
Reason for pre-commencement condition: The solution for surface water disposal must be understood prior to works commencing on site as it could affect how underground works are planned and carried out.

6. a) Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, boundary treatments, external lighting, planting plans, specifications and schedules (including planting size, species and numbers/densities), existing plants / trees to be retained and a scheme for the timing / phasing of implementation works.

(b) The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the development hereby permitted, whichever is the later.

(c) Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development and in accordance with Local Plan Core Strategy (2014) Policies CS1, QE5 and QE7 and the National Planning Policy Framework (2018).

7. All trees to be retained on site shall be protected in accordance with BS5837:2012 – Trees in relation to design, demolition and construction. The development shall not commence unless and until the measures required by the British Standard are implemented. Thereafter all measures required shall continue until the development has been completed.

Reason: To ensure that the trees on the site are protected during construction works in the interest of local amenity and to accord with Local Plan Core Strategy (2014) Policy QE7 and Supplementary Planning Document: Design and Construction.

Reason for pre-commencement condition: The site clearance / construction process has the potential to damage existing trees to be
retained within the site and therefore it is necessary to install appropriate tree protection measures prior to any development commencing within the site.

8. Prior to the commencement of use, a scheme for the storage and regular removal from the application site of manure and other refuse/waste products shall be submitted to, and approved in writing by, the Local Planning Authority. All works required to implement the approved scheme shall be completed prior to use and retained thereafter.

Reason: To mitigate adverse impacts on amenity through odour and flies but also risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion, in accordance with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); the National Planning Policy Framework (July 2018), and the Environmental Protection Supplementary Planning Document (May 2013).
Appendix 1: Proposed Plans

PROPOSED STABLES AT LAND ADJACENT TO MOUNT PLEASANT FARM. WA3 5BN
Appendix 2: Site Photographs

Above: View looking south-east across application site towards Glazebrook Lane.
Above: View looking north-east across application site towards Glazebrook Lane
Above: View looking south (application site out-of shot to left) towards an existing stable block. Mount Pleasant Cottage to right.
DEVELOPMENT CONTROL COMMITTEE DATE 07-Nov-2018

ITEM 3

Application Number: 2018/32789

Location: 53, Denbury Avenue, Stockton Heath, Warrington, WA4 2BW

Ward: Grappenhall

Development Full Planning - Proposed detached dwelling

Date Registered: 04-Jun-2018

Applicant: Mr Quayle

8/13/16 Week Expiry Date: 29-Jul-2018

Reason for Referral to Committee

Due to the level of public interest and scale of objection it is deemed appropriate for the matter to be referred to the Planning Committee.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

- Article 8 - The right to respect for private and family life, home and correspondence.
- Article 1 of Protocol 1 - The right of peaceful enjoyment of possessions and protection of property.

Site and surroundings

The application refers to part of the garden area associated with a semi-detached property at 53 Denbury Avenue, in the Stockton Heath area of Warrington. The broadly triangular shaped plot is around 580 square metres in size.

The site is part of a larger residential estate and is surrounded on all sides by other properties, including two storey detached and semi-detached dwellings and detached and semi-detached bungalows. The site includes the existing vehicular access to 53 Denbury Avenue, and currently contains a flat roof detached garage building, which will be demolished to make way for the proposed new dwelling.

Part of the rear boundary of no. 53 abuts the boundary of the Ackers
Road/Marlborough Crescent Conservation Area. Although not within the application site a Beech Tree which is subject to a Tree Preservation Order lies against the southern boundary.

**Proposal**

Planning permission is sought to demolish the existing detached garage and re-develop the site with a 3 bed detached bungalow. The proposed dwelling would have a shared access with the existing property at 53 Denbury Avenue.

**Relevant site history**

- **2018/32251**: Lawful Development Certificate for Proposed Demolition of Existing Outbuilding and Construction of a Detached Outbuilding. Refused 12 April 2018
- **2017/30593**: Full Planning - Proposed detached dwelling. Refused 31 August 2017 Appeal Dismissed 6 February 2018
- **2017/30040**: Full Planning - Proposed detached dwelling. Refused 25 April 2017
- **2017/29668**: Full Planning - Proposed detached dwelling. Withdrawn 10 March 2017

**Planning Policies**

**National Planning Policy Framework**
- Chapter 2 – Achieving Sustainable Development
- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Effective Use of Land
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

**Local Plan Core Strategy**
- CS1 – Delivering Sustainable Development
- CS2 – Quantity and Distribution of Development
- SN1 – Distribution and Nature of New Housing
- QE6 – Environment and Amenity Protection
- QE7 – Ensuring a High Quality Place
- QE8 - Historic Environment
- MP1 – General Transport Principle

**Supplementary Planning Documents**
- Design and Construction SPD 2010
- Parking Standards SPD - March 2015
Consultation Responses

The following consultation responses were based on the original plans submitted with the application. Amended Plans were received on 24 October 2018 and at the time of writing are out for re-consultation.

Warrington Borough Council Highways

Further information is required as the submitted drawings do not indicate the amount of hard standing adjacent to the existing development. This is required to determine the impact the proposal will have on the existing development’s parking provision.

Warrington Borough Council Tree & Landscape Officer

The proposal has the potential to effect a number of trees, including a Beech tree (T7) subject to active Tree Preservation Order 529, which is on the south boundary. This tree although within a rear garden position is viewable from Denbury Avenue and Chester Road, offering value to the immediate sky line. The tree in general appears to be of good health and unified form, offering a pleasing landscape feature. On closer inspection it was noted that this tree holds a defect of an occluded union between the two main stems emanating from approximately 2 metres from ground level, with the occluded union continuing to approximately 5 metres from ground level. Although this defect is present, the tree has potential to provide a useful landscape feature, should it be monitored and remain under active management.

The proposals would site a dwelling and hardstanding driveway within close proximity to the Beech tree. Without submitted information containing projected Root Protection Area’s (RPA’s) as determined by Bs 5837:2012 (Trees in relation to design, demolition and construction-Recommendations) on general layout plans, full understanding of the impacts to the rooting area cannot be considered. The RPA set out within the British Standard is a recommendation and generalization of all tree species giving an average projected rooting area. Dependant on species and environmental factors root spread may not conform with the distances laid out within the standard and can be either under or in excess of the calculated distance. As Beech trees by nature have a shallow wide spreading root plate I would find it highly likely that roots from this tree would extend beyond the Bs 5837:2012 RPA. It is highly unlikely significant roots would however be present beneath the existing garage and technical solutions are available to undertake development within the RPA without undue harm to the tree.

It is my understanding that the building footprint is located to the periphery of the RPA, this combined with the presence of an existing structure presenting an unfavourable rooting area, would mean, through pile and beam foundation design and careful excavation, under supervision of an Arborist, the building
could be satisfactorily located without long-term harm to the trees RPA and this be secured via condition.

The proposed forecourt within the rooting area of the Beech (T7), given the percentage of RPA impacted upon, would have to comprise of a cellular system to prevent ground compaction. Typical design and excavation must be avoided, existing site levels would permit use of a cellular confinement system.

I am in general agreement with the submitted Arboricultural Report (Denbury/Quayle/RB/18), however this report does not provide complete/ final detail on tree protection measures; protective measures could be secured via condition.

I would raise the concern over the close proximity of the proposed dwelling to the canopy of T7. The physical size of this tree is likely to dominate the proposal, giving cause for concern to future occupants about its future safety, obstruction of light, especially when considering the tree is located directly to the south of the proposal and seasonal issues. Implementation of the proposed elevation of the property being at four metres, is not likely to require such levels of pruning to the existing canopy, that would detract from the trees wider amenity value. Although light pruning can be undertaken to accommodate the proposal the close siting of a residential dwelling towards this tree will likely lead to further future requests of reduction works. Any future works to T7 would require process in accordance with Tree Preservation Orders to be undertaken.

T1-T5 are of lower quality and are therefore forfeit to removal, T6 provides a more prominent feature given its reasonable stature, however the species is short lived by nature and its natural form has been partly lost through reduction works. It would be my understand that T6 would have to be removed to complete the development, the preferred option would be for this tree to remain, however with the points above, preservation value is limited and mitigation for its loss can be offered. Similar can be noted for T8 a mature cherry located to the north boundary.

Comment has been raised over an offsite Hawthorn located within the curtilage of 16 Marlborough Close, should this tree be within similar distances to T8 and of similar stem diameter, then there would be encroachment upon the RPA of this offsite tree. Further information is required to the extent of this trees RPA and relationship to the proposal. G1 (boundary planting) must be preserved or enhanced to retain green screening of the site. Current information is providing an estimated RPA radius of 1.68 metres with the building footprint being set at 2 metres from the property boundary. In principle this would provide adequate distance from the hedge line vegetation to not warrant special design, however the provided protection distance would be an average; further detail would be required on larger specimens within the group which may exceed the average and precise species noted, as differing species differ in response to pruning methods.
Warrington Borough Council Ecologist

No objection to the proposal.

Warrington Borough Council Environment & Public Protection

Contaminated Land
This is a large scheme for a sensitive end use located on land that is not currently designated as Potentially Contaminated Land (PCL). There do not appear to be any significant potential ground gas generation sources within 250m of the subject site. However given the scale and sensitive end use of the proposed scheme, current procedures would require the standard Contaminated Land Preparatory Works and Contaminated Land Completion Conditions to be attached to any planning consent. As the scheme is for a single dwelling on land that is not currently designated as PCL, it may be possible to satisfy the Contaminated Land Preparatory Works Condition with use of the CL Screening Assessment Form. As well as the Contaminated Land Conditions a Contaminated Land Screening Assessment Form Informative has been recommended that details how the Applicant/Developer can obtain a copy if planning permission is granted.

Noise
The proposal is not located within a noise mapped area although Chester Road (A56) nearby is noise mapped. On this basis no specific noise mitigation measures are required from road traffic. There are no industrial/commercial activities in area. Given the proposal is within a residential setting a construction hours informative is recommended.

United Utilities

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the applicant to consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

Notification Responses

The following responses were received in relation to the original plans submitted with the application. Amended Plans were received on 24
October 2018 and at the time of writing are out for re-consultation.

**Ward Councillors**

No comments received to date

**Stockton Heath Parish Council**

Concern – It is felt that the proposed bungalow is an over-development of the plot.

**Neighbours**

Seven respondents have commented on the application, some have made multiple representations. In summary the following points are raised:

- The development continues to represent an over development of the plot and would appear as a dominant and obtrusive development on a small triangular parcel of land. The larger garden was intentionally set out with the property to act as a ‘buffer’ between the houses and the bungalows.

- The footprint and size of the proposed property is disproportionate to the existing house at no 53 and all properties surrounding it.

- The proposal is a prime example of ‘garden grabbing’ and will set a precedent for other similar developments in the area on existing gardens. The proposal is contrary to the Council’s local planning regulations on this.

- Building so close to the boundaries is not in keeping with the neighbourhood and there is not adequate separation between the new dwelling and neighbouring properties. There is little amenity space associated with the new dwelling.

- The contemporary design is not in keeping with the style and character of the existing properties in the road and will have an adverse effect on the character of the neighbourhood.

- The Heritage Statement states that the development will have a neutral effect on the Conservation Area. This is considered incorrect and it is believed that the development will be ‘intrusive’ as it has a negative effect on surrounding buildings.

- There is inadequate parking for two properties. The parking and turning areas are too cramped and will compromise highway safety. Insufficient parking will be retained for the existing property and a shared turning area with multiple vehicle manoeuvres will be an obvious highway hazard.

- The proposal will degrade the amenity of the existing house on the site and neighbouring properties. The Planning Inspectorate dismissed the appeal on grounds that the proposal would cause harm to the living conditions of occupants of neighbouring properties. These concerns remain relevant for this application.
- The height of the dwelling will block light to neighbouring dwellings and severely compromise outlook.

