To: Members of the Development Management Committee

Councillors: Chair – T McCarthy
Deputy Chair – J Grime
G Friend, D Keane, P Carey,
S Wright, C Mitchell, J Flaherty, J Wheeler,
B Barr, B Maher and Vacancy.

22 March 2018

Development Management Committee

Wednesday, 4 April 2018, 6.30pm

Venue – Council Chamber, Town Hall, Sankey Street, Warrington, WA1 1UH

Agenda prepared by Julie Pickles, Democratic and Member Services Officer – Telephone: (01925) 443212 E-mail: jpickles@warrington.gov.uk

A G E N D A

Part 1

Items during the consideration of which the meeting is expected to be open to members of the public (including the press) subject to any statutory right of exclusion.

Item
1. Apologies for Absence

To record any apologies received.

2. Code of Conduct - Declarations of Interest
   Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

   Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.
3. **Minutes**

To confirm the minutes of the meeting held on 14 March 2018 as a correct record.

4. **Planning Applications (Main Plans List)**  


**Attached as a separate document**

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**Part 2**

Items of a “confidential or other special nature” during which it is likely that the meeting will not be open to the public and press as there would be a disclosure of exempt information as defined in Section 100I of the Local Government Act 1972.

Nil
DEVELOPMENT MANAGEMENT COMMITTEE

14 March 2018

Present: Councillor T McCarthy (Chairman)
Councillors J Grime (Deputy) P Carey, G Friend, J Flaherty, D Keane,
B Maher, C Mitchell, J Wheeler, B Barr and S Wright.

DM125 Apologies for Absence

No apologies for absence were received.

DM126 Code of Conduct – Declarations of Interest

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Minute</th>
<th>Reason</th>
<th>Action</th>
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</thead>
<tbody>
<tr>
<td>T McCarthy</td>
<td>DM128</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
</tr>
<tr>
<td>T McCarthy</td>
<td>DM129</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
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<tr>
<td>J Wheeler</td>
<td>DM130</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
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<tr>
<td>J Grime</td>
<td>DM131</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
</tr>
<tr>
<td>J Wheeler</td>
<td>DM133</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
</tr>
<tr>
<td>G Friend</td>
<td>DM134</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application, remained and took part in the meeting.</td>
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<tr>
<td>B Barr</td>
<td>DM135</td>
<td>Ward councillor for the area.</td>
<td>No involvement in the application,</td>
</tr>
</tbody>
</table>
DM126 Minutes

Resolved,

That the minutes of the meeting held on 10 January 2018 were agreed as a correct record and signed by the Chairman.

DM127 Planning Applications

Resolved,

That Pursuant to the Town and Country Planning Act 1990 (As Amended) the applications for permission to develop land be considered and dealt with in the manner agreed.

DM128 2017/30003 – Holly Bank Caravan Park, Manchester Road, Warrington, WA3 6HU - Proposed retention of use of land for siting touring caravan pitches

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

A site visit took place on 9 March 2018.

Councillors noted the contents of the update report.

Representations were heard both in support of and against the application.

Resolved,

That application 2017/30003 be approved as per the officer recommendation.

DM129 2017/30018 – Holly Bank Caravan Park, Warburton Bridge Road, Warrington, WA3 6HL - Application for removal of Condition 3 (relates to a towing caravan site only and shall not be used for permanent residential caravans or for caravans staying for longer than 28 days) in order to lift the restriction on maximum length of individual stays following Planning Approval 78/5983 and Planning Approval 83/14404

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

A site visit took place on 9 March 2018.
Councillors noted the contents of the update report.

Representations were heard both in support of and against the application.

Resolved,

That application 2017/30018 be deferred for further information.

DM130 2017/31289 – 149, Chester Road, Warrington, WA4 6TE - Listed Building - Proposed repairs to wall, resetting of sandstone corbel

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

Resolved,

That application 2017/31289 be approved as per the officer recommendation.

DM131 2017/31771 – 104, Wellfield Road, Culcheth And Glazebury, Warrington, WA3 4BT
Proposed single storey rear extension & loft conversion with cabrio balcony window to the rear

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

Resolved,

That application 2017/31771 be approved as per the officer recommendation.

DM132 2018/31866 – 26, Massey Brook Lane, Lymm, Warrington, WA13 0PN - Proposed removal of existing side garage, single storey side and rear extension and 1 1/2 storey rear extension with new front dormer window to existing bedroom in roof with associated alterations (Resubmission of 2017/31019)

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

Representations were heard both in support of and against the application.

Resolved,

That application 2018/31866 be approved as per the officer recommendation.
Agenda Item 3

DM133 2018/31883 Stockton Heath Lawn Tennis Club, Delphfields Road, Appleton, Warrington, WA4 5BY - Proposed installation of floodlighting to five existing tennis courts, replacement of two shale courts with an astro turf surface and renewal of perimeter fencing to tennis courts with an increase in height on Delphfi

delds Road frontage

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

A site visit took place on 9 March 2018.

Councillors noted the contents of the update report.

Representations were heard both in support of and against the application.

Resolved,

That application 2018/31883 be refused on the grounds of residential amenity.

DM134 2018/32006 – 16, Stromness Close, Poulton-With-Fearnhead, Warrington, WA2 0TF - Proposed single storey extension to the side of property

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

Resolved,

That application 2018/32006 be approved as per the officer recommendation.

DM135 2017/31816 - Land at, Tanyard Farm, Rushgreen Road, Lymm, Warrington, WA13 9PR - Proposed demolition of all existing structures and remediation of the site and the erection of a residential development comprising 64 dwellings with an ecological enhancement area, landscaping, open space, access from Rushgreen Road, car parking and associated infrastructure

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

A site visit took place on 9 March 2018.

Councillors noted the contents of the update report.

Representations were heard both in support of and against the application.
Resolved,

That application 2017/31816 be refused due to lack of very special circumstances to outweigh harm to Green Belt.

**DM136 Revised Development Management Committee Arrangements for 2018/2019 (Pilot Scheme)**

The Committee considered a report of the Executive Director Economic Regeneration, Growth and Environment, which set out a revised meeting schedule in relation to the Development Management Committee and a revised referral process.

It was reported that the Development Management Service has been subject to an ongoing transformation plan since August 2017, which had covered a number of key areas including resource prioritisation, process, software systems, customer interactions, and communications. A further area that was identified was the way in which Development Management Committee was serviced, this work was ongoing. Key drivers for the overall transformation programme had been that more effective and efficient use of resources, and delivering services that are sustainable and fit for purpose.

It was noted that servicing the Development Management Committee was a key function for the Development Management Service, supported by Legal and Democratic Services. Each Committee had a significant financial cost, including paper copying, accommodation provision, and officer time. Development Management Committee operated on a 3 week cycle, with Committee taking place on a Wednesday, and a reserve day (the Thursday in the cycle) in case of an excessive number of applications, or a very major issue, needing to be considered.

Performance across the service in terms of speed of decision making and decisions within agreed time periods would be monitored as part of the statutory returns every quarter.

It was reported that there was a potential that the size of agendas for Development Management Committee meetings would increase as a result of this change. It was suggested therefore that further consideration be given to the referral process for applications that have to be brought to Committee as a result of Parish Council objections as well as Council related applications, and a further report on these issues is provided to a future meeting.

