814. However, the original Brickwall Inn was demolished in 1940 and the existing public house was later built in its place. As such, the application property has no historical significance apart from its location within the conservation area. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to show special regard to the desirability of preserving listed buildings and their settings in exercising their planning functions. The proposed alterations are minor in scale and relate to changes to the openings and replacement of existing bay roof to support a new balcony to the rear elevation. The proposed changes at the western elevation would not be significantly different than what already exists and the rear elevation would not be visible from the public highway.

The harm to designated heritage asset has been considered. It is considered that the proposed development would have no harmful effect on the conservation area due to the sympathetic scale and nature of the proposal particularly when considered in the context of the ongoing redevelopment of the property, nor would it have an impact on the nearest designated heritage asset, Rose Cottage, which is located approximately 254m from the application site.

As such, the proposal is considered to comply with the requirements set out in the NPPF(2023), policies CS19 and CS20 of the Knowsley Local Plan (2016) and Saved Policy DQ5 of the Unitary Development Plan.

Design

The application property contains a number of openings in various sizes. As originally submitted the 3no. windows located on the western elevation would appear out of place with the associated windows at ground floor level. The Local Planning Authority has worked positively with the applicant and revised plans have been provided reducing the sizes of windows and spacing them so that they are more proportionate with the windows below. The proposed arrangement is considered more befitting of the application property and responds more positively to the existing character and appearance of the dwelling.

The proposals also include measures to extend the roof guard rail which is considered sympathetic in terms of design due to the use of simplistic black railing. The rear elevation includes changes to the existing 2no. windows to be replaced with new door to match the existing found at the south elevation at the opposite end of the property. The proposed doorway would allow for a degree of symmetry at the rear elevation and would assist in providing uniformity to the host property.

The proposed amendments located on the western elevation would be sympathetic and not readily visible from the public highway. In addition, the alterations to the rear elevation would not be visible from the public highway. Notwithstanding this, the proposed balcony would simply extend the existing walkway at the western elevation with what is presumed a fire safety measure associated with its previous use. As such, the extension of the walkway to provide a balcony is not considered out of character with the application property and is acceptable in terms of design.

Bats

No bat survey was submitted as part of the application proposals as originally submitted. MEAS advised that as a minimum a Preliminary Roost Assessment should be undertaken to inform the application due to changes to the roof arrangement associated with the rear balcony. This conclusion was also reached by the Council's consultant ecologist.

The applicant has since submitted a Preliminary Roost Assessment which confirms that no bat roosts are currently present. However, MEAS considers that the application property may have provided opportunities previously for roosting bats and nesting birds due to its rural location prior to the commencement of the ongoing construction activities associated with applications 19/00168/FUL and 21/00468/COU and therefore advise that a condition relating to the provision of bat and bird boxes is required to mitigate the potential loss in terms of biodiversity. Following discussions with the applicant they have agreed to the condition listed below and subsequently there would be no adverse impact to bats and breeding birds.

Residential Amenity

Tarbock Cottage

Tarbock Cottage is the closest residential property. Due to the juxtaposition of properties and given the 60m distance between the application property and Tarbock Cottage there would be no impact to residential amenity for existing and future occupiers of this property.

Given that the remaining works are associated with the southern elevation which

overlooks agricultural land in its entirety there would be no other properties that would be adversely affected.

Highways

No highways impact would occur as a result of the proposed development as an outbuilding.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways (subject to condition attached). The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That planning permission will 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) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The exterior facing materials to be used on the windows and doors shall match those used on the existing building in terms of colour, texture and profile.

Reason: To preserve the character and appearance of the Tarbock and Tarbock Village Conservation Area and to comply with Policies H8 and DQ5 of the Knowsley Replacement Unitary Development Plan, adopted June 2006, Policies CS19 and CS20 of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National Planning Policy Framework (2023).

- 4) No above ground works shall take place prior to details of the number and location of at least 1no. bird nesting boxes and 1no. bat boxes to be incorporated into the proposals being submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall be installed in accordance with the approved details and be retained at all times thereafter.

Reason: In the interests of biodiversity conservation and to comply with Policy CS8 of the Knowsley Local Plan Core Strategy, adopted January 2016.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
17.02.2023	101	REV A	SITE LOCATION PLAN

17.02.2023	111		PROPOSED SITE PLAN
27.03.2023	113	REV B	PROPOSED FIRST FLOOR GA PLAN
17.02.2023	114		PROPOSED ROOF PLAN
27.03.2023	115	REV B	PROPOSED ELEVATIONS – SHEET 1
27.03.2023	116	REV B	PROPOSED ELEVATIONS – SHEET 2
17.02.2023	117		PROPOSED SECTION

Signed Case Officer¹: **John Fleming**

Signed Authorising Officer²: **K Foster**

Date: **6 October 2023**

INFORMATIVES

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site Photographs