- Hard surfaces of the house and courtyard will amplify and direct sound towards the rear gardens of Chester Road and result in disturbance to neighbouring properties. It is requested that if permission is granted a condition is placed on the permission for works to start no earlier than 9:00 AM.

- The plans indicate the intention to install full height clear glass doors and windows on the elevations, which will impact the privacy of neighbouring gardens and properties. It is requested that new hedgerows are planted along the boundaries to screen the new house if granted permission.

- The proposal will impact on a Beech tree within the site. Whilst it maybe possible to protect this during construction there are concerns over the long term impact on the health of this tree. Most of the root system will be covered by the new development. There are also concerns that the root protection zones of other trees in neighbouring properties are not detailed within the application and these trees could be damaged by the proposed development.

- There are also concerns that as the development is so close to the boundaries of the site it will impact on boundary hedgerows in neighbouring properties.

- Concerns are raised in relation to the cost to the Council of the multiple applications made on the site.

- The submitted plans are misleading, inaccurate and lacking in detail. Inaccuracies on the application form are highlighted.

Observations

Principle of development

The NPPF advocates a presumption in favour of sustainable development with paragraph 8 of the NPPF advising that there are 3 dimensions to the creation of sustainable development – economic, social and environmental. This paragraph emphasises the role of the planning system to support strong, vibrant and healthy communities by providing the development needed to meet the needs of present and future generations and by creating a high quality built environment with accessible local services, which reflect the community’s needs and support its health, social and cultural well-being.

Chapter 5 of the NPPF outlines the need for planning policies and decisions to support the Government’s objective of significantly boosting the supply of homes. Paragraph 67 states that the development plan should identify a supply of deliverable sites for the first 5 years of the plan period and developable sites or broad locations for growth for the remaining 10 years.

Warrington Borough Council is not currently within a position where it can demonstrate a 5 year land supply of deliverable sites. As a result, paragraph
11 of the NPPF advises that the relevant development plan policies are considered ‘out of date’ and applications meeting the criteria of sustainable development should be granted planning permission. The exception to this is where ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole.’

In this case the site is located close to services and facilities in both Stockton Heath and Grappenhall. The site is considered to be a sustainable location for new residential development. Development within this location would be in line with policy SN1 of the adopted Core Strategy, which requires that 40% of new homes will be delivered within the suburban areas of the town.

However, notwithstanding this, it has to be demonstrated that all three strands of sustainable development are met and the site is suitable for the proposed development without resulting in any adverse impacts on the character and appearance of the surrounding area and the amenity of existing residential properties surrounding the site. These matters are discussed in more detail below.

**The Proposed Scheme & Background**

The application site has been subject to previous applications for residential development.

The most recent application proposed the development of a two storey house within the plot. This application was refused by the Planning Committee in August 2017 on grounds that it represented a cramped form of development, detrimental to the visual amenity of the area and that it would be detrimental to residential amenity. An appeal on this decision was dismissed in January of this year. The Inspector agreed that the proposal would have a harmful impact on the living conditions of neighbouring properties with particular reference to outlook and privacy. However, it was not agreed that there would be a harmful impact on the character and appearance of the area.

Under this application the siting and design of the proposed dwelling is significantly altered, with the aim of addressing the concerns raised by the Planning Inspector in relation to the impact on residential amenity.

Amended plans were received during the course of the application (drawing no 1140.C1) which reduced the scale of the proposed dwelling from that originally proposed. The assessment of the proposal is made on the basis of these amended plans.

A 3 bedroom bungalow with accommodation within part of the roof space is now proposed. The dwelling will have a broadly ‘L’ shaped footprint. One arm of the ‘L’ will lie 1 metre from the boundary with the remaining rear garden to no 53. This part of the dwelling will be one and a half storey. The other arm will lie along the rear, eastern boundary of the site and will be single storey with a flat roof.
The proposed dwelling will be constructed from brick with a plain tiled, hipped roof. A significant section of the southern elevation will have full height glazing and there will be first floor windows in the front and rear elevations. Taken in isolation the design of the dwelling is acceptable, however, it is not considered that the plot itself is suitable for a dwelling of the scale and design proposed under this application.

**Impact of the Proposal on the Visual Amenity of the Area**

The application site is broadly triangular in shape, with an access onto Denbury Avenue which would be shared with the existing property at No 53. It is also enclosed by the rear gardens of existing residential properties on all
sides. It is acknowledged that the rear garden to no. 53 is significantly larger
than the gardens of the surrounding properties, however, the narrow frontage
of the site and the bungalows on Chester Road which back onto the southern
boundary of the site probably indicate why an additional plot was not included
here when the estate was originally designed.

The proposed dwelling has a footprint which is significantly larger than any of
the surrounding properties, including no. 53, and disproportionately large
compared with the size of the site. As a result it is considered that it will
appear overly cramped and shoe horned into the site. Due to the nature of the
plot it is true that it will not be overtly visible from Denbury Avenue itself and
therefore the impact on the wider street scape at this location will be limited.
However, the dwelling will be highly visible from all surrounding properties in
the locality. It is considered that the scale and massing of the proposed
dwelling compared to the size of the plot will result in an incongruous and
oppressive form of development, which fails to integrate well into the
surrounding area and has an overbearing impact on surrounding existing
properties.

The rear boundary of the remaining garden for no. 53 abuts the boundary of
the Ackers Road/Marlborough Crescent Conservation Area. There would be
very limited views of the proposed development from the public realm and it
would be read as part of the more modern housing on Denbury Avenue as
opposed to the Conservation Area itself. It is therefore not considered that
the proposal would have any direct impact on the character and appearance
of the Conservation Area.

Impact on Residential Amenity

The appeal in relation to the previous scheme proposed for the site was
dismissed on grounds that there would be “harm to the living conditions of the
occupants of neighbouring residential properties with particular reference to
outlook.”

Unacceptable levels of overlooking were also referenced with the appeal
decision.

The new proposal put forward in this application seeks to address this by
altering the siting of the property and proposing a bungalow with roof space
accommodation.

In relation to overlooking it is acknowledged that many of the issues have
been resolved. The boundary fencing around the site will prevent views into
neighbouring properties from ground floor windows. The only first floor
windows are now at the front and rear of the dwelling. The rear window will be
located 8.5 metres from the rear boundary of the site and over 20 metres from
the property at no 6A Sommerville Gardens. This is considered to be an
acceptable separation distance.

The revised siting of the dwelling does, however, result in new issues in
relation to the existing property at No. 53, and it is considered that the
The proposed new dwelling will now have a poor relationship with this property. The dwelling will lie behind the rear elevation of this property and run down the boundary of its garden. The dwelling will have a ridge height of around 7 metres and it considered that the building will have an overbearing and oppressive impact on the amenity of any future occupiers of this existing property.

The Agent has argued that the future owners of no. 53 could place a car port along the boundary to provide some separation from the new dwelling. However, it is considered that this would be unlikely to mitigate the impact.

Although not directly applicable, the House Extension Supplementary Planning Guidance sets out how the 45 degree code can be applied to assess the impact of a rear extension on the outlook and light of a neighbouring dwelling. In the case of the proposed new dwelling this would clearly fail the 45 degree test. The test implies that the separation distance of the dwelling from the boundary is not sufficient to prevent it from having a serious adverse impact on the light and outlook currently enjoyed by this property and its rear garden, an impact exacerbated by the fact that the new dwelling would lie to the south of no. 53.

Respondents have also commented on the additional noise and disturbance from a new dwelling which will be in such close proximity to their own garden areas. It is agreed that the potential impact on surrounding properties from traffic movements and general residential activity could be significant.

Most affected will be the properties at no 125 and 127 Chester Road, which lie to the south and back onto the application site. The parking area for the new dwelling will lie against the rear boundary of no. 125 Chester Road. The additional traffic movements and car headlights are likely to cause disturbance and intrusion to the occupiers of these neighbouring dwellings. The main entrance to the dwelling and most of the amenity space will also be on the southern side. This will concentrate much of the activity associated with the dwelling within this relatively small area. It is noted that the main entrance is only around 6 metres from the rear boundaries of these neighbouring properties. It is considered that the inevitable additional disturbance at such close proximity will compromise the amenity and reasonable enjoyment of these properties and their rear gardens to an unacceptable extent.

Core Strategy policy QE6 states that development should respect the living conditions of existing neighbouring residential occupiers in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance. Due to the reasons given above it is not considered that the proposal accords with this policy.

Trees and Landscaping

The site has a number of constraints in relation to trees and landscaping surrounding the site. In particular, a Beech Tree lying on the southern
boundary (although not within the application site) is protected by a Tree Preservation Order. This can clearly be seen from outside the site and it is considered that it makes a positive contribution to the overall visual amenity of the street scene. Several respondents are also of this opinion and have raised concerns over the potential impact of the development on this tree.

An Arboricultural Report has been submitted with the application. This concludes that it would be possible to protect this tree for the future using a combination of tree protection measure and no-dig foundation techniques. These would need to be clarified and submitted for approval via conditions added to the permission in the event that the application is approved.

The Council's Tree Officer has agreed with the conclusions of this report and advised that, although the crown of the tree will overhang the new dwelling, the height of the roof is such that significant pruning should not be required. Nevertheless concerns are raised that the tree is likely to come under significant pressure in the future, on grounds of a perceived safety risk and blocking of light to the new dwelling.

A number of other trees within the site will need to be removed to make way for the proposed dwelling. In general the Tree Officer has raised no objection to this, subject to new planting to mitigate the loss. This would again need to be secured by condition in the event that permission is granted.

Some respondents have made reference to concerns over trees and hedgerows within their properties. The Tree Officer has agreed that the impact on some of these trees would need to be investigated further prior to any development commencing, to establish their root protection zones.

Policy QE7 states that proposals should enhance the character and appearance of the street scene and optimise the potential of the site without damaging the character of the area. It is unclear in the long term whether the proposed development would comply with these elements of the policy. The impact of the proposal on trees and hedgerows along the boundaries of the site is not certain and it is considered that there is a possibility that the long term preservation of the Beech Tree could be compromised. It is concluded that these issues are another indication that the scale and nature of development proposed for the site is inappropriate.

Parking and highway safety

The proposed site plan indicates the provision of three spaces in front of the property. The access to the site would be shared with the existing property at no. 53 and a shared turning area would also be provided within the driveway. Parking for the existing property will be provided along the side of the dwelling.

Technically the level of parking provision would meet the adopted parking standards for a three bedroom property within the Parking Standards SPD. However, notwithstanding this, it is considered that the layout and the manner
in which the spaces are accessed is poorly designed. Vehicles would need to reverse out of the spaces for the new dwelling and across the driveway space and front of the property at no. 53.

Several respondents are also of the opinion that the arrangements would compromise safety. The Highways Officer has not specifically objected to the layout of the access and parking spaces on these grounds, however, it is nevertheless agreed that this is an awkward arrangement which is likely to result in decreased standards of amenity for the occupiers of both properties.

The issues arise again from the overall scale of the proposed dwelling and the narrow entrance to the plot. Once again it is considered that it is an indicator that the proposed scheme is contrary to the aims of policy QE7 of the Core Strategy, which states that proposals should be designed to create safe environments which function well in relation to existing patterns of movement and activity and policy QE6 which states that consideration should be given to the effect and timing of traffic movements to, from and within the site to ensure that the living conditions of existing and future occupiers are respected.

Conclusion

Chapter 12 of the NPPF states that decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and add to the overall quality of the area. Paragraph 130 states that permission should be refused for “development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

In this case it is considered that the cumulative impacts of the proposed development, which result from a dwelling which is excessive in scale and inappropriately sited within the plot, result in a poor form of development. The proposal is therefore contrary to the aims of the NPPF and policies CS1, QE6 and QE7 of the Core Strategy.