Resolved,

That the Development Management Committee;
(1) Agrees in principle of having a single committee and removes the reserved Thursday meeting from the cycle and the Civic Diary,
(2) Agrees in principle to a reduced frequency of meetings to every 4 weeks or to meet on the same Wednesday of each month for a pilot period of 1 year,
(3) Recommends that decisions 1 and 2 above be forwarded to the Constitution Sub-Committee for their consideration and recommendation to Full Council and,
(4) That further consideration be given to the Development Management Committee planning application referral process.

Signed...............................

Dated...............................
## DEVELOPMENT MANAGEMENT COMMITTEE

**Wednesday 4th April 2018**

**Start 18:30**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
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</table>
| 1    | 3    | 2017/30018 | Holly Bank Caravan Park, Warburton Bridge Road, Rixton-With-Glazebrook, Warrington, WA3 6HL  
Variation of Conditions - Application for removal of Condition 3 (relates to a towing caravan site only and shall not be used for permanent residential caravans or for caravans staying for longer than 28 days) in order to lift the restriction on maximum length of individual stays following Planning Approval 78/5983 and Planning Approval 83/14404. | Approve         |
| 2    | 14   | 2017/31518 | 71 Whitbarrow Ropad, Lymm, Warrington, WA13 9AY  
Full Planning - Proposed construction of new dwelling on land to rear of 71 Whitbarrow Road                                                                                                      | Approve         |
| 3    | 33   | 2018/31946 | Land opposite 24 Bank Street, Glazebrook, Warrington, WA3 5BW  
Change of Use - Retrospective application for use of land as hardstanding to accommodate parking and provide a safe boarding area for school bus transport collection   | Refuse          |
4  42  2018/32045  Birchwood Community High School, Brock Road, Birchwood, Warrington, WA3 7PT
Full Planning - Proposed replacement of existing artificial sports pitch with new 3G pitch, new 15 metre high floodlights, 4.5 metre high fencing and steel storage container

Approve

5  54  2018/32302  Children’s Zoo, Walton Hall Gardens, Walton Lea Road, Walton, Warrington, WA4 6SN
Full Planning - Proposed installation of two CCTV cameras (within 10m of each other) onto the zoo toilet block within Walton Estate and gardens.

Approve
Application Number: 2017/30018

Location: Holly Bank Caravan Park, Warburton Bridge Road, Rixton-With-Glazebrook, Warrington, WA3 6HL

Ward: Rixton and Woolston

Development
Variation of Conditions - Application for removal of Condition 3 (relates to a towing caravan site only and shall not be used for permanent residential caravans or for caravans staying for longer than 28 days) in order to lift the restriction on maximum length of individual stays following Planning Approval 78/5983 and Planning Approval 83/14404.

Date Registered: 06-Apr-2017

Applicant: Fury Developments Ltd

8/13/16 Week Expiry Date: 31-May-2017

Reason for Referral to Committee
This planning application was previously reported to the Development Management Committee on the 14th March as the Parish Council have objected to this planning application and have requested that the application is considered by the Development Management Committee. At the 14th March DMC meeting the application was deferred for further information.

At the present time, the Council are not in receipt of a planning application for the use of the land, (the subject of this application), for permanent residential use.

If the applicant wished to obtain written confirmation that the existing use of the land is lawful despite being in breach of a planning condition then Fury Developments could make applications for Lawful Development Certificates for each of the caravan pitches on the basis that the permanent residential use has been carried on continuously for a period of 10 years and the evidence submitted would be assessed by the Council.

The issue of a Certificate depends on the factual evidence about the history and planning status of the site. The planning merits of the use, would not be
relevant. It is the responsibility of the applicant to provide evidence to support each application.

The Local Planning Authority is not currently in receipt of any applications for Lawful Development Certificates for any of the caravan pitches on the site. Matters relating to the welfare of existing occupants of caravans are dealt with under separate legislation and are not relevant to the consideration of the current planning application.

**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 Proposals**

Permission is sought for the variation of condition 3 on planning applications 78/5983 and 83/14404 which allowed the site to be used for touring caravans only and not for use for permanent caravans or for caravans staying longer than 28 days.

The applicant is seeking to revise the conditions to allow for a longer length of occupancy but to maintain the restriction to holiday occupancy only.

The application site relates to a parcel of land within the existing caravan site which is located within the Green Belt as identified by the Local Plan Core Strategy Proposals Map. The site contains areas of hardstanding and areas of grassed land on which the caravans are sited. The wider site contains the original farmhouse, which is locally listed and other buildings and pitches for touring vans and an area for caravan storage. The site is accessed of Warburton Road.

The parcel of land to which this application relates, is located on the southern side of the site, with Marsh Brook on the eastern boundary and agricultural fields.

**Planning History**

Numerous applications have been submitted over a period of years. The most relevant to this application are;

**78/5983** - Use of land for 30 van touring caravan site and provision of a communal toilet. Approved subject to conditions.

Condition 3- 'The permission hereby granted shall relate to a touring caravan
site only and shall not be for permanent caravans or for caravans staying longer than 28 days. Reason: To prevent the establishment of a permanent caravan site in the Green Belt.

83/14404 - Change of use from agricultural grazing land to touring caravan park (30) and from temporary to permanent use as a small tent area. Approved subject to conditions.
Condition 2 – The proposed extension to the caravan site shall be limited to the areas shown red on the submitted plan and shall accommodate not more than 30 caravans.
Condition 3 – The permission hereby granted relates to a towing caravan site only and shall not be used for permanent residential caravans or for caravans staying longer than 28 days. Reason: To prevent the establishment of a permanent caravan site in the Green Belt.

86/18226 - Full application for conversion of existing brick building into restaurant and demolition of existing wooden outbuilding for replacement with 5 static caravans. Approved subject to conditions.
Condition 2 – The proposed restaurant shall be ancillary to the main use of the site for touring caravans and shall at no time be used independently thereto. Reason: To prevent the establishment of an independent restaurant in the Green Belt.
Condition 5 – The static caravans shall be screened by suitable fencing or hedgerow in accordance with a scheme to be first submitted and approved by the LPA. Reason: In the interests of visual amenity
Condition 7 – The exact siting and type of caravan shall be submitted to and approved by the LPA. Reason: In the interest of visual amenity.

Planning permission was granted subject to a Section 52 Agreement [now known as a Section 106 Agreement] which;
- restricted the operation of the restaurant to the period between Good Friday and the 31st October each year.
- the static caravans could not be hired out other than the period between Good Friday and 31st October each year,
- the static caravans would not be hired out to any person or family for a period in excess of 28 days.

88/22697 – Temporary use for storage of caravans for 2 years. Approved with conditions.
Condition 4 – This consent shall be for a limited period of 2 years from the date on or before which date, the caravan storage use shall cease unless a renewal has first been obtained from the LPA. Reason: To enable the LPA to assess the visual impact of the storage use on this Green Belt site.

90/26084 – Extension of touring caravan/tent space, conversion of stables to self- catering holiday units relocation of caravan storage areas inc.cafe/info centre into facilities block conversion farmhouse to b&b accommodation extension of car park conversion of outbuildings to self- catering holiday flats
and planting of new woodland. Approved subject to conditions.

The conditions required that the shop, restaurant and other services were for the benefit of the sites residents only and not for general use by the public and the submission and implementation of a landscaping scheme.

**2005/07316** – Proposed construction of car park access way and hard standing for caravans. Refused- The development would cause harm to the openness and character of the Green Belt.

