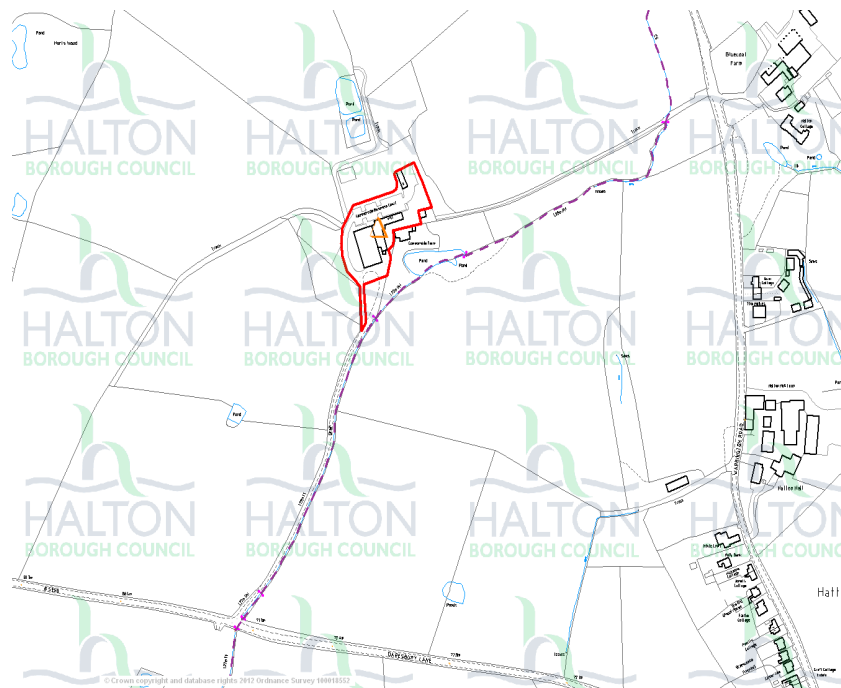


<b>APPLICATION NO:</b>	13/00356/FUL
<b>LOCATION:</b>	Commonside Farm, Daresbury Lane, Daresbury.
<b>PROPOSAL:</b>	Proposed demolition of indoor tennis building and erection of 5no. dwellings and conversion of existing offices to 5no. dwellings.
<b>WARD:</b>	Daresbury
<b>PARISH:</b>	Daresbury
<b>CASE OFFICER:</b>	Jeff Eaton
<b>AGENT(S) / APPLICANT(S):</b>	Atrium-Daresbury Properties Ltd, C/O Suite 8, 10 Duke Street, Liverpool, Merseyside, L1 5AS.
<b>DEVELOPMENT PLAN ALLOCATION:</b>	Green Belt, Area of Special Landscape Value.
National Planning Policy Framework (2012) Halton Unitary Development Plan (2005) Halton Core Strategy (2013)	
<b>DEPARTURE REPRESENTATIONS:</b>	Yes
<b>REPRESENTATIONS:</b>	No representations received from the publicity given to the application.
<b>RECOMMENDATION:</b>	Refuse planning permission.

**SITE MAP**



## **1. APPLICATION SITE**

### **1.1 The Site and Surroundings**

The site covers an area of 0.94 hectares, and is known as Commonsides Farm or Commonsides Business Court, with access off Daresbury Lane (B5356) in Daresbury. It is located between the villages of Daresbury and Hatton (Warrington Council's administrative boundary), and currently consists of a building (former grain store) which houses an indoor tennis centre, an L-shaped block of office buildings (5 no. former barns), and a stand-alone new build office building, with associated parking.

The nearest adjacent property is Commonsides Farmhouse, which has recently been sold off and is in separate ownership. This does not form part of this planning application.

The surrounding area comprises of countryside and woodland areas, and the site and surrounding area is within Greenbelt as designated by the Halton Unitary Development Plan.