There is a presumption in favour of sustainable development at the heart of the NPPF and it is agreed that the proposal may bring about some economic and social benefits to the local area. However, for a scheme of one dwelling it is unlikely that these benefits would be significant. In addition it is not considered that the proposal would achieve the environmental objective of protecting and enhancing the natural and built environment around the site.

It is therefore considered that the adverse impacts of the development demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. The proposal is therefore recommended for refusal.

Recommendation

The application is recommended for refusal.
Reasons

1. The dwelling is excessive in scale in comparison to the size of the application site and inappropriately sited within the plot, resulting in a poor form of development which fails to harmonise with the scale and proportions of adjacent buildings and fails to enhance the character, appearance and function of the local area. The proposal is not consistent with the aims of paragraph 127 of the NPPF and fails to accord with policies CS1 and QE7 of the Warrington Core Strategy.

2. The proposed development would, by virtue of the scale, massing and proximity to neighbouring boundaries would result in an overbearing and oppressive impact. In addition, the additional traffic movements and general noise and disturbance associated with the proposed dwelling would have an adverse impact on living conditions of existing neighbouring residential occupiers. The proposal is therefore considered to be contrary to policy QE6 of the Warrington Local Plan Core Strategy.
Appendices

Appendix 1 - Drawings/Plans
Appendix 2 - Photos of site
DEVELOPMENT CONTROL COMMITTEE DATE 07-Nov-2018

ITEM 4

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/33212</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Area of vacant land located adjacent to, Daten Avenue, Warrington, WA3 6YN</td>
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<tr>
<td>Ward:</td>
<td>Birchwood</td>
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<tr>
<td>Development:</td>
<td>Reserved Matters (Major) - Proposed Reserved Matters approval is sought following Outline 2015/26044 for the development of five no. industrial units (Use Class B2/B8) with associated office space (expected to be occupied as ancillary accommodation but potentially occupied as Use Class B1a office as part of a mixed B1a/B2 and/or B8 development) and works on the application site with landscaping proposals</td>
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<tr>
<td>Date Registered:</td>
<td>16-Aug-2018</td>
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<tr>
<td>Applicant:</td>
<td>C/O Agent</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>14-Nov-2018</td>
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Reason for Referral to Committee

The land is Council owned

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights has been taken into account in the preparation of this report, particularly the implications arising from Article 8 relating to the right to respect for private and family life, home and correspondence, and Article 1 of Protocol 1, concerned with the right of peaceful enjoyment of possessions and protection of property.

Site Location

The application site forms part of the Birchwood Park which is a business park located in the northern area of Warrington. The site is currently covered in
grass with elements of hardstanding and trees. The site is located at the northern edge of the Birchwood Park Estate with Daten Avenue on the northern boundary of the site and Kelvin Street on the west.

**Proposal**

The application is for approval of reserved matters relating to appearance, access, landscaping, layout and scale following outline approval 2015/26044. The outline consent was for the demolition of existing buildings and erection of offices, light industrial and warehousing development (Use Classes B1, B2 and B8) and ancillary uses (A1/A2/D1/D2). Since the approval of the outline consent the existing buildings on the site have been demolished.

The proposal is for 5 buildings and they are all single storey warehouse buildings, with a two storey office element in the first two structural bays of the main portal. Two of the buildings are proposed to be served from Daten Avenue with the remainder served from the new access proposed on Kelvin Street. The buildings are all proposed to have dual pitched roofs with parking located to the front of the building.

The application is for the proposed reserved matters approval for the development of five no. industrial units (Use Class B2/B8) with associated office space (expected to be occupied as ancillary accommodation but potentially occupied as Use Class B1a office as part of a mixed B1a/B2 and/or B8 development) and works on the application site with landscaping proposals.

**Relevant Planning History**

2015/26044 - Outline planning application: Demolition of some existing buildings and erection of new buildings for a combination of offices (B1); light and general industrial (B1/B2); warehousing development (B8) and ancillary retail/ financial & professional services/ non-residential institutions/ assembly and leisure (A1/A2/D1/D2) floor space – approved subject to s106 agreement

The outline permission was subject to a condition restricting the floorspace of the development to a total of 72089 sq m, of which no more than 50464 sq m shall be used for B1a/B1b/B1c purposes; no more than 27129 sq m for B2/ B8; and no more than 1000 sq m for A1/A2/D1/D2 purposes.

**Planning Policy**

**National Planning Policy Framework**

- Warrington Core Strategy
  - Policy CS1 – Overall Spatial Strategy – Delivering Sustainable Development
  - Policy CS2 – Overall Spatial Strategy – Quantity and Distribution of Development
  - Policy PV1 – Development in Existing Employment Areas
  - Policy QE6 – Environment and Amenity Protection
Policy QE7 – Ensuring a High Quality Place
Policy MP1 – General Transport Principles

Objective EW2 of the Local Plan is to support the continuing development of Birchwood Park as a flagship sustainable and high quality business park of sub-regional importance

Supplementary Planning Document
Design and Construction (2010)
Environmental Protection
Parking Standards

Notification Responses

A site notice has been displayed on site and a press notice placed in the local paper and no letters of representation have been received

Consultation Responses

Parish Council
No comments received

Greater Manchester Ecology Unit
The development proposal would not have any harmful impacts on the Risley Moss protected site.

The application site is generally of limited ecological value, but the updated Ecological survey does state that since the site clearance, a diverse range of plant species has developed within the site. The recommendation is that the development makes a contribution to landscape or POS management in the area to compensate for the species losses that the development will cause. Since these comments were received an amended landscaping scheme has been received which increases the landscape provision on the site.

Environmental Protection Team
No objection subject to a condition being added to any permission relating to plant and equipment and the conditions on the outline remaining in force.

Highways Team
No objection subject to conditions being added to any permission.

It is accepted that the proposal has a shortfall against the Councils Parking Standards, however, this level of provision is deemed to be acceptable for the following reasons:

- Birchwood Park currently operates an extensive Travel Plan (TP) which is regarded as exceptional by the Council. An exceptional TP ensures suitable measures are in place to encourage sustainable patterns of movement and potentially lower the demand for parking;
- The parking demand scenario has been calculated using the worst
case scenario (B1/B2 use) as no end users have been identified. It is likely that the proposed development will include B8 and as such the parking demand scenario would be reduced;

- In the event of overspill parking occurring, it will have no impact on the operation of the adopted highway as it will be contained within Birchwood Park; and
- The Local Highway Authority would also consider the proposed 50 cycle parking spaces and 17 motorcycle parking spaces as sufficient to accommodate the likely demand

**Observations**

**Principle of Development**

The principle of the development has already been established at outline stage, and this application is to consider only reserved matters relating to appearance, access, landscaping, layout and scale.

The outline consent was for a maximum floor area of 72,089 sq m, of which no more than 50,464 sq m shall be used for B1a/B1b/B1c purposes; no more than 27,129 sq m for B2/B8; and no more than 1,000 sq m for A1/A2/D1/D2 purposes.

The application seeks permission for five buildings with a total floorspace of 20,461 sqm with 3,074 sq m being for the combined office element (B1) and 17,387 sq m being for B2/B8 with the final use of the building being determined prior to occupation of the unit. The proposed use of the buildings falls within the parameters set for the outline permission.

This application is a reserved matters application relating to appearance, access, landscaping, layout and scale and each of these aspects will be covered within the report.

**Appearance and scale of the buildings**

Warrington Borough Council’s Core Strategy Policy CS1 identifies the need to provide high standards of design that have particular regard to local distinctiveness. In addition, Policy QE7 requires that new development proposals should reinforce local distinctiveness and enhance the character, appearance of the area, and harmonise with the scale, proportions and materials of adjacent and existing buildings. The NPPF identifies that planning decisions should address the connections between people and places and the integrate new development into the existing natural, built and historic environment. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
The proposal is for the erection of five units on the site with unit 2 of the units (717 and 718) being the same size and design and the units 719, 720 and 721 being differing designs and sizes.

While the buildings are different sizes, they are all proposed to have a maximum ridge height of 11.3 metres which takes account of the required height to the top of entrance doors for larger vehicles. The surrounding buildings are of a similar scale and appearance to the buildings proposed as part of the reserved matters application. The height of the buildings is therefore considered to be in keeping with the character of the area.

In relationship to the scale of the proposed buildings, the footprints of units 717 and 718 are smaller than the footprints of a number of the existing buildings. Unit 719 has a similar footprint to the buildings to the south and units 720 and 721 have a similar footprint to the buildings to the east,
however, these are a row of terraced buildings rather than a single unit. The variety of sizes proposed within this reserved matters application is considered to be in keeping with the scale of the wider Birchwood Park area as there are units varying in footprint across the site.

The appearance of the proposed buildings replicates features from the wider Birchwood Park with units 717 and 718 being identical in appearance and proposed materials while units 719, 720 and 721 have a different appearance and utilize different materials. The designs of these units replicate features from the wider Birchwood Park area and have also utilised materials that are in use across the employment park. The scale and appearance of the units is considered to be in keeping with the character of the area as it replicates features from the wider environment.

The proposal is considered to comply with policy QE7 of the Warrington Borough Local Plan and the provisions of the NPPF.

Residential Amenity

The National Planning Policy Framework requires that new development should secure a good standard of amenity for all existing and future occupants. Core Strategy Policy CS1 identifies the need to safeguard public amenity, while QE6 identifies that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

The application site is surrounded by commercial premises and it is therefore considered that the proposal would not give rise to significant amenity issues for existing residents.

Access and Layout

The application proposes that units 720 and 721 are served from a newly created access from Daten Avenue and units 717, 718 and 719 are served from an access from Kelvin Street. In relation to visibility, both the new access onto Daten Avenue and the new access onto Kelvin Street are able to provide adequate visibility and the access would therefore not have a detrimental impact on highway safety.

The application has been submitted with tracking information to prove that service vehicles and the proposed users of the units would have sufficient space to manoeuvre and exit each individual unit in a forward gear. There is also sufficient footway provision to connect the proposed units to the wider Birchwood Park development and the adopted highway of Daten Avenue.

In relation to the proposed layout of the site, this is considered to be an acceptable layout that ensures efficient access to each of the units and the car parking is associated to each individual unit. The proposal does have a shortfall against the Councils Parking Standards, however, in this location, the level of spaces provided on the site is considered to be acceptable. The
reasons for it being acceptable in this location are:

- Birchwood Park currently operates an extensive Travel Plan (TP) which is regarded as exceptional by the Council. An exceptional TP ensures suitable measures are in place to encourage sustainable patterns of movement and potentially lower the demand for parking;
- The parking demand scenario has been calculated using the worst case scenario (B1/B2 use) as no end users have been identified. It is likely that the proposed development will include B8 and as such the parking demand scenario would be reduced;
- In the event of overspill parking occurring, it will have no impact on the operation of the adopted highway as it will be contained within Birchwood Park; and
- The Local Highway Authority would also consider the proposed 50 cycle parking spaces and 17 motorcycle parking spaces as sufficient to accommodate the likely demand

The occupiers of the future units are also required to enter into the existing travel plan on the site and ensure that the employees utilise sustainable methods to travel to work.

It is therefore considered that the access and layout of the site are acceptable and it is considered that the proposals would be acceptable in terms of highways and would comply with Policies QE6 and MP1 of the LPCS.

Landscape

During the process of the application, an amended landscaping plan has been received and this has increased the level of landscaping proposed on the site as part of the reserved matters application. The site is an existing grassed area with elements of hardstanding and there are a number of trees located on the site. The landscaping proposals include the creation of new areas of landscaping and the planting of new trees across the site – especially along the frontage with Datum Avenue. The amended landscaping plan is considered to be acceptable and will ensure that there is landscaping available to the occupiers of the units and that Datum Avenue is maintained as tree lined. It is considered necessary to add a condition requiring the implementation of the landscaping. Subject to the proposed condition, the proposal is considered to comply with policy QE5 of the Local Plan and the provisions of the NPPF.