**2016/28511**- Conversion of building to 9 bedsits. Approved subject to conditions.

**2017/29452** – Certificate of Lawfulness for caravan storage for up to 50 caravans. Approved.

**2017/30003** – Retention of the use of land for siting touring caravan pitches. **Approved with conditions.**

**2017/30184** – Retrospective planning permission to retain a twin unit caravan for warden’s accommodation and siting of additional static unit [lodge]. **Withdrawn.**

**2017/31610** – Retrospective planning permission to retain a lodge unit on site for use as a recreational room/ clubhouse. **Withdrawn.**

**Current Position**

It should be noted that the agent has confirmed that, of the 121 caravans on the site, 100 caravans have been on the site in excess of 11 years and it is assumed by the agent, that these caravans are the main / sole place of residence for their occupants. The use of the site for permanent residential caravans on the site does not benefit from planning permission and is considered to be unauthorised.

In view of the above, it must be concluded that, at the current time, the site functions primarily as a permanent residential site with only 21 of the pitches being used by touring vans.

As in this case, where there are conditions on the permissions which prohibits permanent residential use, then enforcement can be taken against those caravans which are actually in breach of the condition. Established user rights can only be acquired for those caravans which have actually been in breach of the condition for 10 years subject to de minimis interruptions. It would be necessary for the applicant to show continuous breach of the conditions in respect of each individual caravan during the relevant period of restricted occupation, throughout the 10-year period at issue. Each caravan is in effect a separate dwelling house subject of an occupancy condition.
Planning Policies

National Planning Policy Framework
Chapter 9 – Green Belt
Chapter 3 – Supporting a prosperous rural economy

Core Strategy
Policy CS5- Overall Spatial Strategy Green Belt
Policy PV7 – Promoting the Visitor Economy

Supplementary Planning Documents

Construction and Design

Notification Responses

Parish Council - object to this use as this could mean that the site would become a permanent residential site and not as permitted as a transit site for touring caravans with the limited use of a 28 day period. The Parish Council suggest that if an alternative permission is given that the use of the site should be limited to a 10 month period only and the site closed say for November and December each year (this is a type of restriction used for other sites within the Country)

Neighbours- No comments to date.

Consultation Responses

National Grid – have identified apparatus in the vicinity of the site, applicant to consult.
HSE- no objections
Environmental Protection – no objections to the proposal.
Natural England – no comment to make.

Observations

Principle of Development
The NPPF seeks to promote rural tourism in appropriate sustainable locations. Policy PV7 of the LPCS seeks to support proposals which sustain and enhance Warrington’s visitor and tourism economy. This includes the need to;
‘enhance the diversification of the local economy in the borough’s countryside without harm to the openness of the Green Belt and the character of the local landscape.’

Original Condition
‘The permission hereby granted shall relate to a touring caravan site only and shall not be for permanent caravans or for caravans staying longer than 28 days. Reason :To prevent the establishment of a permanent caravan site in the Green Belt.’
The applicant is seeking to lift the 28 day restriction in order to allow touring caravans to remain on site even when not occupied. The stated purpose of condition 3 on applications 78/5983 and 83/14404 was to prevent the caravans being used as permanent residences and to prevent caravans being permanently located at the site. In order to avoid this, the applicant has proposed the following occupancy conditions;

• the caravans are occupied for holiday purposes only.
• the caravans shall not be occupied as a person’s sole, or main place of residence.
• The owners/operators shall maintain an up-to-date register of the names all owners / occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times, to the Local Planning Authority.

It should be noted that the use of the site by touring caravans already allows for caravans to be on the site throughout a 12 month period however, it does not permit any individual caravan to remain on the site all year or for a period in excess of 28 days.

The change of use of land to use for stationing of static homes is not identified as an appropriate form of development, and does not fall within any of the identified exceptions within paragraph 89 or 90 of the NPPF. Paragraph 89 relates specifically to the construction of new buildings, and does not extend to engineering operations and change of use. Engineering operations are addressed in paragraph 90, and changes of use is not identified as an exception. Even if changes of use were included within paragraph 89, the land is not previously developed having not been occupied by permanent structures. The proposal is therefore inappropriate development.

The applicants acknowledge the need to restrict occupation to holiday use only and also recognise that the site operates under a holiday licence and does not have a residential licence.

Non-compliance with the existing conditions restricting occupation of the caravans has resulted in significant numbers of caravans being used for permanent occupation over a number of years. These pitches display evidence of residential paraphernalia which reduces the openness of the Green Belt. In addition, the use of pitches for permanent residential use has resulted in the loss of potential tourist pitches, contrary to Policy PV7, which seeks to support the provision of visitor accommodation.

The parish council are concerned that lifting the restriction on a 28 day limit would mean the site would become a permanent residential site. The Parish Council suggest that if an alternative permission is given that the use of the site should be limited to a 10 month period only and the site closed say for November and December each year on the basis that this type of condition is used elsewhere in the County.

Given the apparent current level of permanent residential occupation of
caravans on the site and the possibility that the breach of conditions preventing such occupation has been ongoing for more than 10 years, [the limitation on the taking of Enforcement Action being 10 years from the date of the breach], this may result in the submission of a certificate of lawful use of the existing use or development [in accordance with s191 of the Act]. The granting of a certificate of lawful use would negate the existing and proposed conditions as they relate to caravans that are proven to have been in permanent residential use in excess of 10 years.

Any application for a certificate of lawfulness would exclude the area in the north of the site for which a Breach of Condition Notice has already been served. This Notice was served in 2009 and required the owners to remove any caravans from the site that had been there in excess of 28 days or on a permanent basis. Based on the information provided by the agent it would appear that the site owners are still in breach of condition 3 on planning application 83/14404.

Whilst it is acknowledged that the standard holiday occupancy conditions suggested by the applicant and outlined above, are commonly used throughout the country and have been recognised in numerous planning applications and appeal decisions as the appropriate way in which to control occupancy of holiday accommodation and prevent it being used as residential, it is also the case that these conditions can be difficult to enforce.

A condition recommending the removal / storage of static caravans, to protect the character of the rural area, from the site during certain periods of the year has been held to be onerous and unreasonable, thus failing the six tests of paragraph 206 of the NPPF.

In view of the continuing breach of the condition that restricted occupancy of the site it is considered that permanent residential use is less likely to occur if the following condition replaces the existing condition;

The following condition is recommended to replace the existing condition;

• limit the use of that part of the site covered by the original condition, touring caravans only and,
• that 'static' caravans should not be sited on the land and
• The caravans are occupied for holiday purposes only
• The caravans shall not be occupied as a person’s sole, or main place of residence
• The owners / operators shall maintain an up to date register of the names of all owners / occupiers of individual caravans on the site and their main home address, details of number and periods of residence on the site and shall make this information available at all reasonable times to the Local Planning Authority.
• The caravans shall not be occupied between the 30th November in any one year and the 1st January in the succeeding year.

Reason: To prevent the establishment of a permanent residential caravan site in the Green Belt.
Visual Impact on the Green Belt
As the site currently operates 365 days a year and on the basis of extended holiday seasons, it is unlikely that the site would ever be totally unoccupied. The visual impact of having caravans on the site all year round is unlikely to be substantially different to the existing situation where a succession of caravans could occupy the site for up to 28 days. However, it should be noted that it would not be desirable to allow static caravans to be located on the site as these are higher and larger than tourers and have a bigger footprint. The introduction of static homes would have a greater impact on the openness of the Green Belt, hence any variation of condition would need to exclude these types of caravans from the site.

The visual impact of the touring caravans would be mitigated by reducing the number of caravans on the site and by providing additional landscaping to the site boundaries.