### **1.2 Planning History**

There is extensive planning history attached to the site, which includes:

- 94/00641/FUL - Demolition of redundant grain drying shed and extension of grain storage shed to provide covered tennis court for use by owner and family (Refused 31/01/95).
- 95/00133/FUL - Proposed extension and alteration to grain drying store to provide an indoor tennis court (Approved with conditions 27/04/95).
- 99/00057/FUL - Proposed steel framed agricultural building (Approved with conditions 20/04/99).
- 04/00621/COU - Proposed conversion of 2 no. existing barns into office units (Approved with conditions 14/10/04).
- 05/00433/COU - Proposed conversion of existing farm house into office accommodation (Approved with conditions 21/10/05).
- 06/00932/COU - Proposed raising of part of roof to former milk shed and installation of external fire escape (Approved with conditions 02/02/07).
- 07/00172/ADV - Proposed display of illuminated entrance signs (Approved with conditions 25/05/07).
- 08/00354/ELC - Notification under S37 of the Electricity Act 1989 & Section 90(2) of the Town & Country Planning Act 1990 to the Secretary of State for the installation of 11kV overhead line over

Chester Road & adjacent to Keckwick Lane & at the entrance to Commonsides Farm (No objection 12/08/08).

- 10/00440/S73 - Application to vary condition no.1 of extant permission 05/00433/COU to allow extension of time limit for a further 3 years (Approve with conditions 12/05/11).
- 11/00288/FUL - Proposed change of use of office and erection of indoor and outdoor tennis courts with associated lighting to form tennis facility (Withdrawn 21/02/12).
- 12/00427/FUL - Proposed demolition of indoor tennis building and erection of 5no. dwellings and conversion of existing offices to 8no. dwellings (Approve with conditions 02/09/13).

### 1.3 Background

Planning permission was granted for the change of use of the agricultural buildings to offices in 2004, and the marketing of these commenced in 2007. The applicant has subsequently had difficulty in fully letting both the properties, with only three lettings, and the remaining suites, which have never been let. There are currently two of the units let, with one being vacated soon.

Commonsides Farmhouse has recently been sold off, and is continuing to be used for residential use, and is not within the application site.

The indoor tennis centre building has a personal condition restriction, which linked it to the farmhouse.

## 2. THE APPLICATION

### 2.1 Proposal Description

The application proposes the demolition of the existing indoor tennis centre, and the replacement of this with five dwellings and the conversion of the existing office units to residential use (four dwellings), which will form a u-shaped courtyard. The existing stand-alone office building, in the north-west corner, is also to be converted to one dwelling.

The breakdown of residential dwellings includes, 3no. 3-bed units and 7no. 4-bed units.

The access arrangements are as existing, however, the site plan indicates that the application proposes 7no detached structures which would provide each dwelling with parking space for 2 cars with 9 of the 10 dwellings also having a covered storage space equivalent to the size of one parking space.

## 2.2 Documentation

The planning application is supported by a Design and Access Statement; Ecology Survey (Extended Phase 1 Habitat Survey), and a Bat Survey.

## **3. POLICY CONTEXT**

### 3.1 National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

### 3.2 Halton Unitary Development Plan (UDP) (2005)

The site is located within Green Belt, where Policy GE1: Control of the Development in the Green Belt in the Halton Unitary Development Plan, is of relevance. The site has been previously used for office use and as an indoor tennis centre, and is therefore considered as previously developed land. The following Unitary Development Plan policies are also of relevance to this application;

- BE1 General Requirements for Development
- BE2 Quality of Design
- H3 Provision of Recreational Greenspace
- TP6 Cycling Provision as part of New Development
- TP7 Pedestrian Provision as Part of New Development
- TP12 Car Parking.
- GE21 Species Protection
- GE23 Protection of Areas of Special Landscape Value

### 3.3 Halton Core Strategy (2013)

The following policies, contained within the Core Strategy are of relevance:

- CS1 Halton's Spatial Strategy
- CS2 Presumption in Favour of Sustainable Development
- CS3 Housing Supply and Locational Priorities
- CS6 Green Belt
- CS7 Infrastructure Provision
- CS12 Housing Mix
- CS13 Affordable Housing
- CS18 High Quality Design
- CS19 Sustainable Development and Climate Change

### 3.4 Relevant SPDs

New Residential Development SPD; Draft Open Space Provision SPD and the Draft Affordable Housing SPD are of particular relevance.

## 4. **CONSULTATIONS**

4.1 HBC Highways– An objection to the proposed development has been raised as the proposed site layout does not demonstrate adequate room to manoeuvre a refuse vehicle within the site. Although proposals for passing places are included with the transport statements these are not shown on the plans for approval.

Inadequate space is provided to the rear of some of the parking spaces which does not allow a manoeuvring space of 6 metres which is required.