Summary

It is considered that the detailed matters of appearance, scale and landscaping are acceptable, subject to conditions. It is considered that the proposal would not result in any significant harm to the amenities of nearby properties through overlooking, loss of privacy, overshadowing, sunlight, daylight, noise and disturbance. As such the proposal is considered to be consistent with the objectives of the NPPF and complies with policies set out in the Local Plan Core Strategy.
Recommendation

Approve subject to conditions

Conditions

1. This notice of approval of reserved matters shall only relate to outline planning permission ref 2015/26044 dated 29 October 2015.

   Reason: For the avoidance of doubt and to comply with Section 92 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents:

   (a) The planning application form ecology report and supporting information received by Warrington Borough Council on 17/08/2018.
   (c) Submitted drawing numbers B8663-AEW-XX-XX-SK-A-0001 Rev P4 - Proposed Landscaping received 20/09/2018

   Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.

3. No part of the development hereby approved shall be occupied for trading until the visibility splays defined on Drawing No. VN81052-D100 is cleared of all obstructions to visibility to footway/verge level/all obstructions to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.
Reason: To ensure adequate visibility at the street junction or site access in the interests of road safety.

4. Prior to first occupation of the premises the proposed accesses from the site to Daten Avenue / Kelvin Street shall be constructed in accordance with the approved drawings.

Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

5. Prior to the first occupation of the each building hereby approved, the car parking spaces identified on plan B8663-AEW-XX-XX-DR-A-0088 Rev P11 - Proposed Masterplan received on 20/09/2018 shall be implemented and thereafter retained.

Reason: To ensure that off-street parking is maintained for the safe, efficient and convenient movement of all highway users and to comply with Policy QE6 of the Warrington Core Strategy and Warrington SPD: Standards for Parking in new Development.

6. Prior to the first use of each individual unit hereby approved, details of the cycle stands or secured covered cycle storage space for each unit shall be submitted to and agreed in writing by the Local Planning Authority and the approved details implemented on site prior to the first use of each individual building. They shall be thereafter retained.

Reason: So that the development provides for the needs of cyclists and provides a choice of modes of transport in accordance with Policies QE6 and MP3 of the Warrington Core Strategy.

7. Prior to the first occupation of any buildings hereby approved a satisfactory programmed landscaping scheme which shall include hard surfacing, means of enclosure, planting of the development including species lists, shall be submitted to the Local Planning Authority for approval. During the first planting season following the completion of units 720 and 721 or units 717, 718 or 719 the landscaping details adjacent to these unit as indicated on the approved details shall be carried out to the satisfaction of the local planning authority. Any outstanding landscaping shall be completed during the first planting season following the completion of development. Any trees, plants or shrubs so planted which die or are felled, uprooted, willfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.
8. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

Reason: In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended) and the NPPF

9. This permission does not grant or imply consent for the felling of any trees on the site with the exception of the trees within the area shown to be removed within the submitted Arboricultural Impact Assessment and Protection Scheme. The trees to be retained on site shall be protected in accordance with the details contained within the submitted Arboricultural Impact Assessment and Protection Scheme received on 17/08/2018.

Reason: For the avoidance of doubt as there are a number of trees within the site covered by Tree Preservation Orders, and in order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

10. Apart from the development hereby approved no internal alterations shall be carried out to the building to increase the gross internal floor area of the development, including the introduction of mezzanine floors and no subdivision of the units shall occur.

Reason: For the avoidance of doubt and to ensure adequate parking is available on the site in accordance with Policies MP1 and MP7 of the Warrington Core Strategy and the National Planning Policy Framework.

11. Prior to the first occupation of each unit hereby permitted, confirmation of the use of the building and the associated floor space of each use shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure compliance with the conditions placed on the outline permission.

12. None of the buildings hereby approved shall go above ground level until written and photographic details of external roofing materials (including manufacturer’s details) shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples.

Reason: In order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction

13. During the first planting season following the completion of units 717,
718 and 719 the landscaping details adjacent to these units as indicated on the approved plans shall be carried out to the satisfaction of the local planning authority. Any outstanding landscaping shall be completed during the first planting season following the completion of development. Any trees, plants or shrubs so planted which die or are felled, uprooted, wilfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.
Appendix One – Proposed Site Layout Plan
Appendix Two – Proposed Elevation – Unit 717 and 718

Appendix Three – Proposed Elevation – Unit 719

Appendix Four – Proposed Elevation – Unit 720
Appendix Five – Proposed Elevation – Unit 721
DEVELOPMENT CONTROL COMMITTEE DATE 07-Nov-2018

ITEM 5

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/33239</th>
</tr>
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<tbody>
<tr>
<td>Location:</td>
<td>60, Star Lane, Lymm, Warrington, WA13 9LN</td>
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<tr>
<td>Ward:</td>
<td>Lymm North and Thelwall</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning (Major) - Proposed Demolition of existing dwelling and outbuildings/storage and erection of 17 dwellings with associated access road and parking</td>
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<tr>
<td>Date Registered:</td>
<td>30-Jul-2018</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Clarion Housing Group</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>28-Oct-2018</td>
</tr>
</tbody>
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Reason for Referral to Committee

The application is referred to committee as the Parish Council and Councillors Fradgley and Marks have objected to the scheme.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8 - The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1 - The right of peaceful enjoyment of possessions and protection of property.

Site Description

The application site is a 0.41 hectare site which is irregular in shape. The site is bordered by Star Lane and the existing Star Inn to eastern boundary, residential properties to the north which are single and two storey, agricultural fields to the west and allotments to the south. Star Inn is a designated asset of community value.

The site is currently occupied by a dilapidated workshop and external storage and a bungalow fronting Star Lane. The workshop is an existing single storey
building located on the northwest corner of the plot.

Proposal

Full planning permission is sought for the demolition an existing detached bungalow and the erection of 17 dwellings with associated access, landscaping and associated works. The proposal is for a mix of 2 and 3 and 4 bedroom properties that are a mixture of terraced, semi-detached and detached properties and there are:

- 7 – 2 bedroom properties – 41 percent; and
- 10 – 3 bedroom properties – 59 percent

The properties are proposed to all have a similar ridge height. The proposal has been amended during the application to address the concerns raised by the Highways Officer in relation to access to the site and pedestrian connectivity.

The application has been submitted as an affordable scheme with 2 of the properties being for affordable rent and 15 being shared ownership.

The application has been submitted with the following documentation:

- Acoustic Survey;
- Affordable Housing Statement;
- Arboricultural Report;
- Design and Access Statement;
- Ecology Report; and
- Statement of Community Involvement

Policies

Revised National Planning Policy Framework July 2018
Chapter 5 – Delivering a sufficient supply of homes
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making Effective Use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment

Warrington Core Strategy
Policy CS1 – Overall Spatial Strategy – Delivering Sustainable Development
Policy CS2 – Overall Spatial Strategy – Quantity and Distribution of Development
Policy CS3 – Overall Spatial Strategy – Maintaining a 10 Year Forward Supply of Housing Land
Policy CS4 – Overall Spatial Strategy – Transport
Policy SN1 – Distribution and Nature of New Housing
Policy SN2 – Securing Mixed and Inclusive Neighbourhoods
Policy QE1 - Decentralised Energy Networks and Low Carbon Development
Policy QE3 – Green Infrastructure
Policy QE5 – Biodiversity and Geodiversity
Policy QE6 – Environment and Amenity Protection
Policy QE7 – Ensuring a High Quality Place
Policy QE8 – Historic Environment
Policy MP1 – General Transport Principles
Policy MP7 – Transport Assessments and Travel Plans
Policy SN6 – Sustaining the Local Economy and Services

Supplementary Planning Documents
Design and Construction
Environmental Protection
Standards for Parking in New Development

Relevant History

77/4757 – Use of land for storage of timber – approved with conditions

Responses to consultation

Lymm Parish Council object to the application

The following comments have been received following an amended plan consultation:

Some concerns have been addressed, however the amended plans do not go far enough to alleviate all concerns.

Footpaths have been added and an attempt has been made to widen the entrance to the site and this is welcomed.

However, the following concerns have not been addressed:

DENSITY OF UNITS: This is still too high. Plots 3-8 have not been given enough residential amenity. Whilst these properties are social housing, they should not have any less amenity than standard housing.

PRIVACY/OVERLOOKING - has any attempt been made to ensure these properties do not affect the privacy of no.s 6 & 7 Turnberry Close? No changes can be seen.

SIZE OF CARRIAGEWAY - is the transport department happy with the size of the carriageway for turning large vehicles?

ENTRANCE TO SITE - I am concerned that this is a blind bend and the positioning of the entrance to the bend. Is visibility sufficient? How does extending the footpath onto the Star Pub land affect planning or is this a civil matter?

PLOT 1 - The property is still in the plan. Whilst an attempt has been made to move the plot away from 58 Star Lane, it is still too close affecting their right to
light in their two main reception rooms. The property is also higher than the rest of the properties along that road and is not in keeping with the design. This will affect the street scene and the skyline - both important material considerations.

All the other considerations in the previous representation remain.

Parish Council’s previous comments:
The Parish Council are in full support of the building of 100% affordable homes on a brownfield site. However, there are limitations to the plan which we would like to be addressed before permission is considered.

Density of Units
17 units are planned for a 0.41 hectare site. The Parish Council is concerned that these houses have been squeezed into a plot. Affordable housing should not be treated any differently to standard market housing. Plots 2 and 9-17 are well positioned and adequate in space for each unit. However, plots 3 to 8, are not given much amenity space. One less unit here would allow for space for each unit.

Privacy/Overlooking
Because these are two storey properties, there is concern about the lack of privacy/overlooking onto the gardens and property of the bungalows, no. 6 and no. 7 Turnberry Close. Could provision be given for adequate screening between the site and these properties?

Footpaths
There is concern that there are no footpaths within the site, which forces pedestrians onto the roads (plots 2-17). This is not acceptable, especially for families with children, the elderly or wheelchair users.

Size of Carriageway
The Parish Council note and concur with Steven Riley, Transport Development Control, who indicates that there is not enough room for the safe manoeuvre of dust carts and long, rigid vehicles within the carriageway. These vehicles will overrun the carriageway with this site plan. This is not acceptable.

The width of the access road only allows for the passing of one car, hence the developer has designed a layby. This is also not acceptable. The carriageway should enable two cars to pass easily.

Star Pub Car Park
Currently, the pub car park is given access to commercial vehicles for parking. Conditions should be in place that only cars for the Star Pub be allowed on the car park, otherwise, pub car parking will spill out onto the roads and into the new estate. This is a concern for local residents and the Parish Council wish for this to be taken into account.
**Entrance to Site**
This is the main concern for both residents and the Parish Council. The site joins Star Lane which is a distributor road between the main A56 Booth’s Hill Road into Statham and onto the Warrington Road/Whitbarrow Road. Whilst the speed limit is 20mph, this is rarely enforced. Consideration of road safety should take precedent.

The existing bungalow of 60 Star Lane will be demolished and replaced with a two storey-house. This restricts the access road from the site and the Parish Council request that consideration be given for the removal of this plot to allow greater visibility coming out from the site. Again, we concur with Steven Riley’s concern that the access point visibility splay requirement falls short of 2.4m x 25m.

We also note the footpath width of 2 meters either side of the entrance requirement (as per Steven Riley’s representation). This should be rectified.