Conclusions
Recent appeal decisions confirm the acceptability of restricting occupancy of touring caravan sites to prevent them from becoming the sole place of residence and that they are occupied for holiday purposes only.

Recommendation
This application is recommended for a variation of condition.

Conditions
The permission hereby granted shall restrict the use of that part of the site covered by the original condition, to touring caravans only and,
• that ‘static’ caravans should not be sited on the land and
• The caravans are occupied for holiday purposes only
• The caravans shall not be occupied as a person’s sole, or main place of residence
• The owners / operators shall maintain an up to date register of the names of all owners / occupiers of individual caravans on the site and their main home address, details of number and periods of residence on the site and shall make this information available at all reasonable times to the Local Planning Authority.
• The caravans shall not be occupied between the 30th November in any one year and the 1st January in the succeeding year.

Reason: To prevent the establishment of a permanent caravan site in the Green Belt to accord with the NPPF and policy CS5 of the Warrington Local Plan Core Strategy.
Appendix 1 – Drawings

Red Site Outline – Application Site
Green Hatched Area – Original Caravan Park approved for touring caravan park.
Yellow Hatched Area – Storage of Caravans
Pink Cross Hatched Area – Subject to Planning Application 2017/30003
Proposed Use of land for siting of 21 Touring caravan Pitches. Decision Pending.
Appendix 2 – Photographs of Site

**Aerial View of the Site**
Reason for Referral to Committee

Councillor Ian Marks and Lymm Parish Council have objected to the application

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 Proposals

Full planning permission is sought for the erection of a new residential property and alterations to the existing property.

The proposed detached dwelling is located in the garden of an existing residential property. The application site is located in an existing residential area, with the new proposed vehicular access being taken from the private road to the west of the site. The existing property has parking and an access onto Whitbarrow Road and this is proposed to be retained by the existing property.
The proposed detached property would include 4 bedrooms, bathroom facilities, kitchen, dining facilities, family room and study.

The property is located within the settlement boundary for Lymm. The existing property on the site is a detached property set in reasonable sized grounds, within an established residential area. The property is locally listed. There are a number of trees and shrubs on the site, predominantly located on the boundaries of the site.

**Planning History**

97/37301 – Proposed erection of two storey detached house and double garage – approved subject to conditions

95/33409 – Full application for the proposed erection of two storey detached dwelling with basement and integral garage – approved subject to conditions

92/28630 – Outline application for the erection of one house – approved subject to conditions

87/21000 – Conversion of outbuildings and extension to form dwelling – refused

87/20544 – Change of use of workshed and extension to form dwelling – refused

78/6829 – Erection of new bay window roofs – approved subject to conditions

**Planning Policies**

**National Planning Policy Framework**

Para 49 – housing applications should be considered in the context of the presumption in favour of sustainable development.

Para 56 – Good design is a key aspect of sustainable development and should contribute positively to making places better for people.

**Local Plan Core Strategy**

CS1 – Overall Spatial Strategy – Delivering Sustainable Development
CS2 – Overall Spatial Strategy
QE6 – Environment and Amenity Protection
QE7 – Ensuring a High Quality Space
QE8 – Historic Environment
SN1 - Distribution and Nature of New Housing
CC1 – Inset and Green Belt Settlements

**Supplementary Planning Documents**

Design and Construction
Environment Protection
Notification Responses
The correct neighbour notifications have been undertaken and 5 letters of representation have been received. The letters of representation are summarised below:

a) The Poplars is a narrow unadopted lane and is the only vehicle access for the properties served by it;

b) Risk of access to the houses being blocked by visitors, tradesmen and deliveries – another house would increase this risk;

c) Garden grabbing;

d) Over development on a 923 msq plot;

e) Not the area for development – protect green spaces;

f) Volume of traffic;

g) Parking issues;

h) No turning point so delivery vehicles reverse onto the main road;

i) Speed limit is not observed;

j) Poplars is currently in poor condition and any further damage should be repaired;

k) Aesthetics of the proposed building are in line with the current area but would like further consideration to the height of the property and the proposed windows to the rear; and

l) Loss of privacy

Lymm Parish Council
Object on the grounds of overdevelopment

Councillor Ian Marks – object to the proposal on the grounds of overdevelopment of the site, it is yet another example of ‘garden grabbing’ and the footprint would cover a large part of the existing garden. No 71 Whitbarrow Road is a locally listed building. NPPF guidelines state that a proposal should take account of whether the development makes a positive contribution to local character and distinctiveness. This development consisting of a large 2.5/3 storey house would have a negative impact.

Consultation Responses

Environmental Protection
No objections are raised subject to the imposition of conditions and informatives

Flood Risk
No objection but request that the recommendations in the FRA are conditioned

Highways
No objections are raised subject to the imposition of conditions and informatives.
United Utilities (UU)
UU have no objection to the proposal and therefore do not require conditions to be attached.

UU advise that, 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 developer 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.

Observations

Principle of Development
Section 38(6) of the Planning and Compulsory Planning Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) and policies of relevance within the LPCS are considered to constitute the most appropriate framework against which to assess this proposal.

Policy CS1 of the Warrington Core Strategy states that throughout the Borough development proposals that are sustainable will be welcomed and approved without delay. It states that in order to be sustainable, development should accord with national and local policy and have regard to, amongst other things, the planned provision for housing growth; the priority afforded to accommodating growth in inner Warrington through the use of previously developed land; the priority afforded to the protection of the Green Belt and the character of the countryside; the need to safeguard environmental standards, public safety and residential amenity; the delivery of high standards of design and construction, that have regard to local distinctiveness and energy efficiency and the need to develop sites in appropriate locations accessible by public transport, walking and cycling.

Policy CC1 identifies those settlements that are Inset [that is excluded] from the Green Belt. Within these settlements, which includes Lymm, new build will be allowed provided they comply with national planning policy and are sustainable in terms of Policy CS1. The site lies within an existing urban area, it falls within the Lymm Inset Village boundary. This designation does not preclude housing development.
Policy SN1 sets out the distribution and nature of new housing required, with this policy emphasising the need to ensure that the mix of housing in terms of type, size and tenure meets identified needs and ensures that an attractive and balanced housing offer is available. The policy states that 40% of new homes will be achieved primarily through development within the suburban areas of the town and the Borough’s outlying settlements. The policy acknowledges that small-scale, low impact infill development will be supported in the borough’s defined settlements, where the proposal accords with relevant national policy.

The Local Plan Core Strategy housing target was quashed by the High Court in February 2015. In the absence of a housing target the Council is not currently able to demonstrate a 5 year housing land supply. This will be addressed as part of the work to reinstate the housing target as set out in the Council’s updated Local Development Scheme which was approved by the Council’s Executive Board in April 2015, with a further update on progress reported to Executive Board in October 2015.

Until the Council can demonstrate a 5 year housing supply paragraph 49 of the NPPF confirms that relevant policies for the supply of housing should not be considered up-to-date. This means that presumption in favour of sustainable development as set out in paragraph 14 of the NPPF will apply.

Paragraph 14 of the NPPF advises that where the development plan is 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 taken as a whole” or “specific policies in this Framework indicate development should be restricted”.

The proposal would appear to be consistent with housing objectives within the Core Strategy (CS). The site is located within the village settlement boundary and has a clear affinity with the built form of the village. It lies close to arterial routes and is accessible to the general services that can be found within the village, it is therefore deemed to be located in a sustainable location.