Detail of boundary treatment adjacent to Public Right of Way needs to be agreed so as to be complementary to PRow and discourage parking.

The proposed layout shows 2no parking spaces per unit and 5no visitor spaces for the overall development. The Council's Highway Officer is of the view that the 7no 4 bed dwellings should provide 3no parking spaces per unit.

The positioning of the parking for plot 6 would not be acceptable as it would require manoeuvring on the public right of way to the detriment of highway safety.

4.2 HBC Open Spaces – No objections to the proposed development. There is no on-site open space provision; therefore a contribution is requested, for off-site provision, which would be allocated within the Parish of Daresbury.

4.3 Daresbury Parish Council – No objection to the proposed development.

4.4 Hatton Parish Council – No observations received at the time of writing this report.

- 4.5 Cheshire Wildlife Trust – It acknowledges that, in the context of the results of 2011 and 2012 surveys, the current proposal with regard to the demolition of the indoor tennis building is acceptable and impact mitigation is not required. Opportunities for biodiversity enhancement, such as the provision of bat and bird boxes, should be taken up and enforced via suitable conditions to cover:
- Retention of any existing trees and shrubs within site landscape works, or if not possible, replanting with native species
  - Maintenance of habitat links
  - Provision of bat boxes, nest boxes and artificial swallows' nests.
  - No tree, shrub or hedgerow management and/or cutting operation should take place during 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. Reason: protection of breeding birds and active nests.

In terms of the conversion of existing offices to dwellings, we note that the updated bat survey did not include these buildings either as part of its survey or in its assessment of impact. We understand that the conversions do not require changes to the roof structure and space. However, in view of the results of earlier surveys carried out in 2008 (quoted in our letter of September 2011), which found that Commonsides Farm provided a resource of local significance for bats, including roosting (in the main buildings), foraging and sheltering; we recommend that prior to any work being carried out on the existing office building roofs, they should be comprehensively checked for the presence of bats. Should a bat or bats be encountered during precautionary surveys and/or subsequent work on the conversions, work must be halted and advice sought from a suitably qualified bat specialist.

## **5. REPRESENTATIONS**

- 5.1 The application has been advertised by a press advert in the Widnes & Runcorn World on 25/09/2013, a site notice posted on Daresbury Lane on 01/10/2013 and 120 neighbour notification letters sent on 19/09/2013. No representations have been received from the publicity given to the application.

## **6. ASSESSMENT**

### **6.1 Assessment against Planning Policy**

The site is located within Green Belt, where Policy GE1 'Control of Development in the Green Belt' in the Halton Unitary Development Plan and Policy CS6 'Green Belt' in the Halton Core Strategy Local Plan are of relevance.

The main purpose of Halton's Green Belt designation, as outlined in the Core Strategy is *'..to keep land open and generally free from development, maintaining strategic gaps between Runcorn and Widnes and surrounding settlements. It protects against unwanted urban sprawl, and directs development to built up areas where it can assist in urban regeneration and be of benefit to existing communities.'*

The construction of new development within Green Belt is considered inappropriate, however there are exceptions which include;

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of land within it;
- 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;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or 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.

The above is outlined on page 21 (paragraph 89) of NPPF, which provides the policy framework for the Core Strategy, and Policy GE1 of the Halton Unitary Development Plan broadly complies with paragraph 89 of NPPF.

The proposal is for the demolition of the existing indoor tennis centre, and the replacement of this with five dwellings, and the conversion of the existing offices to five dwellings. Bullet points 3, 4 and 6 of paragraph 89, in the NPPF, are of relevance to this application (these are outlined above).

Green Belt policy allows for the alteration of a building provided that it does not result in disproportionate additions. It is proposed to turn the existing offices into residential use, with limited alteration to the elevations, and there are no extensions, to the buildings, proposed. This element of the policy does not refer to a change in the use of the building, but only relates to the structure itself. There is another part of NPPF, that is also of relevance to this part of the proposal, which is paragraph 90 (bullet point 4) which states; *'Certain other forms of development are also not inappropriate development in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt....'*

- *the re-use of buildings provided that the buildings are of permanent and substantial construction...'*

The buildings, that are proposed to be converted, were only marketed in 2007, therefore it was assumed that they were only finished being built around that time. The buildings are of permanent and a substantial construction. Therefore this element of the proposal (conversion of offices to residential use) complies with Green Belt Policy.