**Traffic Speeds**
Many residents, in their representations, have requested speed bumps to control the speeds at which cars come down from the canal bridge at Barsbank Lane onto Star Lane. Some have requested double yellow lines to maintain visibility. The Parish Council request that Transport Development Control look at the potential for introducing road calming measures and parking restrictions before the introduction of this new site.

**Road Scene**
Replacing the existing bungalow on Star Lane with a two-storey house would affect the current street scene. The cottages along Star Lane, historical in their nature, are smaller two storey homes and sit well alongside the existing bungalow. The Parish Council is concerned that the new, larger, two storey house will be overbearing on the current street scene and request that Plot 1 be taken out from the site plan. This would enable greater visibility also.

**Plot 1 Gable Wall**
The gable wall to plot 1 is only 6ft away from the side of 58 Star Lane, which have glazed windows to their dining area and study. This would limit natural daylight, especially as this side wall is south facing and currently benefits from sunlight.

**Ecology**
As per the ecology representation, there should be no removal of hedges between March and July for the protection of nesting birds. Also, a request is made that the hedgerows at the southern part of the site are maintained and that additional planting is provided to maintain a barrier between the allotments and houses.

**Public Consultation**
The Parish Council have been informed that many residents had not been consulted by the developer and had not received the newsletter in May. Most of Star Lane residents, who live in immediate proximity to the site, have not
been included in the initial consultation. Please consider this when reading the consultation report from Clarion Homes.

**Lymm Parish Council** request a revised development layout plan, taking into account these material considerations and for Transport Development Control to look at any road calming measures that may be required to safely accommodate the new housing development.

Education: No contribution required

Employment Development Manager: No objection subject to the proposed condition being added to any permission relating to local employment

Environmental Protection: No objection subject to the proposed conditions being added to any permission relating to contaminated land, construction management plan, acoustic fences, glazing and ventilation

Flood Risk Team: No objection

Highways Officer: Following the receipt of the amended plans there are no objections to the proposal subject to conditions relating to visibility splays, parking, access and vehicle charging points being added to the permission.

Public Heath: No comments to make on the application

United Utilities: No objection but has requested conditions relating to drainage

**Responses to Notification**
The application has been amended during the process of the application. 18 letters of objection have been received and these are summarised below:

- Traffic implications of development;
- Drivers speed along Star Lane;
- Submitted tree survey notes the hedgerow on the southern boundary as being category B3 – would like a condition to ensure it remains;
- Neighbours didn’t receive the consultation document referenced in the statement of community involvement;
- Traffic calming is required;
- Lack of visibility;
- Separation distances between existing properties and proposed ones;
- Loss of privacy to neighbouring properties;
- Overlooking;
- High density of properties;
- Welcome the redevelopment of brown field land;
- Current state of site is an eyesore;
- No consideration of relationship between the new property at 58 Star Lane and existing residential properties;
- Numbers 56 and 58 Star Lane are lower than adjacent properties;
- Star Inn is not a two storey building but a three storey;
- Overshadowing of adjacent property;
• Would request the introduction of double yellow lines along the new entrance;
• Extensions and alterations should require planning permission;
• Remodeled car park should be conditioned to be only for use of Star Inn;
• Consideration should be given to the removal of the tree to improve visibility;
• Concern that the existing building to be removed contains asbestos;
• Existing boundary fences separating properties from the factory are dilapidated – could a condition be added requiring this to also be acoustic fencing;
• Concerns about the pathways created to some dwellings – impact on neighbouring properties;
• Proposed dwellings are not in keeping with the character of the area as the predominant type is bungalows;
• Highway Safety implications – access road should be wider and plot 1 should be removed from the scheme;
• Public consultation by the applicants prior to the submission of the application was inadequate;
• Neighbourhood plan in the process of being compiled;
• Lack of footpaths within the site;
• Plot 1 is not in keeping with streetscene as the properties are bungalows and cottages;
• Star Inn is an asset of community value;
• Proposed footpath is not the required width in all areas;
• Alterations haven’t addressed visibility issues;
• Motorists don’t obey the 20 mph speed limit;
• Principle of shared ownership scheme is supported; and
• Further planting is required;
• Height of plot 1 is still unacceptable;
• New brick property not in keeping with adjoining properties as they are a run of white terraced properties;
• Lack of parking;
• Plot 1 is out of context – divorced from the rest of the development;
• Footpath is not wide enough; and
• Plot 1 built forward of existing building line

Councillor Anna Fradgley:

Objects to the proposal

My previous representation still remains, as the amendments have not satisfied my concerns.
Having the plans in front of me, I am even more concerned (and disgruntled!) that the developer is not listening to what residents, Borough Councillors and Parish Council objections are.

This additional representation is based on these amendments:
1. Plot 1 is completely out of keeping with street scene on Star Lane.
2. The height of plot 1 affects skyline compared to the adjacent cottages.
3. Plot 1 will mean replacing a bungalow with a two storey house – square meterage may not be increased, but cubic volume will be.
4. The amended plans show no changes to the distance between plot 1 and 58 Star Lane, which means the building will affect residential amenity, particularly loss of sunlight and light due to receptions windows within the south gable wall of 58 Star Lane.
5. I am assuming that the height of plot 1 has been reduced, as the plans represent this, however, no amended measurements have been given. Looking at the drawings of the houses, the reduction in height does not satisfy points 1, 2 and 3 above, nor point 4 regarding loss of light.
6. I am still concerned about the junction of the development coming onto a blind bend of Star Lane, despite it being a 20mph zone which is rarely enforced and hardly adhered to. You need to assume that vehicles mostly travel at 30mph here. Residents inform me that near misses and accidents frequently happen at this spot coming from the bridge underpass. Please consider the residents who live on this road, pedestrians and those who travel between the A56 and Warrington Road.
7. I am assuming that the Star Pub have made an agreement with the developer to use part of their land for the footpath (south of the entrance). Should this agreement not be in place or breakdown, then the footpath will not conform to Council requirements. I would like to flag this up in advance of a civil agreement and ask for it to be considered as part of planning permission.

Could I also point out that the Parish Council planning committee does not meet until 13th November and therefore will not have had the opportunity to comment on these amended plans.

Comments received on the amended plans:

I can see that footpaths have been added and this is welcomed.
I can see that an attempt has been made to widen the entrance to the site. However, I do not think that these plans go far enough to address the concerns.

DENSITY OF UNITS: still too high. Plots 3-8 are still not given enough residential amenity. Whilst these are social housing, they should not have any less amenity than standard housing.
PRIVACY - has any attempt been made to ensure these properties do not affect the privacy of no.s 6 & 7 Turnberry Close - as I can not see any changes.
SIZE OF CARRIAGEWAY - is the transport department happy with the size of the carriageway for turning large vehicles?
ENTRANCE TO SITE - Visibility here is still my major concern. I am concerned that this is a blind bend and the positioning of the entrance to the bend. Is visibility sufficient? How does extending the footpath onto the Star Pub land affect planning or is this a civil matter?
PLOT 1 - The property is still in the plan. Whilst an attempt has been made to
move the plot away from 58 Star Lane, it is still too close affecting their right to light in their two main reception rooms. The property is also higher than the rest of the properties along that road and is not in keeping with the design. This will affect the street scene and the skyline - both important material considerations.

My other considerations such as traffic speed, public consultation, ecology and the Star Pub car parking still remain and would like them to be part of this new representation. Please see my previous representation for full details. I also still remain in full support of the development.

Original comments on the scheme:

I would like to submit the following representation to the above planning application.

Firstly, I am in full support of the building of 100% affordable homes on a brownfield site.
This is welcomed by the community in Lymm.

However, there are many limitations to the plan and I would like to highlight them as follows:

**DENSITY OF UNITS**
I am concerned that 17 units are planned for a 0.41 hectare site.
Just because these are affordable houses, does not mean that they should not be squeezed into a plot.
I would consider plots 2 and 9-17 well positioned, with adequate space for each unit.
However, I am concerned about plots 3 to 8, which are not given much space to each unit. I think that one less unit here would allow for space.

**PRIVACY/OVERLOOKING**
Because these are two storey properties, I am concerned about the lack of privacy and the overlooking onto the gardens and property of the bungalows, no. 6 and no. 7 Turnberry Close.
Has provision been made for adequate screening between the site and these properties?

**FOOTPATHS**
I am concerned that there are no footpaths within the site, which forces pedestrians onto the roads (plots 2-17).
This is not acceptable, especially for families with children.

**DUSTCARTS & LONG VEHICLES**
I note the concern of Steven Riley, Transport Development Control, who indicates that there is not enough room for the safe manoeuvre of dust carts and long, rigid vehicles within the carriageway. These vehicles will overrun the carriageway with this site plan and is not acceptable.
STAR PUB CAR PARK
Currently, the pub car park is given access to commercial vehicles for parking. Conditions should be in place that only cars for the Star Pub be allowed on the car park, otherwise, pub car parking will spill out onto the roads and into the new estate.

ENTRANCE TO SITE
This is my major concern.
I note that the existing bungalow of 60 Star Lane will be demolished and replaced with a two storey-house.
1. FOOTPATH WIDTH: I am concerned that there are not the adequate footpath widths of 2 meters either side of the entrance (as per Steven Riley’s representation). This should be rectified.
2. VISIBILITY ENTERING AND EXITING THE SITE: I am also concerned that there is not enough visibility at the entrance to the site – 2.4m x 25m. I feel that plot 1 only congests the site and it would be better not being there.

TRAFFIC SPEEDS
Many residents, in their representations, have requested speed bumps to control the speeds at which cars come down from the canal bridge onto Star Lane. Some have requested yellow lines to maintain visibility. Could the Highways department look at the potential to introduce road calming measures before the introduction of this new site?

ROAD SCENE
Residents of 58 Star Lane, Daisy Pot Cottage, refer to an important material consideration, in that replacing a bungalow with a two-storey house would affect the current street scene. The cottages along Star Lane, historical in their nature, are smaller two storey homes and sit well alongside the existing bungalow. My concern is that the new, larger, two storey house will be overbearing on the current street scene. I would request that Plot 1 be taken out from the site plan. This would enable greater visibility also.

PLOT 1 GABLE WALL
I am concerned that the gable wall to plot 1 is only 6ft away from the side of 58 Star Lane, which have glazed windows to their dining area and study. This would limit sunlight, especially as this side wall is south facing and currently benefits from natural daylight and sunlight.

ECOLOGY
I concur with the ecology representation that there should be no removal of hedges between March and July for the protection of nesting birds. I am highlighting this, as we have had an incidence in Lymm where a whole hedgerow was removed in the month of July on a development site. Also, please could you ensure that the hedgerows at the southern part of the site are maintained and that additional planting is provided to maintain a barrier between the allotments and houses.

PUBLIC CONSULTATION
Many residents have noted how they were not consulted by the developer, having not received the newsletter in May. I am disappointed that nos. 50 to 56 Star Lane and no. 7 Turnberry Close did not receive a consultation newsletter, when they are affected by the immediate boundary. I ask you to consider this when reading the consultation report from Clarion Homes.

In summary, I would ask you to request a revised development layout plan taking into account these material considerations and look at any road calming measures that may be required to safely accommodate the new housing development.

Councillor Ian Marks:

Objects to the application

I understand there have been some further modifications to the plan for this site. They are extremely modest and do virtually nothing to lessen my original objections which still stand.

The following comments have been received following an amended plan consultation:

In addition to my comments below, I would like to reinforce the importance of highway safety which I should have mentioned below. I share the view of residents that access to the site needs to be moved as far away as possible from the Star Inn. This emphasises the need for the house on Plot 1 not to be there.

There are some minor improvements to this revised application. However the comments in my original objection still stand, in particular the unwelcome inclusion of the property on Plot 1.

There is a slight change in its position but the ‘loss of light’ objection by the neighbouring property remains.