This plot is considered to clearly fall within the confines of existing urban fabric, and it is considered to comprise a small-scale, low impact infill plot. The NPPF points to a presumption in favour of sustainable development.

The Core Strategy Glossary states that the definition of small scale, low impact infill development is as follows:

“What does or does not constitute this form of development will ultimately be decided on a case by case basis through and evaluation of the site in the context of its immediate locality and wider settlement within which it is located. An ‘infill’ opportunity is generally regarded as a small gap in an existing built up frontage or the rounding off of an existing settlement boundary. With regards to impacts, consideration will be afforded to the effect of the proposals on the street scene, character and amenity of the area as well as
any pressures placed on physical and social infrastructure.”

In terms of the definition of small scale infill development it should be noted that an appeal decision at Land at Doeford Close, Culcheth dealt with this issue. The Inspector concluded that the proposal for 26 dwellings within the defined village inset boundary of Culcheth, but outside the existing built form of the settlement, constituted small scale development.

The proposal is for one, four bedroom dwelling within the Inset Village. The proposed built form would not result in any impact on the settlement boundary and would not be located closer to the settlement boundary than properties already located within it.

The new property would be located in the rear garden of 71 Whitbarrow. It would have its own, independent access with the existing access still serving the existing property.

The property would be sited so as to maintain a visual gap between it and the adjacent properties. Sufficient space would be maintained for parking without compromising amenity space. The existing property at 71 Whitbarrow would retain sufficient levels of off street car parking and private amenity space to serve the dwelling.

It is considered that the development of the site would represent an appropriate form of development within the Inset Village and would constitute limited development which is of appropriate scale, design and character.

Impact on Heritage Assets
71 Whitbarrow Road 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 71 Whitbarrow Road should continue to be locally listed was undertaken in 2004 and it was decided that the building should continue to be locally listed.

The building is currently in use as a single residential property and the proposal is for it to continue in this use with a new residential property being proposed to be erected in the garden of the existing property.

The application has been submitted with a heritage assessment that evaluates the historic interest of the building. The heritage assessment also
looks at the impact of the proposal on the setting of the locally listed building. The proposal has been amended during the life of the application to reduce the width of the property and reduce the height of it as well. The amendments have also removed the attached garage from the side of the property.

The proposal includes the alteration of a small element of the existing property in the form of the replacement of an existing clear glazed window with obscure glazing to the part of the window that is below 1.7 metres above finished floor level. This alteration is not considered to affect the architectural merit of the locally listed building as it will only involve the replacement of the glazing within the window.

The appearance of the new dwelling has been designed to be in keeping with the character of the locally listed building.

The proposal is considered to comply with the provisions of the NPPF and policy QE8 of the Local Plan Core Strategy.

Design and Visual impact

Policy QE7 seeks to ensure that new development reinforces local distinctiveness, does not damage the character of the area and should be visually attractive. The application is for the erection of a three storey detached house with accommodation located in the roof. The principal elevation has two front facing gables and an open sided timber framed porch and bay windows at ground and first floor.

During the process of the application the width of the property has been reduced and the height of the property reduced so that it is now lower than 2 The Poplars which is the property to the south of the application site.

The proposal has been designed to fit into the character of the area as it benefits from front facing gables and bay windows at ground and first floor. It is proposed that the property will materials to match the adjacent property at 71 Whitbarrow.

The NPPF states that design should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Paragraph 60 of the NPPF states that planning policies and “decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.”

In relation to this scheme, the applicant has replicated the local distinctiveness through the use of materials and the design of the front of the property.

The proposal has a definite frontage onto The Poplars and the property has a
lower ridge that 2 The Poplars. In terms of the site layout plan, the property is proposed to be staggered back from 71 Whitbarrow Road and staggered forward of the main two storey element of 2 The Poplars. The location of the property is considered to fit well into the streetscene.

The rear of the building would be more glazed to take of the natural light into the property. The applicant has provided drawings showing the development within the context of the adjacent dwellings. The Parish Council has objected to the application on the basis of overdevelopment of the plot. The existing property has a ratio of dwelling size to plot size of approximately 25 percent. It is acknowledged that the proposal would mean that more of the plot is developed than at present. However, to make an assessment of whether it would represent overdevelopment of the plot, an analysis was undertaken of the ratio of dwelling size to plot size of the surrounding properties and this is included in the table below.

<table>
<thead>
<tr>
<th>Property</th>
<th>Ratio of dwelling size to plot size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing property at 71 Whitbarrow Road</td>
<td>45%</td>
</tr>
<tr>
<td>New Property</td>
<td>40%</td>
</tr>
<tr>
<td>69 Whitbarrow Road</td>
<td>45%</td>
</tr>
<tr>
<td>10 Meadow View</td>
<td>33%</td>
</tr>
<tr>
<td>2 The Poplars</td>
<td>30%</td>
</tr>
<tr>
<td>5 The Poplars</td>
<td>43%</td>
</tr>
<tr>
<td>7 The Poplars</td>
<td>48%</td>
</tr>
<tr>
<td>73 Whitbarrow Road</td>
<td>35%</td>
</tr>
<tr>
<td>70 Whitbarrow Road</td>
<td>38%</td>
</tr>
</tbody>
</table>

It is considered that the proposed footprint of the new build would be commensurate with that of surrounding properties. The scale of the development would also be similar to the dwellings on either side of the property.

In terms of the alterations to the existing property, the only alteration is the replacement of existing glazing with obscure glazing and this replacement is considered to be in keeping with the character of the property.

**Trees**
The proposal will result in the removal of some trees and shrubs within the site, however their removal is not contested by the Council’s arborist as they are not considered to be trees of significant value.

**Highways**
The proposed scheme includes the retention of the existing parking for the existing property on the site and the creation of a new access to serve the dwelling and this is large enough to meet the car parking requirements for a dwelling of this size and would also allow adequate space for vehicles to manoeuvre and exit the site in a forward gear.

Neighbouring properties have raised concerns with the use of the private road for additional vehicles. The Highways Officer has confirmed that a private
road can serve this number of dwellings and visibility splays are required for
the individual drive but not the private road as this vehicular access is already
in use and is therefore deemed to be functioning without detriment to Highway
Safety.

The proposal would accord with the Council’s adopted car parking standards
and would comply with Policy QE6 of the Core Strategy in that it would not
have an adverse impact on highway safety.

Residential Amenity

The NPPF seeks to secure high quality design and a good standard of
amenity for all existing and future occupants of land and buildings (paragraph
17).

Policy CS1 of the Warrington Borough Council Core Strategy identifies the
need to safeguard residential amenity.

Policy QE6 of the Warrington Borough Council Core Strategy identifies
that consideration should be had to the need to respect the living conditions of
existing neighbouring occupiers in relation to overlooking/loss of privacy,
outlook, sunlight, daylight, overshadowing, noise and disturbance. Policy QE6
also states that the Council will only support development that would provide
future occupants with a satisfactory standard of amenity.

The area is characterised by different types of space, building forms and
materials. The urban grain is generally consistent in that houses to the east of
the application site are semi-detached properties with the ones to the west
being either semi-detached or terraced. Numbers 1 to 7 The Poplars face
onto the private road that finishes at number 7 The Poplars and 2 The Poplars
is also orientated onto the private road which is the same as the application
site.