There are also five new dwellings proposed, which are on the site of the existing indoor tennis centre. Bullet point 4 of paragraph 89 is of relevance to this part of the proposal, where the replacement of any building, is not necessarily inappropriate development, providing that the new building is the same use and not materially larger than the one it replaces. Whilst the new residential development is not materially larger in terms of both floorspace and volume, the proposed use will be different to the existing one. However, when looking at bullet point 6 of paragraph 89, new buildings are considered appropriate if they relate to limited infilling or the partial or complete redevelopment of previous development sites (brownfield land), as long as they do not have a greater impact on the openness of the Green Belt. This is where NPPF differs from previous national planning policy guidance relating to Green Belts (Planning Policy Guidance Note 2) where the scope for previously developing sites in the Green Belt only applied to major existing developed sites as identified in adopted local plans.

This site can be considered to be previously developed land, as per the definition in NPPF (Annex: Glossary pg 55).

The existing indoor tennis centre is 10.6m in height, to the apex, and it is proposed to replace the building with 5 no dwellings, which would be 8.7m in height to the apex predominantly within the footprint of the indoor tennis centre. The reduction in height, coupled with the decrease in volume would reduce the impact on the existing area, and surrounding Green Belt, therefore reducing the overall harm on the Green Belt.

Within the NPPF there is presumption in favour of sustainable development. Whilst this proposal is not directly adjacent to any facilities, nor are the existing offices. It is noted that the shift in emphasis has changed towards providing sustainable development, however, there is also the requirement to provide a choice of housing and economic development etc. and provide a balance. This proposal is not wholly sustainable but there are public footpath links to be provided, across the fields, to Daresbury Village, which is discussed later on within the report. This development does provide a choice of housing, both in terms of the sizes of the properties and for people who do not wish to live within built-up areas but equally do not want to live in an isolated property within the countryside. It also brings back what would otherwise be empty buildings back into use, which have been marketed for a number of years for office use, which can also be considered sustainable.

As concluded with the previous application (12/00427/FUL), the principle of demolishing the existing indoor tennis building and replacing it with 5no dwellinghouses on the same footprint which would result in a reduction in height, floorspace and volume is considered to not have a greater impact on the openness of the Green Belt and therefore not inappropriate development and acceptable in principle.

## 6.2 The introduction of 7no detached outbuildings

The existing site currently has parking areas adjacent to the existing office accommodation. This application would introduce 7no detached buildings to



form garaging / storage space in areas of the application site which do not currently have any buildings. These buildings are shown on the site plan, however the agent has not provided elevations indicating what these structures would look like.

In considering whether this element of the proposal is inappropriate development in the Green Belt, it is noted that the application site may be a previously developed site in the Green Belt and the overall proposal may constitute a partial redevelopment of the site, however this element of the proposal would introduce 7no new buildings into areas of the application site which do not currently have any buildings and would have a greater impact on the openness of the Green Belt and are therefore inappropriate development.

The Design and Access Statement seeks to justify the current scheme on the potential marketability and general appeal and it is acknowledged that the provision of covered vehicle parking and storage may have this effect, however, it is not considered that this constitutes very special circumstances to allow this element of the proposal. It is considered to be by definition harmful to the Green Belt and should not be approved. The proposal is considered to be contrary to Policy GE1 of the Halton Unitary Development Plan and paragraph 87 of the National Planning Policy Framework.

The application site is also located within an Area of Special Landscape Value and it is not considered that the proposal demonstrates that introduction of 7no detached outbuildings would be in character with the area. This element of the proposal is considered to be contrary to Policy GE23 of the Halton Unitary Development Plan.

### 6.3 Design Character and Amenity

The existing office buildings, which are proposed to be converted to residential use, will require internal alterations to adapt them to residential use. The existing windows and doors will be used, and the internal layout adapted accordingly. There are existing windows, which overlook the farmhouse and due to the sensitivity of this elevation a habitable room window has been removed from the first floor of Plot 9. This removes any potential for overlooking into the existing farmhouse.

In relation to the proposed new build element of the proposal (5 no dwellings), this would be different in form to the previous approval as it is now proposed that 5no 2½ storey detached dwellinghouses are built rather than an extension to the existing building to form 5no dwellings which would have regard for its design and materials and would create the other side of the courtyard.