Original comments:

The development of this site with affordable housing has my full support. The site is a mess at present and brownfield sites such as this should be priority for development. There must be a risk of vermin if nothing is done and the site continues to deteriorate which is not good given the proximity of Statham School.

However I have a number of concerns and comments mainly associated with the front of the development.

Plot 1

I object to the position of Plot 1 which will replace the existing bungalow which is to be demolished. I fully support the comments you have received from the owner of 58 Star Lane. He is rightly concerned that the proximity of this
property to his dwelling will deprive him of light. I would much prefer this three-bedroom house to be removed from the proposal. I understand the wish of any developer to cram in as many houses as possible but to my mind 17 is one house too many.

At the very least a two-bedroom house should be relocated further away from No 58. I do not understand the purpose of the lay-by next to the plot so surely this could be used as part of a plot?

**Access from Star Lane**
There is great deal of concern from residents about the vehicular access to the new development. Star Lane is a 20mph zone but vehicles disregard this and there is no enforcement. I would like the access to be moved further away from the Star Inn. This would help visibility and allow safer access and exit from the new houses and the Pub car-park. This clearly links in with my comments above about Plot 1.

**Star Inn Car-park**
Related to this application is the proposal for 17 car parking spaces behind the Star Pub. These are to be welcomed but there is concern that many of these places will be taken up by the existing private / commercial storage currently there. As a condition please can it be that 17 places are for pub parking and limited car parking for the landlord / owner / staff at the pub?

**Houses at far end**
There is some concern from residents in Turnberry Close about overlooking and loss of privacy. Please ensure this is not a problem.

**Newsletter from Developer**
The houses in Star Lane and some in Turnberry Close did not receive the newsletter from the Developer that they should have done. I do not know why this was but it is unfortunate because they would have received some useful feedback from the houses affected.

In summary I object to the proposal in its current form but fully support the principle of development on this site.

**Observations**
**Principle of Development**

The Revised National Planning Policy Framework (NPPF) 2018 and policies of relevance within the Local Plan are considered to be the most appropriate framework against which to assess this proposal.

The NPPF is clear in its intention to boost significantly the supply of new housing and emphasises that housing applications should be considered in the context of presumption in favour of sustainable development. The NPPF also requires the effective use of land and states that it is especially important that decisions avoid homes being built at low densities and ensure that development make optimal use of the potential of each site.
The Council cannot demonstrate a 5 year housing land supply and therefore any relevant polices for the supply of housing as contained in the Local Plan Core Strategy are not to be considered up-to-date. Policy CS2 of the LPCS identifies the re-use of previously developed land as a priority and sets a target of 80% of new homes to be delivered on such sites. The site is at least partially previously developed and therefore contributes towards the previously developed land target.

The NPPF provides that where 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 Framework. Local Plan Core Strategy policy CS1 is consistent with this approach.

Paragraph 11 of the NPPF provides guidance on the presumption in favour of sustainable development. The NPPF also makes it clear that 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 and the Local Plan.

The application site is located in Lymm and Lymm is a inset settlement within the Green Belt. Policy CC1 of the Local Plan Core Strategy sets out that redevelopment proposals will be allowed providing they comply with national planning policy and are sustainable in terms of Policy CS 1 of the LPCS.

The site has previously been used for employment use but is not allocated as employment land within the local plan. Paragraph 120 of the NPPF sets out that when the local planning authority considers there is no reasonable prospect of an application coming forward for the use allocated in a plan, that the land should be reallocated to a more deliverable use that can help to address identified needs and in the interim prior to updating the local plan, applications for alternative uses on the land should be supported where the proposed use would contribute to meeting an unmet need for development in the area.

The supporting statement of the application states that the application site has currently been used as an occasional workshop and storage and has largely fallen into a state of disrepair. The site does not currently have a daily commercial use and it does not represent a viable employment proposition on the basis of the current access and required investment to bring the site up to modern standards. The site is also located in close proximity to residential properties with the existing building being located on the shared boundary with 2 residential properties and any noisy use within the building and site could have a detrimental impact on the residential amenity of the surrounding residential properties.

It is considered that the principle of the loss of the unallocated employment site is acceptable and it is not considered that the loss of employment land in this location would be detrimental to the strategic employment land supply in
the borough.

The loss of the employment land in this location is considered to be acceptable, the site is considered to be a sustainable location as there is easy access to services and therefore the principle of the development is acceptable in NPPF and policy terms, subject to other considerations set out in the report.

Affordable housing

The Planning Obligations SPD sets out the approach to seeking planning obligations for the provision of affordable housing, biodiversity, education, flood risk, green infrastructure/open space, pitch sports/recreation, health, local job/employment opportunities and transport/travel infrastructure required as a result of a new development. The only obligation required on this site is affordable housing.

Local Plan Core Strategy (LPCS) policy SN2 seeks to ensure a mix of housing types and tenures to help secure mixed and inclusive neighbourhoods. Further detail is provided in the Planning Obligations Supplementary Planning Document (SPD). This is consistent with the Framework at paragraph 61 which seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

Policy SN2 requires 30% affordable housing provision on this site of which 50% should be affordable for rent and 50% intermediate housing. This application is for 100 percent of the site to be affordable. It is proposed that 2 of the units (12 percent of the site) are to be affordable rent and 15 of the units (88 percent of the site) are to be shared ownership. The scheme is not fully compliant as a policy compliant scheme would provide 3 properties (18 percent of the site) as affordable rent.

<table>
<thead>
<tr>
<th>Policy Compliant Scheme including open market</th>
<th>Policy compliant scheme without open market</th>
<th>Scheme as submitted</th>
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<tbody>
<tr>
<td>Open Market</td>
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<tr>
<td>11</td>
<td>70</td>
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<td>3</td>
<td>15</td>
<td>2</td>
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<tr>
<td>Shared Ownership</td>
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<td>72</td>
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<td>3</td>
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Both the SPD and policy SN2 state that a lower proportion of affordable housing may be permitted and a reduced amount of obligations agreed where it can clearly be demonstrated to the satisfaction of the Council that the development would otherwise not be financially viable, and that the obligations are being maximised.
In line with paragraph 11 of the National Planning Policy Framework, it is therefore necessary to consider whether or not the non-compliance with policy SN2 in terms of not hitting the affordable rent provision on the site, is an adverse impact that would significantly and demonstrably outweigh the benefits.

The site is 100 percent affordable with 88 percent of the site being shared ownership and the remainder being affordable rent. As the development is for one hundred percent affordable housing this would have wider benefits as it would allow a larger number of families to enter the housing market at an affordable level.

The slightly lower than policy required number of affordable rent units has to be weighed against the benefit of the site being delivered for housing. It is considered that the loss of one affordable rent unit is not an adverse impact that would significantly and demonstrably outweigh the benefits of delivering housing on this site when weighed against the number of units being provided as shared ownership.

**Impact on Heritage Assets**
The adjacent building to the application site is a locally listed building. The Star Inn is designated as a locally listed building within the local plan. Policy QE8 states that for a building to be locally listed it should be substantially unaltered and retain the majority of its original features and either:

1. be a good example of a particular local asset type, craftsmanship, architectural quality, style or detailing, or
2. display physical evidence of periods of local economic, technical or social significance, well-known local people or historic events

Policy QE8 states that applications for new development will also be required to take all reasonable steps to retain and incorporate non-statutory protected heritage assets contributing to the quality of the borough’s broader historic environment. A review of whether The Star Inn should continue to be locally listed was undertaken in 2004 and it was decided that the building should continue to be locally listed.

The application does not propose any alterations to the locally listed building and removes the currently dilapidated buildings that are located in close proximity to the building. The design and character of the new dwellings is considered within a different section of the report. Therefore the proposal is considered to comply with the provisions of the NPPF and policy QE8 of the Local Plan Core Strategy.

**Design Considerations**

A key design objective for new housing development is to create a place with a locally inspired or otherwise distinctive character. Policy QE6 of the Warrington Core Strategy states that the Council would only support development which would not lead to an adverse impact on the environment
and would not have an unacceptable impact on the surrounding area. Policy QE7 requires development to reinforce local distinctiveness and enhance the character, appearance and function of the street scene, local area and wider townscape.

One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 127). Chapter 12 of the NPPF states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy CS1 of the Warrington Borough Council Core Strategy identifies the need to deliver high standards of design that have regard to local distinctiveness.

The planning application includes a Design and Access Statement which includes an analysis of the character of the area in terms of built form and includes examples of the existing character of the area. The application site is irregular in form with a number of land uses surrounding the site.

The eastern edge of the site is the existing property at 60 Star Lane which is proposed to be demolished. To the south of this is the mainly three storey locally listed Star Inn (a designated asset of community value) and the allotments. The western boundary of the site is with agricultural fields. To the north of the site there are residential properties with a variety of forms and design.
As can be seen from the above diagram, the property types to the north and east of the site have varying heights and sizes with there being bungalows, detached properties and semi-detached properties in close proximity to the site.

The properties immediately to the north of the entrance to the site are a row of terraced properties with the first two of this row having a lower ridge than the remainder of the row of terraced properties. The properties located to the east of the site are traditional two storey semi-detached properties with front gardens. To the northern boundary of the site there are also two storey detached properties and then bungalows which also sweep round to the west of an element of the site.

The area is characterised by different types of space, building forms and materials. The urban grain is generally consistent to the east of the application site, however, to the north there is no consistency as there are terraced properties, bungalows, semi-detached properties and detached properties.

There is no distinctive architectural style evident in the area as each individual housing type has its own architectural style but there are some common materials / features such as brick and roof materials and the use of render that are fairly wide spread.

A common palette of materials, colours and features similar to that of neighbouring properties has been incorporated into the design of the proposed houses. This provides a coherent integrated appearance and sense of identity to the development while enhancing the character and appearance of the area. The proposed dwellings have been designed to fit into the character of the area as they replicate details from the wider area while
having their own identity as a development.

The existing property at 60 Star Lane is proposed to be demolished as part of the application and a new two storey detached property erected in its place. The existing building is an incongruous feature within the street scene as there are terraced properties to one side which vary in height and a three storey detached building to the other. The replacement building is proposed to be level with the main front elevation of the row of terraced properties to the north (the same as it currently is). The submitted street scene shows the detached property in context with the existing properties, however, the separation distance between the properties is not shown correctly. The proposed property has a ridge line that is lower than the existing Star Inn but higher than the existing property to the north, this variety in ridge height is considered to be in keeping with the character of the area. The design of the property is also considered to fit into the varied street scene.

As the character of the existing area is a variety of different property types, the proposed properties are considered to be in keeping with the character and appearance of the area, preserve the character and appearance of the locally listed building and comply with policies QE6, QE7 and QE8 of the Warrington Core Strategy and the provisions of the NPPF.

**Impact on Residential Amenity**

The National Planning Policy Framework requires that new development should secure a good standard of amenity for all existing and future occupants. Core Strategy Policy CS1 identifies the need to safeguard public amenity, while QE6 identifies that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

The House Extensions Guideline sets out separation distances between properties that are a general rule. These guidelines are that between habitable windows a separation distance of not less than 21 metres should be observed and a distance of 13 metres should be maintained to a blank gable wall. While this application is for a new property, these guidelines are useful to bear in mind when looking at the impact a proposal has on adjacent properties.

The application site has a number of residential properties surrounding it. The application is for 17 properties which are a mixture of detached, semi-detached and terraced properties. Objections have been received in relation to the impact on the residential amenity of neighbouring properties surrounding the site. Due to the irregular nature of the site, a number of the neighbouring properties are located at an angle to the proposed properties or are separated from the application site by neighbouring properties amenity space.