The existing property on the site (71 Whitbarrow) has one first floor window
facing towards the application site, however, this room does not serve
habitable accommodation and it is proposed that this window be obscurely
glazed if less than 1.7 metres above floor level and a condition can be added
to any permission requiring this occurs prior to the occupation of the new
dwelling and that no new windows can be inserted in this elevation of the
existing property without planning permission to ensure that the residential
amenity of the future occupiers of the proposed property is preserved.

Number 2 The Poplars benefits from first floor side windows facing towards
the application site, however, these windows are obscurely glazed. An
objection from number 2 has been received in relation to overlooking and loss
of privacy relating to the size of the proposed windows on the rear elevation.
The rear of the proposed property is staggered forward of the rear elevation of
2 The Poplars and the rear elevation of the property is also staggered with the
element of the new property closest to the boundary with 2 The Poplars being
staggered further back than the rest of the rear of the property. Due to the
separation distances available on site, the orientation of the property away
from the boundary, the proposal is not considered to have an unacceptable impact on the residential amenity of the occupiers of the adjacent property in relation to overlooking and loss of privacy.

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 proposal is therefore considered to be in accordance with policies CS1 and QE6 of the Warrington Borough Council Core Strategy as it would not adversely affect the level of residential amenity neighbouring residents can reasonably expect to enjoy and the development would provide future occupants with a satisfactory standard of living.

It is acknowledged that the proposed property is in an infill development. 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.

Summary of Observations

It is considered that the plot is of sufficient size to accommodate a single house without significantly affecting the residential amenity of adjacent residents.

The plot is in an established residential area, in a sustainable location. The property, would be proportionate in terms of its relative footprint and scale to that of the surrounding properties. The design and construction of the new build would harmonise with the surrounding development.

There is a presumption in favour of this form of development given that there are no constraints which would preclude the proposed development.

Recommendation

This application is recommended for approval.

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, Flood Risk Assessment and additional information received by Warrington Borough Council on 08/11/2017
(b) Submitted drawing numbers 101 Rev L and 102 Rev I received on 02/03/2018
(c) Submitted drawing number 103 Rev E received on 20/03/2018

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. Prior to the building going above slab level, written and photographic details (including manufacturer’s details) of external materials shall be submitted to and approved in writing by the local planning authority. 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. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

1. Finished floor level of the proposed dwelling is to be set no lower than 8.5 m above Ordnance Datum (AOD).
2. Flood resilient construction methods to be incorporated in the proposed dwelling.

Reason
1. To reduce the risk of fluvial flooding to the proposed development and future occupants.
2. To reduce the potential damages from the residual risk of fluvial flooding.

Suitable flood resilient construction methods include; solid floor, power/telephone points set at a suitable height above ground floor level, air bricks set at a suitable height above ground floor level, using building materials that would resist the effects of floodwaters.

Reason: In the interests of safety and flood risk having regard to policy QE4 of the Local Plan Core Strategy.

5. Contaminated Land Condition: Characterisation & Remediation Strategy
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); Paragraph 121 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.

6. 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); Paragraph 121 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.

7. The boundary treatment along the site frontage shall not exceed 0.6 metres in height. The front boundary treatment shall be implemented prior to occupation and retained as such thereafter.

Reason: To preserve the visibility of the access and to protect Highway Safety.

8. Prior to the occupation of the dwelling hereby approved, the car parking spaces identified on drawing number 102 Rev I received on 02/03/201 shall be implemented and thereafter retained. The parking provision shall not be used for any other purpose other than the parking of vehicles.

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.

9. 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 dwelling(s) 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.
Appendix 1 – Proposed Elevations
Appendix Two – Proposed Floor Plans
Appendix Three – Site Layout Plan
ITEM 3

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/31946</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Land opposite, 24, Bank Street, Glazebrook, Warrington, WA3 5BW</td>
</tr>
<tr>
<td>Ward:</td>
<td>Rixton and Woolston</td>
</tr>
<tr>
<td>Development</td>
<td>Change of Use - Retrospective application for use of land as hardstanding to accommodate parking and provide a safe boarding area for school bus transport collection</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>10-Jan-2018</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Wakefield</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>06-Mar-2018</td>
</tr>
</tbody>
</table>

Reason for Referral to Committee

Rixton with Glazebrook Parish Council have objected to the application and Cllr Pat Wright has requested the application is brought before committee due to the ‘serious detrimental impact on the quality of life on both Mr Wakefield and his 8yr old son Harry if this application was to be refused’

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 site is a parcel of land situated opposite a small ribbon development of 5no. residential properties within the Green Belt on the outskirts of Glazebrook. The land was previously undeveloped with a high coverage of dense planting (see appendix 1)

Retrospective permission is sought for a change of use of land as hardstanding to accommodate parking and provide a safe boarding area for school bus transport collection
Key points from the supporting statement and a meeting to discuss the application are as follows:
- The applicant has three children, the middle child currently aged 8 who suffers from various disabilities
- The hardstanding created allows the family to park a second vehicle off-road which provides safe access to enable access to the transport
- The space also allows a carers vehicle to park off-road overnight
- To allow the school bus to park and manoeuvre without blocking the lane and to allow for safer boarding at this point. This is due to commence from September 2018 as currently the applicant does the school drop off and pick up

**Relevant Planning History**

None.

**Planning Policy**

**National Planning Policy Framework**

The presumption in favour of sustainable development
Core Planning Principles
Chapter 7 – Requiring Good Design
Chapter 9 – Protecting Green Belt Land
Chapter 11 – Conserving and Enhancing the Natural Environment

**Warrington Core Strategy**

CS1 – Overall Spatial Strategy – Delivering Sustainable Development
CS5 - Green Belt
CC2 – Protecting the Countryside
QE6 – Environment and Amenity Protection
QE7 – Ensuring a High Quality Place
CS1 – Delivering Sustainable Development
SN1 – Distribution and Nature of New Housing
QE5 – Biodiversity and Geodiversity
QE6 – Environment and Amenity Protection
QE7 – Ensuring a High Quality Place
MP1 – General Transport Principle
MP7 – Transport Assessments and Travel Plans

**Notification Responses**

None received at time of writing report

**Consultation Responses**

Rixton with Glazebook Parish Council - The site is taking a large area out of the Green Belt for highway reasons which could be achieved by the use of a
smaller area in particular relating to the special circumstances for this use

Cllr Pat Wright – Requests referral as this would have a serious detrimental impact on the quality of life on both Mr Wakefield and his 8yr old son Harry if this application was to be refused

Highways – Object to the proposal due to inadequate visibility and use of materials

Environmental Health – No objections subject to informative

**Observations**

**Principle of Development:**

The NPPF provides a presumption in favour of sustainable development. Policy CS1 of the core strategy supports sustainable development

Policy CS5 of the Core Strategy requires proposals in the green belt to be considered against relevant national policy

Chapter 9 of the NPPF identifies protecting green belt land as one of the elements which contribute towards sustainable development. It states that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open; as such, it regards the construction of new buildings or other types of development in the green belt as inappropriate unless they fall within one of the categories set out in paragraph 89 or 90

Paragraph 90 excludes certain other forms of development from being inappropriate development including engineering operations provided they preserve the openness of the Green Belt and do not conflict with the purposes of including the land in Green Belt. However, the hardstanding area proposed for access, parking and turning space would introduce development on green belt land that was previously free from development. The development would encroach into the countryside. The proposal would thus be contrary to the Green Belt’s spatial function to prevent sprawl by keeping land permanently open and its essential characteristic being its openness and permanence. As such, it is considered the proposal would not preserve the openness of the green belt (in that it should be free from development) and conflicts with the purposes of including the land within the green belt. As such, the engineering operation carried out is considered to be inappropriate development within the green belt

The change of use of land from land that was generally free from any development and planted with established vegetation to domestic does not form part of the exceptions to inappropriate development in the green belt as set out in the NPPF. Therefore the development proposed is considered to be inappropriate development in the green belt

The NPPF states that inappropriate development is, by definition, harmful to
the Green Belt and should not be approved except in very special circumstances. It then goes on to state that LPAs should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The development undertaken was on land that was free from development and comprising solely of trees and shrubs. This has not only introduced development in the form of parking and a turning area, it has also changed the use of the land. The formation of the hardstanding has meant the development is more prominent within its green belt setting and including encroachment into green belt land, has altered its character.