The privacy distance between the existing building and the proposed new dwellings is 17m which is identical to that shown on the previous approval. This scheme differs somewhat from the previous approval in that it is seeking permission for 2½ storey dwellinghouses which would have additional habitable room windows in the roofspace which would face habitable room

windows in the building which is proposed to be converted. In terms of separation distances, the creation of a third floor of accommodation increases the back to back minimum distance requirement, as outlined in the Council's Design of Residential Development Supplementary Planning Document. The privacy distance at 17m is therefore significantly below the 24m requirement and the applicant has not demonstrated how privacy and outlook for residents would be achieved.

The applicant has submitted a design and access statement which was previously submitted with planning application 12/00427/FUL. This contains a 25 degree assessment to ensure suitable daylight is maintained to any habitable rooms within developments could be met. This assessment was submitted with the previous scheme however it has not been updated to demonstrate this with the current proposal which proposed dwellings which would be taller than the previous scheme.

Based on the relationship of the proposed dwellings in terms of separation and the positioning of habitable room windows, it is considered that the proposed scheme would be to detriment of the privacy of the residents who would reside in the proposed dwellings.

Given the overall reduction in density of the scheme, the garden areas and the communal space shown on the drawings generally accord with the standards set out in the Residential Development SPD. The application attempts to retain the courtyard feel of the previous scheme by providing a communal area in between the proposed dwellings and the building to be converted, which would be accessible to 7 of the 10 dwellings within the proposed development. The previous scheme had regard for the design of the existing building and did create a courtyard setting by virtue of the continuous built form, however the revised detached property types which are taller than the existing building would not achieve the same result and are considered to be to the detriment of the overall character of the development.

There is no public open space included within the scheme. Whilst the courtyard areas will provide some communal space, the provision of public open space should still be designed as an integral part of the development, and the Council's Open Space Supplementary Planning Document (SPD) reiterates this. Due to the design constraints, within the site, it is considered that providing a financial contribution for an off-site open space provision for spending, within the Parish of Daresbury would be acceptable if the proposal were considered acceptable in all other regards.

In terms of built form and the design of the proposed dwellings, the design and access statement indicates that the applicant is keen to secure a high quality design and visual appearance that would reflect the 'Cheshire vernacular' featuring articulated elevational treatments to include front porches, bays and chimney stacks. It also makes reference to drawing inspiration from Arley Hall and estate properties in Hatton. The design quality of the proposed dwellings is not disputed in this case, however, the 2½ storey detached dwellinghouses proposed are distinctively different to this and would

create a development which would feel more suburban in nature and does not have the due regard to its rural setting which comprises of a farmhouse with converted agricultural buildings.

It is therefore considered that the proposed development fails to respect and utilise the positive characteristics of the site and would not integrate with the existing buildings located on the site. To allow the proposal would be contrary to the provisions of Policy BE1 and BE2 of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan.

#### 6.4 Highways, Parking and Servicing

The access to the development is by way of the existing access off Daresbury Lane. It is proposed to add in passing places, along the access road, to reduce the pedestrian/vehicular conflict identified in the Transport Statements, due to the access road doubling up as a Public Right of Way, however, this is not shown on the plans for approval. There is not enough space to provide a dedicated footpath along this access road without encroaching onto the adjacent fields, which would entail the removal of some hedging, which would have a detrimental impact on the character of the area. It is considered that by retaining the access road as it is and by providing additional passing places, an acceptable solution would be provided both in design terms and highway/pedestrian safety terms.

In relation to the details for parking and servicing, the Council's Highway Officer has commented that the proposed layout does not demonstrate adequate room to manoeuvre a refuse vehicle within the site as no provision for turning is made within the site. Visitors to the site unaware of the location of the parking spaces within the development would also experience difficulties in turning due to the lack of a turning facility within the site. The proposal also fails to provide sufficient space to the rear of some of the parking spaces for the manoeuvring of vehicles. A minimum of 6 metres is required behind the parking bay.

In terms of parking provision, the proposed layout shows 2no parking spaces per unit and 5no visitor spaces for the overall development. The Council's Highway Officer is of the view that the 7no 4 bed dwellings should provide 3no parking spaces per unit. It is acknowledged that the larger the property, the higher the likely parking requirement, however, Appendix 1 'Transport Parking Standards' of the Halton Unitary Development Plan states that the parking requirements for Family Housing is 2 spaces per dwelling and there is no policy basis on which a refusal could be sustained on the basis of the level of parking provision for the 4 bed dwellings on the site.