The separation distance between 56 Star Lane and the side elevation of plot 2
of the site is approximately 17 metres with the neighbouring properties to the north, benefiting from a similar separation distance. A number of these neighbouring properties to the north benefit from amenity space that is separated from the main dwelling house. The separation distance between the proposed properties and this amenity space is considered to be acceptable, the proposal is not considered to have an unacceptable impact on their living conditions through overshadowing, overlooking or loss of privacy.

The properties that are close proximity to the site and where objections have been received in relation to the proposal having a detrimental impact on their living conditions are 6, 7 and 8 Turnberry Close and 58 Star Lane and the impact on each of these properties will be taken in turn.

The application includes the demolition of the existing property (dormer bungalow) at 60 Star Lane and it’s replacement with a new detached two storey property. Objections have been received in relation to the proposal having a detrimental impact on the residential amenity of the property to the north (58 Star Lane) through overshadowing and loss of light. The neighbouring property (58 Star Lane) benefits from a number of first floor and ground floor side windows facing towards the application site. The existing boundary treatment separating the properties is a less than 1 metre high. The separation distance between the existing properties is approximately 2.7 metres as 60 Star Lane is located 1.5 from the boundary and 58 Star Lane is located 1.2 metres from the boundary.

The proposed replacement property would be located 2 metres from the shared boundary increasing the separation distance by 0.5 metres. There is no impact on the amenity space located to the rear of 58 Star Lane as the rear of the proposed property is staggered forward of the rear of 60 Star Lane. It is accepted that there may be an impact on the residential amenity of the neighbouring property through overshadowing of the existing side windows. The test is whether there would be an unacceptable impact on the residential amenity of the neighbouring property. The separation distance between the two properties will be over 3 metres and it is considered that due to the orientation of the properties and the separation distance that there would not be an unacceptable impact on the residential amenity of the neighbouring property. The location of the replacement property within the plot would not infringe the 45 degree rule in respect of the adjacent property and would not therefore create a loss of outlook or have an overbearing impact on the amenities of adjacent residents in their private garden space.

The existing building on the site is to be demolished and it is located in close proximity to the common boundary with 6 and 7 Turnberry Close and both of these properties are bungalows. The issue of the current building containing asbestos has been raised during the consultation process. While this is not a planning consideration in relation to this application, building regulations would require this to be investigated as part of the permission to remove the building and any asbestos located within the ground would be covered by the proposed contaminated land condition, there can also be an appropriately worded informative added to the permission raising that asbestos may be an
issue.

6 Turnberry Close is orientated away from the shared boundary of the site which means that the front of the property is closer to the shared boundary than the rear of the property. The proposed separation distance between the rear of plot 8 and the side elevation of 6 Turnberry Close starts at 12.4 metres, plot 7 starts at 12.8 and plot 6 starts at 13.2 metres. While the proposed separation distance is less than the guidance referenced in the house extension SPD the removal of the existing building which is located in close proximity to the shared boundary must be taken into account. There are no existing side windows on this elevation of the neighbouring property and in this instance the separation distance is considered to be acceptable as the proposal is not considered to create a loss of outlook or privacy or result in overshadowing or have an overbearing impact on the amenities of adjacent residents in their private garden space. A condition requiring the details of all boundary treatments can also be added to the permission as no details of this have been provided.

The proposed separation distance between 7 Turnberry Close and the side elevation of plot 8 is approximately 2.6 metres. The amenity space serving 7 Turnberry Close is located to the rear of the property. Due to the location of the proposed windows the amenity space serving the neighbouring property would be at an oblique angle so there would be no overlooking or loss of privacy. There may be an element of overshadowing from plot 8, however, this would be an improvement on the current overshadowing from the existing building as the existing building extends the full length of the common boundary. The location of the building within the plot would not infringe the 45 degree rule in respect of adjacent properties and would not therefore create a loss of outlook or have an overbearing impact on the amenities of adjacent residents in their private garden space.

The proposed separation distance between 8 Turnberry and plot 9 is over 16 metres with the properties being located parallel to one another. The proposal does not include any side windows so there is no overlooking of the neighbouring property. The location of the building within the plot would not infringe the 45 degree rule in respect of adjacent properties and would not therefore create a loss of outlook or result in overshadowing or have an overbearing impact on the amenities of adjacent residents in their private garden space.

The application site has a public house located to the eastern corner. The application has been submitted with an acoustic report and this information has been assessed by the Environmental Protection Team. The acoustic report recommends that acoustic fencing be included around a number of the properties. With the proposed conditions, the residential amenity of the future occupiers of the properties is considered to be preserved in relation to noise.

The proposal is not considered to have an unacceptable detrimental impact on the amenity of the neighbouring properties through overshadowing,
overlooking and loss of privacy as the properties are located a distance away from the existing residential properties.

In relation to the residential amenity of the future occupiers of the properties, the properties have been designed so that there is adequate separation distances between the habitable windows of the properties and amenity space separating the properties.

It is acknowledged that the proposed properties are the maximum for the redevelopment of the site. If approval is granted for this site, officers would want to ensure that no further development took place on the site without appropriate controls. A planning condition would be recommended to remove all permitted development rights across the site.

It is considered that that the proposal would not have an unacceptable impact on the residential amenity of neighbouring residential properties and that with the proposed conditions the living conditions of the future occupiers of the site are preserved. Therefore the proposal is considered to comply with policy QE6 of the Local Plan and the provisions of the NPPF.

Highways

The application has been amended during its process to address concerns raised by the highways officer in relation to connectivity in relationship to footpaths, visibility and access. Traditionally front boundary treatments are 1 metre in height and this height is not considered acceptable as it restricts the visibility of drivers entering and existing driveways and at junctions, therefore a condition is recommended to add to any permission removing the permitted development rights for front boundary treatments to go above 0.6 metres. In relation to the visibility for the access to the site, Star Lane is subject to a 20 mph speed limit and therefore a visibility splay of 2.4 metres by 25 metres on both sides of the junction is required. The amended proposals demonstrate that this can occur.

The proposed scheme relies on a single vehicular access which will serve the existing public house and the 17 properties as the proposed parking for the unit fronting Star Lane is served from the proposed access.

All units have sufficient parking within the curtilage. Generally the carriageway is 5.5 metres in width which allows for parking on one side of straight sections only. Adequate pedestrian access is provided to each of the proposed unit in addition to access to the rear gardens for bin storage and cycle parking provision.

With the proposed conditions, the parking and access arrangements are deemed to be acceptable and therefore it is not considered that the proposal would raise any significant issues from a highway safety perspective. The proposed development is therefore considered to be in accordance with policies CS1, QE6, MP1 and MP7 of the Warrington Borough Council Core Strategy.
Other Issues

The proposed plans also show alterations to the public house car park, however, these alterations are outside the application site. The alterations to the access of the public house are subject to this application but the relining of the existing car parking is not. However, the highways officer has commented on these proposals and has stated:

_In regards to parking for the retained Public House, the Councils Parking Standards require 1 space per 7sqm of public floor area for the A4 (Drinking Establishment) use class. This equates to the requirement for 13 spaces as the Public House has a public floor area of approximately 88sqm. The application proposes to reconfigure the car park to accommodate 16 spaces. This level of provision is acceptable to the Local Highway Authority._

The scheme gives opportunities for the employment of local people through the build process and for the use of local businesses for materials. This fits with the vision of improved employment and success of the authority.

The existing hedgerow to the south and west of the site is proposed to remain and a condition can be added to any permission requiring the retention of this hedgerow and the trees identified as retained on the plans.

The issue of speeding has been raised through a number of the submitted representations in relation to this planning case. It is apparent that speeding is already an issue and therefore measures cannot be required as a condition of this planning permission as they would not meet the tests required of planning conditions that the issue to be resolved must be as a result of the planning application to be determined.

Star Inn is a designated asset of Community Value and is outside the application site. The proposal does not alter the amount of parking provided on the site or the size of the beer garden associated with the site. The proposal is therefore considered to preserve the asset of Community Value and complies with policy SN6 of the Local Plan and the provisions of the NPPF.

Summary

It is considered that the proposal is acceptable in principle. It is considered that the proposal would not result in any significant harm to the amenities of nearby properties through overlooking, loss of privacy, overshadowing, sunlight, daylight, noise and disturbance. As such the proposal is considered to be consistent with the objectives of the NPPF and complies with policies set out in the Local Plan Core Strategy.

Recommendation

Approve subject to conditions
Conditions

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following documents:

   (a) The planning application forms, design and access statement, ecology report, arboricultural report and additional information received by Warrington Borough Council on 01/08/2018;
   (b) Submitted drawing number 3008_200 Revision B - 3 bed house type plans and elevations received 03/10/2018;
   (c) Submitted drawing numbers 3008_001 Rev H - Proposed Site Plan; 3008_003 Rev C - Proposed Street Elevations; and 3008_300 - Plot one plans and elevations received on 19/10/2018.

Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.

3. None of the buildings hereby approved shall go above ground level until written and photographic details of the external roofing and facing materials (including manufacturer’s details) shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples.

Reason: In order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with our without modification) prior to the erection of any boundary treatments, details of the position, type and height of all fences and walls to be erected on the site shall be submitted to the local planning authority for approval. The development shall thereafter accord with approved details.

Reason: No details of fences and walls have been submitted with the application and In order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order...
revoking and re-enacting that Order with or without modification): (i) no external alterations shall be carried out to the dwelling(s) (ii) no extensions shall be carried out to the dwelling(s) (iii) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (iv) no vehicle standing space or hardstanding shall be provided within the curtilage of the dwelling(s) (v) no gates, walls, fences or other structures shall be erected along any boundary to the curtilage of the dwelling(s) (vi) no means of vehicular access shall be constructed to the curtilage of the dwelling(s) (vii) no windows or dormer windows shall be added to the dwellings other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy.

6. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy and the Warrington SPD: Design and Construction (2010).

7. The parking provision shown on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that order) no building works which would reduce this provision shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that off-street parking is maintained for the safe, efficient and convenient movement of all highway users and to comply with Policy QE6 of the Warrington Core Strategy and Warrington SPD: Standards for Parking in new Development.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) there shall not at any time in connection with the development hereby permitted be erected or planted or allowed to remain upon the land identified as visibility splays on the approved plan any building, wall, fence, hedge, tree, shrub or other device higher than 0.6 metres above the carriageway.
Reason: To ensure adequate visibility at the site and to comply with Policy QE6 of the Warrington Core Strategy

9. None of the existing trees or shrubs within the site shall be lopped, topped, felled, uprooted or willfully damaged or destroyed without the prior written consent of the local planning authority.

Reason: The existing trees and shrubs represent an important visual amenity which the local planning authority considers should be maintained, and in order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

10. This permission does not grant or imply consent for the felling of any trees on the site with the exception of the trees identified as being removed on the approved plan.

Reason: For the avoidance of doubt as there are a number of trees within the site covered by Tree Preservation Orders, and in order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

11. During the first planting season following the completion of the development hereby approved the landscaping details as indicated on the approved plans shall be carried out to the satisfaction of the local planning authority. Any trees, plants or shrubs so planted which die or are felled, uprooted, willfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality, and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

12. All trees to be retained on site shall be protected in accordance with the information contained within the submitted Arboricultural Report to BS 5837:2012 at Star Lane, Lymm produced by JCA Limited - Arboricultural and Ecological Consultants. The development shall not commence unless these measures are in place and all measures required shall continue until the development has been completed.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity, and in order to comply Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

13. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and July inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

Reason: In order to avoid adverse impacts on nesting birds and to
14. Prior to any foundation works, details of a surface water drainage scheme that has been designed to prevent the discharge of water on to the public highway shall be submitted to and approved in writing by the Council as Local Planning Authority. Works shall be carried out in accordance with the approved details.

**Reason:** To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

15. No dwelling shall be occupied until the means of pedestrian and vehicular access has been constructed in accordance with the approved plans.

