

Delegated Officer Report

Application Number	P/2016/0808/FUL
Proposal	Conversion of agricultural building to a dwelling with a car port extension.
Application Site	Agricultural Building To East Of Clay Lane Farmhouse, Clay Lane Eccleston
Case Officer	Ms Angela Forsyth

Site Description

The application site is a freestanding barn / store 15.5m by 9m by 5.3m high, associated with a small agricultural holding. The site sits within Green Belt and is adjacent to a small cluster of dwellings / buildings.

Proposal

The proposal is for the conversion of the building to a dwelling. The building would retain the original steel portal frame and blockwork, the external elevations would be clad in burnt larch and cedar, aluminium windows and doors would be introduced into existing elevations. The corrugated roof (and roof lights) would be replaced with a standing seam (metal) roof with roof lights.

A small addition is proposed for the first floor in the form of a flat roof dormer 3.8m by 4.7m and a matching flat roof car port 4.2m by 5m, is proposed to one side.

The residential curtilage proposed would include the access from Clay Lane and would be 15m wide with 17m front garden depth and 25m rear garden depth.

Consultations

Eccleston Parish Council: No observations.

Highways: No objection.

EHO contamination: No objection in principle subject to condition regarding a watching brief. The Demeter Environmental, Phase 1 Desk Study Report provides a good appraisal of the history and environmental setting of the site and surrounding area and presents a conceptual site model highlighting all potential sources pathways and receptors. Whilst a number of potential pollutant linkages have been identified the consultants have assessed the risk associated with the majority of these as low and not in need of subsequent phase 2 assessment. This includes the potential for ground gas migration from the nearby former clay pit which the consultants have concluded does not pose a risk on the basis that it was backfilled in excess of 50 years ago and the intervening geology comprises low permeability Devensian Till.

The consultants have assessed the risk associated with any made ground on site as moderate. The consultants have not proposed phase 2 investigation but have suggested that a watching brief be maintained during the course of construction and recommended that any made ground encountered is

excavated and removed from garden/landscaped areas as well as from the alignment of the water mains.

Whilst I am satisfied with these recommendations I feel there is a requirement for the environmental consultant to visit site during the course of earthworks to oversee and verify this process and to assist in implementing the watching brief. A completion report will also need to be submitted.

Meas: No objection in principle subject to conditions, small pipistrelle bat roost in the building and offers roosting and nesting opportunities for Barn Owl and Swallow. Proposal must be assessed against the three tests set out in the habitat regs. A Natural England Licence is required, no works should take place during bird breeding season, breeding opportunities mitigation strategy as set out in the ecology report should be incorporated into the build, landscaping should be designed to provide habitat for invertebrates.

Natural England: No objection in the context of Statutory Nature Conservation Sites.

Representations

The application was publicised by 4 neighbour notification letters and a site notice. The deadline for comments was 2nd January. No comments or representations received.

Planning History

P/2004/1801 Erection of a barn / storage building and formation of an access track.
Approved

Policy

Paragraph 14 of the National Planning Policy Framework (NPPF) states that there should be a presumption in favour of sustainable development, which should be seen as a golden thread running through planning. This means that where a development accords with the development plan, it should be approved without delay and where the development plan is absent, silent or out of date planning permission should be granted unless the adverse impacts of doing so would significantly outweigh the benefits when assessed against the policies in the NPPF.

The development plan in St Helens comprises the Saved Policies of the 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.

Policies of the Core Strategy Local Plan (2012)

CP 1 - Ensuring Quality Development in St. Helens
CP 2 -Creating an Accessible St. Helens
CH 1 - Meeting St. Helens' Housing Requirement
CH 2 -Meeting St. Helens' Housing Needs
CQL 3 - Biodiversity and Geological Conservation

Saved Policies of the St. Helens Unitary Development Plan (1998)

- GB 1 - General Criteria for Development Control in the Green Belt
- GB 2 - General Criteria for Development Control in the Green Belt
- GB 8 - Change of Use of Existing Buildings into Dwellings

Assessment

Paragraph 90 of the National Planning Policy Framework (NPPF) states that the re-use of existing buildings in the Green Belt may not be inappropriate development provided that the building is of permanent and substantial construction; and provided they preserve the openness of the Green Belt and the purpose of including land within Green Belt.

The proposal is considered against policies CP1, GB1/2 and GB8, which basically follow the NPPF as stated above, and in particular, the proposal should not have a materially greater impact than the present use on openness. Scale, design and materials should be appropriate to the Green Belt setting. Total extensions should not exceed 25% of the original ground floor to ensure that extensions are proportionate to the original size of the building.

The existing concrete block barn/store will not be recognisable in the proposed new dwelling due to the external cladding proposed and the replacement of the corrugated roof / roof lights with rolled standing seam roof. The replacement of the roof could be construed as the building not being of permanent and substantial construction, however, although technically this is not a suitable material for a residential dwelling, the building is not old, the roof is in good condition and the proposed replacement roof would be visually similar in a thin understated material. Externally, the new windows and doors are not considered to be excessive, a large full height glazed feature in the gable end would be recessed 2.5m, underneath the original roof overhang. The new dormer would include full height glazed doors and a glazed Juliet balcony.