The personal circumstances of an occupier may be material to the consideration of a planning application. Such circumstances, however, will seldom outweigh the more general planning considerations, and rarely amount to Very Special Circumstances in green belt considerations. It is therefore clear that although personal circumstances can be taken into account in the determination of a planning application, the more general planning considerations, such as compliance with relevant Planning Policy and the impact of development within the green belt are still the principal considerations by which the planning application should be assessed.

The development has been carried out to alleviate what the applicant has stated as logistical issues surrounding parking and access for his disabled child. A supporting statement has submitted from the school where the applicant’s son attends. This states the area required when the school bus picks up and drops off pupils has to be a certain size to allow for ease and safety and that the area provided opposite the applicants home is sufficient to allow this.

Although it is appreciated that the applicant is trying to meet these requirements for a child, this is not considered to amount to very special circumstances that would clearly outweigh the harm the proposal would have on the Green Belt by reason of inappropriateness, and any other harm. Indeed there are also concerns regarding highway safety.

The proposal represents inappropriate development in the Green Belt, to which the Council attach substantial weight. Furthermore, there has been a loss of openness and harm to the character of the green belt.

**Visual amenity:**
Policy CC2 of the Core Strategy support proposal which accord with Green Belt Policies set out in national policies subject to complying with criteria outlined within the policy.

The development does not comply with green belt policies outlined within the NPPF as explained within the principle of development section of the report. Enabling inappropriate development within the green belt is considered to
affect its openness, character and function; as such, the proposal is remains contrary chapter 7 and 9 of the NPPF

In addition, the removal of the trees and established vegetation to create the hardstanding has made the site prominent within the street scene which has eroded the countryside character and has urbanised the site, resulting in harm to the visual amenity of the area

Given the above considerations, the proposal is considered to be contrary to Policies CS1, QE6 and CC2 of the Core Strategy and Chapter 7 and 9 of the NPPF

Residential Amenity:
Given the nature of the development proposed and its siting opposite the residential properties in the area, the development has no direct adverse impact on the amenities of neighbouring properties and would comply with Policy QE6 of the Core Strategy and paragraph 17 (bullet point no. 4) of the NPPF.

Highway Safety:
Bank Street is subject to 20mph speed limit and as such an intervisibility splay of 2.4 metres by 25 metres on both sides of the proposed access should provide adequate visibility to meet the requirements for Manual for Streets. Nothing should be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splay which must be within land under the control of the applicant.

No information has been provided to demonstrate that the proposed access can achieve adequate visibility to meet the requirements for Manual for Streets. It is anticipated that the applicant would be unable to provide adequate visibility due to the excessive landscaping on both sides of the access.

The area of hard standing has been surfaced with Type 2 MOT gravel. The use of this material is unacceptable to the Local Highway Authority as gravel or other loose material can be deposited in the highway by repeated movement of traffic over the drives.

Furthermore, small stones are likely to exacerbate drainage problems and can be hazardous for pedestrians on footways as they can cause pedestrians to slip. The stones can also be propelled at relatively high speed (even by slow-moving traffic passing over them) and be a source of danger for road users.

In view of the above, the Local Highway Authority would recommend that the proposal is refused as inadequate visibility at the proposed site access and the choice of surface material are considered to be highway safety issues.

**Recommendation**

Refuse
Reasons

1. The change of use and associated engineering operations has introduced development that has urbanised and eroded the countryside character of the site, resulting in harm to the visual amenity of the area. This would be contrary to Policies CS1, QE7 and CC2 of the Core Strategy and Chapter 7 of the National Planning Policy Framework.

2. The change of use and associated engineering operations present development that is inappropriate within the Green Belt. The development has also reduced the openness of the green belt. The Local Planning Authority do not consider that very special circumstances exist that would outweigh the harm to the green belt. As such, the development is contrary to Policy CS1, CS5 and CC1 of the Core Strategy and Chapter 9 of the National Planning Policy Framework with particular reference to paragraphs 87, 88, 89 and 90.

3. The applicant has failed to demonstrate adequate visibility at the site access. This, coupled with the discharge of materials onto the adopted highway, would be of detriment to highway safety on Bank Street. Further to this, the discharge of materials into the adopted highway would be to the detriment of highway safety on Bank Street and would be contrary to Policy QE6 of the Local Plan Core Strategy.
Appendix 1

Taken from Google Street View – site pre-development

Photographs of the site
Sign erected by the land owner

Land owned by
LIGHTOAKS INVESTMENTS LTD
lightoaksinv@hotmail.co.uk

No parking or use without express written permission
DEVELOPMENT CONTROL COMMITTEE DATE 04-Apr-2018

ITEM 4

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/32045</th>
</tr>
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<tbody>
<tr>
<td>Location:</td>
<td>Birchwood Community High School, Brock Road, Birchwood, Warrington, WA3 7PT</td>
</tr>
<tr>
<td>Ward:</td>
<td>Birchwood</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Proposed replacement of existing artificial sports pitch with new 3G pitch, new 15 metre high floodlights, 4.5 metre high fencing and steel storage container</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>30-Jan-2018</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr O'Reilly</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>26-Mar-2018</td>
</tr>
</tbody>
</table>

Reason for Referral

This application is submitted by Warrington Borough Council.

Site and Proposal

The application relates to Birchwood Community High School. Surrounding land uses are predominantly mixed use with open land.

The proposal is for proposed replacement of existing artificial sports pitch with new 3G pitch, 6 x 15m high floodlights, 4.5m high fencing and steel storage container sited around artificial turf pitch.

Relevant History

2009/14529
Full planning permission was granted for the construction of a two storey sixth form centre and performing arts centre in July 2009.

Planning Policy

National Planning Policy Framework

Local Plan Core Strategy
Policy CS1 Overall Spatial Strategy - Delivering sustainable Development
Supplementary Planning Documents
Design and Construction
Environmental Protection

Consultation Responses

WBC Highways – no objections
The proposal would not intensify the use of the development site as there is no increase in the number of sports pitches.

There are no proposed amendments to the existing access arrangements from the adopted highway of Brock Road.

The downwards alignment of the floodlighting should ensure that the vision of drivers travelling on the adjacent highway network is not obscured.

A planning condition is required to ensure that the construction of the proposal does not adversely affect the operation of the adjacent highway network during the peak AM and PM periods.

Environment & Public Protection:
This is a Large Scheme for a Sensitive end use located on a site that is adjacent to land currently designated as Potentially Contaminated Land (CL0069: Former Sewage Works; CL0119: Infilled Brook). There do not appear to be any significant potential ground gas generation sources within 250m of the subject site.

Given the scale of the scheme and the sensitive end use, current procedures would require the standard CL Preparatory Works and CL Completion Conditions to be attached to any consent granted for the scheme.