**Reason:** To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

16. Before the development hereby approved becomes operative, the highway frontage of each plot shall be reduced to and permanently maintained thereafter at a height not greater than 0.6 metres.

**Reason:** To ensure adequate visibility for the drivers of vehicles entering and leaving the site.

17. Prior to the first occupation of each unit scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

**Reason:** To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

18. No part of the development shall be brought into use until visibility splays of 2.4 metres by 25 metres have been provided at the proposed junction with Star Lane. The splays shall be provided clear of obstruction to visibility exceeding 600mm in height above footway/verge level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

**Reason:** To ensure adequate visibility at the site access in the interests of highway safety.
19. Foul and surface water shall be drained on separate systems.

   Reason: To secure proper drainage and to manage the risk of flooding and pollution.

20. Prior to any foundation works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

   The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

   The development shall be completed in accordance with the approved details.

   Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.


   No development (other than demolition and site clearance works) shall take place until the steps in Sections A and B below are undertaken:

   A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in terms of potential risk to sensitive receptors:
   • Preliminary Risk Assessment (PRA or Desk Study)
   • Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive Site Investigation
   • Detailed Quantitative Risk Assessment (DQRA)
   • Remedial Options Appraisal

   Completing a PRA is the minimum requirement. DQRA should only to be submitted if GQRA findings require it.

   B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.
The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014) and the provisions of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013). Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

22. Contaminated Land Condition: Completion
The development shall not be taken into use until the following requirements have been met and required information submitted to and approved by the Local Planning Authority (LPA):

A: REMEDIATION & VERIFICATION: Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the LPA for approval.

B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.

C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details.

The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human
health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014) and the provisions of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013). Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

23. Construction Environmental Management Plan (CEMP)
Prior to the commencement of any works on site, the developer shall provide in writing a Construction Environmental Management Plan (CEMP) to the LPA for written approval. The CEMP shall review all construction operations proposed on site and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary:
- Proposed locations of Site Compound Areas,
- Proposed Routing of deliveries to Site Compounds or deliveries direct to site,
- Proposed delivery hours to site,
- Proposed Construction Hours,
- Acoustic mitigation measures,
- Control of Dust and Air Quality on site and consideration for joining a Considerate Contractors Scheme.

The CEMP shall consider in each case issues relating to construction and demolition - noise, dust, odour, control of waste materials and vibration - where not detailed in a separate condition. Once approved in writing, all identified measures within the CEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis.

Any changes to the identified CEMP mitigation measures shall be forwarded to the Local Planning Authority as part of a new discharge of conditions application.

Reason: To prevent an increase in background noise levels and protects the amenity of any residents and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014) and the provisions of the National Planning Policy Framework (March 2012); and Sections 3 and 6 of the Environmental Protection Supplementary Planning Document (May 2013)

24. Acoustic Mitigation – Acoustic Fences
Prior to the first occupation of any individual dwelling, acoustic fences shall be erected in accordance with paragraphs 5.2 to 5.4 and Figure 2 of the Agility Acoustics Ltd titled Proposed Residential Development, Land off Star Lane, Lymm, Reference AA17-1103-R01v1. Once
installed, the acoustic fences shall be retained and maintained thereafter.

Reason: to protect residential amenity from adverse impacts arising from commercial noise and road traffic noise in accordance with Policy QE6 of the Adopted Local Plan Core Strategy and the provisions of the National Planning Policy Framework.

25. Acoustic Mitigation – Glazing Specifications
Prior to the first occupation of any individual dwelling, acoustic glazing shall be installed in accordance with paragraphs 5.6 to 5.7, Figure 3 and tables 3 and 8 of the Agility Acoustics Ltd titled Proposed Residential Development, Land off Star Lane, Lymm, Reference AA17-1103-R01v1. The proposed glazing specifications shall be notified in writing to the Local Planning Authority. Once installed, the acoustic glazing shall be retained and maintained thereafter.

Reason: to protect residential amenity from adverse impacts arising from commercial noise and road traffic noise in accordance with Policy QE6 of the Adopted Local Plan Core Strategy and the provisions of the National Planning Policy Framework.

26. Acoustic Mitigation – Ventilation Strategy
Prior to the first occupation of any dwelling on site, definitive acoustic ventilation proposals in accordance with the recommendations of paragraphs 5.6 to 5.7, Figure 3 and tables 3 and 8 of the Agility Acoustics Ltd titled Proposed Residential Development, Land off Star Lane, Lymm, Reference AA17-1103-R01v1, shall be submitted to the Local Planning Authority for written approval. Once approved, the agreed ventilation mitigation measures shall be installed prior to first occupation of any affected dwelling and shall be retained and maintained thereafter.

Reason: to protect residential amenity from adverse impacts arising from commercial noise and road traffic noise in accordance with Policy QE6 of the Adopted Local Plan Core Strategy and to comply with the provisions of the National Planning Policy Framework.

27. Prior to the first occupation of the first unit a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
1. the numbers, type, tenure and location on the site of the 2 affordable rent units and the location of the shared ownership units;
2. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
3. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order that the proposal accords with Policy SN2 of the Warrington Core Strategy and the National Planning Policy Framework.
Appendix One – Proposed Site Layout Plan

Appendix Two – Proposed Elevations
Appendix Three: Proposed Street scene to Star Lane
DEVELOPMENT CONTROL COMMITTEE DATE 07-Nov-2018

ITEM 6

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/33277</th>
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<tr>
<td>Location:</td>
<td>Hereford House, Porch House Farm, Runcorn Road, Walton, Warrington, WA4 6TW</td>
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<tr>
<td>Ward:</td>
<td>Appleton</td>
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<tr>
<td>Development</td>
<td>Householder - Proposed single story extension to rear elevation.</td>
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<tr>
<td>Date Registered:</td>
<td>10-Aug-2018</td>
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<tr>
<td>Applicant:</td>
<td>Mr Harris</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>04-Oct-2018</td>
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Reason for Referral

This application has been referred to Planning Committee as the applicant’s wife is a Councillor at Warrington Borough Council.

Human Rights

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-
Article 8 - The right to respect for private and family life, home and correspondence.
Article 1 of Protocol 1 - The right of peaceful enjoyment of possessions and protection of property.

Site

The property forms part of a former agricultural building which has been converted into 4no. dwellings. Hereford House, has similar design and identical building materials to the surrounding properties. The property already has a single storey rear extension constructed under planning reference 2005/06881.

The dwelling is located within the Green Belt.
An outline of the site location and photograph of the existing dwelling can be found below in the appendix.
Description of Proposal

The application proposes a single story extension to rear elevation to accommodate a sun longue and utility room. Existing sun lounge will remain, with changes to the fenestration and additional utility room added. Proposal to expand beyond the existing rear elevation by 3.4m and have a total area of ~29.1sqm (Inclusive of existing sun lounge). Development to have a width of ~2.4m and a height of ~4m to the ridge. Proposed plans, with the development highlighted can be found below in the appendix.

Relevant Planning History

2005/06881 - Proposed rear extension - Approved 28th November, 2005

2003/00479 - Erection of 5 entrance porches incorporating refuse bin storage. Approved with conditions 4th July 2003

A00/40846 – Detached garage – Approved with conditions 27th April 2000

99/40663 - Conversion of former agricultural building to 4 dwelling units and building of one new dwelling. – Approved April 2000.

99/39103 - Proposed alternative access and drive for previously approved barn conversion. Approved with conditions 26th February 1999


97/37041 - Proposed change of use from agricultural buildings to 3 x residential dwellings. Approved with conditions 17th April 1998

Planning Policies

Development Plan Policy

Local Plan Core Strategy - Policy QE6 – Environment and amenity protection
Local Plan Core Strategy - Policy QE7 – Ensuring a high quality place
Local Plan Core Strategy – Policy CC1 – Inset and Green Belt settlements

Other material considerations

Supplementary Planning Document – Standards for Parking in New Development (March 2015)

National Planning Practice Guidance
Notification Responses

None received

Consultation Responses

Walton Parish Council – No comments received to date.

Ward Councillors – No comments received to date.

Observations

Green Belt

The development is located within the Green Belt. Policy CS5 of the Core Strategy states that development proposals within the Green Belt will be approved where they accord with the relevant national policy. Paragraph 133 of the NPPF states that ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence’. Paragraph 144 continues that ‘when considering any planning application, local planning authorities should ensure that substantial weight should be given to the harm to the Green Belt’.

Section G of SPG2 sets out the Council’s guidance on domestic extensions in the Green Belt and advises that development that is detrimental to the visual amenities of the Green Belt by reason of its siting, materials or design will not be permitted. As a guideline the Council generally considers that an increase in floorspace of more than a third added to the original dwelling within the Green Belt would be disproportionate.

Green belt Calculations

<table>
<thead>
<tr>
<th>Original Floorspace</th>
<th>Sq. Meters</th>
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<tbody>
<tr>
<td>Ground Floor</td>
<td>102.9</td>
</tr>
<tr>
<td>First Floor</td>
<td>102.9</td>
</tr>
<tr>
<td>Garage</td>
<td>30</td>
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<tr>
<td>Total</td>
<td>235.8</td>
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<table>
<thead>
<tr>
<th>Additions</th>
<th>Sq. Meters</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/06681</td>
<td>20.06</td>
</tr>
<tr>
<td>2018/33277</td>
<td>8.5</td>
</tr>
<tr>
<td>Total Increase</td>
<td>29.1</td>
</tr>
<tr>
<td>% Increase</td>
<td>12.3%</td>
</tr>
</tbody>
</table>

The applicant property is part of a former agricultural building which has been converted into 4 dwellings. The resulting layout means the applicant’s garage is sited away from the parent dwelling. Considering that the garage still forms part of the same complex and comes under the applicant’s ownership, it has been included within floorspace
calculations.
As illustrated above the original floorspace of the dwelling upon construction equates to 235.8sqm.
Proposed Floor Space equates to ~29.1sqm (inclusive of 20.06sqm extended under planning reference 2005/06681)
This therefore represents an approximate cumulative increase of 12.3% which is below the 33 % guidance which is normally acceptable within a Green Belt area.
Furthermore due to the extensions siting to the rear of the dwelling, combined with screening from surrounding buildings the proposal would fail to have an adverse impact upon the openness of the surrounding Green Belt area.
The development represents a proportionate addition to the original dwelling and is considered acceptable in accordance with CS5, the guidance contained within SPG2 and paragraphs 133 & 144 of the NPPF.

Impact on the character of the area

In relation to matters of design, policy QE7 of the Local Plan Core Strategy states that development must:-
Reinforce local distinctiveness and enhance the character, appearance and function of the streetscene, local area and wider townscape; and
Harmonise with the scale, proportions and materials of adjacent and / or existing buildings.
SPG2 on house extensions part C recommends that rear extensions should not over dominate the parent property. The extension should be proportionate to the dwelling in size and should not occupy a disproportionate amount of the garden space. The development proposed is a modest addition, taking into account the already existing sun lounge. It therefore would not over dominate the host property and it is proportionate to the dwelling in size.
The proposal will also match the existing building materials (a condition will be put in place to ensure this), therefore will harmonise with the existing character of the host dwelling.
Furthermore sufficient amenity /garden space will remain. The development is located to the rear of the property and as such will not be visible from the public realm.
The proposal therefore complies with policy QE7 of the Local Core Strategy and subsequent guidance given within SPG2.

Impact on the amenity of neighbours

In relation to matters of amenity protection Policy QE6 of the Local Plan Core Strategy states that development must:-
Respect the living conditions of existing neighbouring residential; occupiers and future occupiers in relation to overlooking / loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.
SPG 2 provides guidance on privacy/separation distances for habitable room windows. 21m is considered the minimum to ensure no loss of amenity for neighbouring and resident occupiers for facing habitable room windows.