The Council's Highway Officer has also commented that the positioning of the parking for plot 6 adjacent to the public right of way would not be acceptable as it would require manoeuvring on the public right of way to the detriment of highway safety.

9 of the 10 dwellings proposed would have a covered storage area which would provide space for the storage of cycles. This is considered acceptable

from a highway perspective, however, as discussed above, the structures for vehicle parking and storage are considered to be inappropriate development in the Green Belt.

To increase the links to Daresbury Village, a footpath is proposed across the fields from the proposal into the village itself. This would be a permissive footpath, 2.0m wide, which would link the development site, with Hall Lane, and Millennium Way in Daresbury. The exact details are still to be agreed. It would be required to be closed for the Creamfields Festival which is held over the August Bank Holiday Weekend. This could be conditioned if the proposal were found to be acceptable in all other regards.

To conclude from a highway perspective, the proposal fails to demonstrate adequate room to manoeuvre a refuse vehicle within the site, fails to provide sufficient manoeuvring space to the rear of some of the parking bays and would result in the parking for plot 6 requiring manoeuvring on the public right of way to the detriment of highway safety. To allow the proposal would be contrary to the provisions of policies BE1 and BE2 of the Halton Unitary Development Plan.

## 6.5 Ecology and Trees

A Phase 1 Habitat Survey and a Bat Survey has been provided as part of the application. The officer from Cheshire Wildlife Trust has raised concerns in relation to the survey only taking into account the indoor tennis centre and no other buildings. The reason for this is that the other buildings, whilst some of them are currently vacant, are being used as offices, and as part of the mitigation for that development a bat roost was provided off-site.

In the context of the results of 2011 and 2012 surveys, the current proposal with regard to the demolition of the indoor tennis building is acceptable and impact mitigation is not required. Opportunities for biodiversity enhancement, such as the provision of bat and bird boxes, could be achieved by conditions relating to the following if the proposal were to be acceptable in all other regards and would ensure compliance with Policy GE21 of the Halton Unitary Development Plan:

- Retention of any existing trees and shrubs within site landscape works, or if not possible, replanting with native species
- Maintenance of habitat links
- Provision of bat boxes, nest boxes and artificial swallows' nests.
- No tree, shrub or hedgerow management and/or cutting operation should take place during 1<sup>st</sup> March to 31<sup>st</sup> August inclusive. Reason: protection of breeding birds and active nests.

In terms of the conversion of existing offices to dwellings, it is noted that the updated bat survey did not include these buildings either as part of its survey or in its assessment of impact. However, the conversions do not require changes to the roof structure and space. In view of the results of earlier surveys carried out in 2008 (quoted in our letter of September 2011), which

found that Commonsides Farm provided a resource of local significance for bats, including roosting (in the main buildings), foraging and sheltering, it is recommended that prior to any work being carried out on the existing office building roofs, they should be comprehensively checked for the presence of bats. Should a bat or bats be encountered during precautionary surveys and/or subsequent work on the conversions, work must be halted and advice sought from a suitably qualified bat specialist. This could be attached as an informative if the proposal were found to be acceptable in all respects.

## 6.6 Affordable Housing

Policy CS13 'Affordable Housing' of the Halton Core Strategy Local Plan states that affordable housing provision will be sought at 25% of the total residential units proposed on schemes including 10 or more dwellings.

As noted with the previous application, the General Permitted Development Order has been amended, which has made changes to the Use Classes Order enabling changes from B1(a) Offices to Class C3 (dwellinghouses), subject to a number of conditions, without having to apply for planning permission. This would allow the existing offices to be converted to 5 no dwellings.

The second element would require a full planning application for the demolition of the indoor tennis building and the erection of 5 no dwellings.

Given the position explained above, it is recommended that Policy CS13 is not applied to this application. As the application could be changed so that it relates to the erection of 5no dwellings only and convert the existing offices to 5no residential units using permitted development rights. It is considered that the proposals are therefore considered to accord with the aspirations of Policy CS13.

## 7. CONCLUSIONS

The conversion of the existing office buildings to 5no dwellings is considered to comply with Green Belt policy.