The proposed extensions (dormer and car port) equate to 28% increase (39m²) above the existing floor space (140m²) or 14% (81m³) increase as a percentage of the total original volume (558m³). On balance, this is considered to be reasonable, neither extension represents a prominent addition; both have flat roofs and are finished in materials to match and blend well with the proposed dwelling.

The bat survey identified a pipistrelle bat roost within the building. Developments affecting European protected species must be assessed by the Local Planning Authority against three tests set out in the Habitats Regulations.

The three tests are set out in Regulation 53 and comment accordingly:
The three tests are:

Test 1: Regulation 53(2)(e): "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"

The existing building is no longer in use. The re-use of the building to a residential use will provide social benefit and will contribute towards housing targets within the St Helens Local Plan Core Strategy. An appropriate mitigation measures strategy has been incorporated into the submitted bat survey. This test has been met.

Test 2: Regulation 53(9)(a): "that there is no satisfactory alternative"

The existing building is no longer in use and the re-use of the building for residential accommodation will ensure that the building is maintained over the long term. Increased improvement specifications to conform to building regulations would ensure that the building is more sustainable and environmentally superior. The mitigation proposed will ensure that alternative bat roosts sites are maintained into the future. This test has been met.

Test 3: Regulation 53(9)(b): "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range"

Mitigation measures proposed within section 5.2 and Figure 2 of the Licensed Bat Survey and Assessment will ensure no impacts to the roosting pipistrelle bats present and will provide alternative roost provision on the site. There will be no detrimental impacts to the pipistrelle bat population and favourable conservation status of this species will be maintained. This test has been met.

To refuse to allow re-use of this large building would result in a prominent site that will suffer from a chronic lack of investment. To allow for the redevelopment of this site is in the best interests of the local area and local residents.

On that basis, in this instance, the proposed development is considered to comply with the relevant policies, having an acceptable impact on the character and openness of the Green Belt. In addition, appropriate managing protected species within the site.

Recommendation

Grant Planning Permission Subject to the following conditions:

1. The works hereby permitted must be begun within 3 years of the date of this decision notice.
2. The development shall be carried out in accordance with the following application drawings:
Dwg No.P4595/01 Rev -
Dwg No.P4595/02 Rev A
Dwg No.P4595/03 Rev -
3. A landscaping scheme for the site, in accordance with the details as set out in the Licensed Bat Survey and Assessment Report, shall be submitted to and agreed in writing with the local planning authority. The agreed landscaping scheme shall be completed prior to any part of the development hereby permitted being brought into use, unless an alternative program of implementation has been submitted to and agreed in writing with the local planning authority. If any of the landscaping planted or shown as retained, dies, is removed, or, becomes seriously damaged or diseased within 5 years of the completion of the landscaping scheme. It shall be replaced during the next available planting season.
4. Prior to their use on site, details of the proposed facing materials shall be agreed in writing with the Local Planning Authority. The development shall be constructed in accordance with the agreed materials
5. No development shall take place until a scheme identifying areas of parking and servicing in accordance with the Council's current standards, has been submitted to and approved in writing by the Council as Local Planning Authority. The development shall not be brought into use until the areas identified have been surfaced, drained and permanently marked out or demarcated in accordance with the details agreed. The parking and servicing areas shall be retained as such thereafter.

6. The development shall be undertaken in accordance with the recommendations of the submitted Phase 1 Desk Study (Report ref. 16-12-03 Rev 0), namely a watching brief shall be implemented during construction. A completion report, prepared by an appropriately qualified environmental consultant, shall be issued upon completion of the development. The completion report shall demonstrate via photographic evidence, written records and (if required) waste disposal records either the absence of made ground or the excavation and removal of made ground to the surface of the underlying Devensian Till. In the event that imported soils are required, appropriate validation testing shall be submitted to determine the suitability of any imported soils.
7. All proposed works and protected species mitigation measures as set out in the Licensed Bat Survey and Assessment Report; in particular, section 5.2 and Figure 2, shall be undertaken in full accordance with the report recommendations.
8. No grassland clearance or tree or hedgerow felling, lopping or pruning shall take place between 1st March and 31st August, unless a survey for breeding birds together with a scheme of necessary mitigation and protection measures, undertaken by a suitably qualified person, has been submitted to and approved in writing by the Council as Local Planning Authority. Should grassland clearance, tree or hedgerow felling, lopping or pruning take place between the dates stated above, any agreed mitigation and protection measures shall be implemented and retained throughout the period.

Reasons:

1. Section 91 (as amended) of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure that an appropriate landscaping scheme is implemented and maintained, in accordance with Policies CP1 and CQL3 in the St Helens Core Strategy Local Plan (2012).
4. To ensure that the development has a satisfactory appearance, in accordance with Policy CP1 of the St Helens Core Strategy (2012).
5. To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance, in accordance with policy CP2 of the adopted St Helens Core Strategy (2012).
6. To ensure that any contamination is treated to the satisfaction of the Local Planning Authority in accordance with National Planning Policy Framework which states that as a minimum, after carrying out the development and the commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. Also in accordance with policy CP1 of the St. Helens Core Strategy (2012) and retained policy ENV26 of the St Helens Unitary Development Plan (1998).
7. To assure protected species habitat, in accordance with policy CQL3 of the adopted St Helens Core Strategy (2012).
8. To protect ground breeding bird habitat, in accordance with policy CQL3 of the adopted St Helens Core Strategy (2012).

Informatives