The principle of locating 5no dwellinghouses on the site of the existing indoor tennis centre has previously not been considered to be inappropriate development in the Green Belt based on a reduction in height, coupled with the decrease in volume would reduce the impact on the existing area and surrounding Green Belt.

The current application proposes the erection of 5no 2½ storey detached dwellinghouses would not achieve the same courtyard feel that the previous proposal did and would introduce a development which would feel more suburban in nature and does not have regard for its rural setting which comprises of a farmhouse and agricultural buildings.

The proposal would introduce 2½ storey dwellinghouses which would be sited 17m from the building to be converted from offices to dwellings. The

implication of this is that the proposed dwellings would have habitable room windows in the roofspace which would face habitable room windows in the building which is to be converted. The creation of a third floor of accommodation increases the back to back minimum distance requirement, as outlined in the Council's Design of Residential Development Supplementary Planning Document. The privacy distance at 17m is therefore significantly below the 24m requirement and the applicant has not demonstrated how privacy and outlook for residents would be achieved. It is considered that the proposed scheme would be to detriment of the privacy and outlook of the residents who would reside in the proposed dwellings.

The proposal also includes 7no detached buildings to form garaging / storage space in areas of the application site which do not currently have any buildings. These buildings are shown on the site plan, however the agent has not provided elevations indicating what these structures would look like. This would have a greater impact on the openness of the Green Belt and are therefore inappropriate development. No very special circumstances to allow this element of the proposal have been demonstrated and it is considered to be by definition harmful to the Green Belt and should not be approved.

From a highway perspective, the proposal fails to demonstrate adequate room to manoeuvre a refuse vehicle within the site, fails to provide sufficient manoeuvring space to the rear of some of the parking bays and would result in the parking for plot 6 requiring manoeuvring on the public right of way to the detriment of highway safety.

## **8. RECOMMENDATIONS**

Refuse planning permission for the following reasons:-

1. The 5no 2½ storey detached dwelling houses proposed would introduce a development which would feel more suburban in nature and would not have regard for its rural setting which comprises of a farmhouse and converted agricultural buildings. To allow the proposal would be contrary to the provisions of Policy BE1(2)a of the Halton Unitary Development Plan, Policy BE2 (2) a+b of the Halton Unitary Development Plan and Policy CS18 of the Halton Core Strategy Local Plan which expects development proposals to provide attractive and well-designed residential, commercial and industrial developments appropriate to their setting.
2. The proposed 2½ storey dwelling houses would be sited 17m from the building to be converted from offices to dwellings and would have habitable room windows in the roofspace which would face habitable room windows in the building which is to be converted. The Council's Design of Residential Development Supplementary Planning Document states that properties which create a third floor of accommodation increases the back to back minimum distance requirement from 21m to 24m. The privacy distance at 17m is therefore significantly below the 24m requirement. The applicant has not

demonstrated how privacy and outlook for residents would be achieved. It is therefore considered that the proposed scheme would be to detriment of the outlook and privacy of the residents who would reside in the proposed dwellings. To allow the proposal would be contrary to the provisions of Policy BE1 (2)c of the Halton Unitary Development Plan.

3. The proposed 7no detached buildings to form garaging / storage space would be located in areas of the application site which do not currently have any buildings. They would have a greater impact on the openness of the Green Belt and are therefore inappropriate development by definition. No very special circumstances to allow this element of the proposal have been demonstrated. To allow the proposal would be contrary to the provisions of Policy GE1 (1) of the Halton Unitary Development Plan and paragraph 87 of the National Planning Policy Framework.
4. The proposal fails to demonstrate adequate room to manoeuvre a refuse vehicle within the site, fails to provide sufficient manoeuvring space to the rear of some of the parking bays and would result in the parking for plot 6 requiring manoeuvring on the public right of way to the detriment of highway safety. To allow the proposal would be contrary to the provisions of Policy BE1 (3) of the Halton Unitary Development Plan.

## **9. SUSTAINABILITY STATEMENT**

Planning Permission is hereby REFUSED for the above development in accordance with the application deposited with the Council on 13 September 2013 together with the relevant plans, including any amendments now agreed. Despite the Local Planning Authority wanting to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application, this application has shown insufficient regard to those policy requirements, so it has not been possible to reach an agreed solution in this case.