The proposal has been accompanied by a series of detailed lighting submissions including consideration of lighting overspill, the use of time clocks and photocells to control the permitted hours to those within the application itself – namely from 08.00hrs to 22.00hrs on any day.

The submissions include compliance with a number of relevant guidance documents providing a level of confidence that there will not be any adverse impacts at the nearest sensitive properties.

The separation distance to the nearest residential dwellings is significant and well beyond the influence of any lighting overspill proposed from the site. Whilst no direct line of sight to luminaires will be possible from the nearest residential properties, when in use, the glow from the lighting proposals may be noticed at the nearest properties in a similar fashion to any other similar proposal. This would not be anything that would raise any adverse impacts on amenity.
Subject to the implementation of the lighting in accordance with the submitted plans along with associated timeclocks and photocells, there are no objections to this proposal from a lighting point of view.

In view of the above, there is no objection to the proposals.

**Sport England:**
Sport England raises no objection to this application which is considered to meet exception E5 of the adopted Playing Fields Policy.

**Notification Responses**

No comments received to date

**Appraisal**

**Impact to playing fields**

The proposal would enhance this existing AGP by providing new carpet and enhanced fencing and floodlights, alongside new spectator areas.

the Football Foundation (FF) have been consulted and are supportive of the project and advise that the current pitch is in a state of disrepair and by refurbishing the pitch and adding a spectator area, new floodlights the pitch will be a key driver to increase participation in the area of Birchwood.

Sport England also advise that it is clear that this application meets an identified local or strategic need, will secure sport related benefits for the local community, and helps to meet identified sports development priorities. The FF involvement will ensure this proposal complies with relevant Sport England and NGB design guidance. It will also improves the delivery of sport and physical education on school sites; and is accessible by alternative transport modes to the car. Given the existing AGP is also 3G, this proposal will only have a positive impact on this unchanged user group.

The application is considered to meet the exception policy in that the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.

**Visual amenity**

The steel storage container, 4.5m high mesh fencing, 15m high flood lights would be sited within the grounds of Birchwood Community High School and with no significant views from any major vantage points given that the site is well screened by established trees as well as from the nearest residential properties.

Given the location of the replacement of existing artificial sports with new 3G pitch, 4.5m high mesh fencing, 15m high flood lights and steel storage
container and the context of the area, the proposal is not considered to impact adversely on the overall visual amenity of the area.

Floodlights to be 15m high, would not be visible above the established trees from Benson Road, Brock Road or Dewhurst Road. Despite this, the lights will be viewed within a sports setting and therefore are not considered to impact adversely upon the overall visual amenity.

Several other floodlights in situ of a similar height around Birchwood Community School.

The proposed container would be located north of the new 3G pitch and sited next to existing established trees. The fence would be sited around the perimeter of the new 3G pitch with floodlights.

1 x container would be stored on the site, at single height, and would follow the layout as shown on drawing 04 and 05. The layout is considered to be acceptable and would make the most of existing vegetation screening, whilst the storage of container at single height would reduce any visual impact further.

It is considered that the proposal would not unduly impact on the character and appearance of the area and would be appropriate in its mixed use and open land setting in the interests of the visual amenities of the area, having regard to Policy QE7 of the Local Plan Core Strategy.

**Residential amenity**

The site is away from residential properties and the surrounding area is predominantly mixed use with open land. As a result it is not considered that the proposed development would give rise to adverse amenity impacts. Environmental Protection Officers have confirmed that the information submitted with the application concerning lighting levels and spillage is acceptable and gives confidence that there will be no adverse impact to the nearest sensitive properties. Therefore the proposal complies with Policy QE6 of the Local Plan Strategy in respect of residential amenity.

**Highway considerations**

WBC Highways Officer has assessed the proposed development and raises no objection.

The proposal would not intensify the use of the development site as there is no increase in the number of sports pitches and there are no proposed amendments to the existing access arrangements from the adopted highway of Brock Road.

The proposal is considered to be acceptable in highways safety terms, having regard to Policy QE6 and of the Local Plan Strategy.
Conclusions

The application is acceptable in respect of highways safety, would not adversely affect residential amenity, and would not be detrimental to the character and appearance of the area.

The application complies with the relevant policies of the Core Strategy and is therefore recommended for approval accordingly, subject to conditions.

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 and additional information received by Warrington Borough Council on {25/01/2018}
   (b) Submitted drawing No’s {01, 02, 03, 04, 05, 06, T1} received on {25/01/2018}.
   (c) SSL Design and access statement, Planning statement and appendices.

   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 works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Council as Local Planning Authority.

   The method statement shall include, but not be limited to:

   • Construction traffic routes, including provision for access to the site
   • Entrance/exit from the site for visitors/contractors/deliveries
   • Location of directional signage within the site
   • Siting of temporary containers
   • Parking for contractors, site operatives and visitors
   • Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
• Temporary roads/areas of hard standing
• Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements
• Storage of materials and large/heavy vehicles/machinery on site
• Details of street sweeping/street cleansing/wheelwash facilities
• Details for the recycling/disposing of waste resulting from demolition and construction works
• Hours of working
• Phasing of works including start/finish dates

Reason:
For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway.
The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority, to comply with Policy QE7 and QE6 of the Warrington Core Strategy.

4. 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.
In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 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.

5. 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. In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 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.
Appendix 1 – proposed drawings

Elevations

Maintenance equipment

15m high floodlight with luminaires
### DEVELOPMENT CONTROL COMMITTEE DATE 04-Apr-2018

**ITEM 5**

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2018/32302</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Childrens Zoo, Walton Hall Gardens, Walton Lea Road, Walton, Warrington, WA4 6SN</td>
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<tr>
<td>Ward:</td>
<td>Appleton</td>
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<tr>
<td>Development</td>
<td>Full Planning - Proposed installation of two CCTV cameras (within 10m of each other) onto the zoo toilet block within Walton Estate and gardens.</td>
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<td>Date Registered:</td>
<td>02-Mar-2018</td>
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<tr>
<td>Applicant:</td>
<td>Mr Mcgiveron</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>26-Apr-2018</td>
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</table>

**Reason for Referral To Committee**

The site is Council-owned.

**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 application site is located in Higher Walton and forms part of the Walton Estate, it is accessed via Walton Lea Road. The site boundaries are formed by Walton Lea Road to the North, Houghs Lane to the East and Walton Hall Golf Club to the South and West off Park Lane.

The Walton Hall Estate was acquired by the Council after Lord Daresbury’s death in 1938, and opened as a public park in 1945. The estate also includes a riding school, stables and conservatory/glass house area. These buildings are curtilage listed structures however, the building the subject of this
application was constructed in 2014-2015 and due to its age, is not considered to be curtilage listed. The building lies at the eastern end of the estate next to the petting zoo enclosure. The building is single storey, of brick construction with a dual pitched roof.

The site is located in the Green Belt. There are some residential properties in and around the Estate, the closest being located on the eastern boundary of the ‘conservatory complex’, Bridge House which is Grade II listed.

Proposals
Permission is sought for the erection of 2 cctv cameras on the gable end of the zoo toilet block located within the Walton Estate and Gardens. The cameras form part of a wider, comprehensive scheme of coverage for the Estate.

The need for the cameras has arisen as a result of vandalism and damage to buildings over a period of years. In an attempt to reduce the amount of damage, cctv cameras have already been introduced in the area of the Hall and the café courtyard.

Planning History
2013/21244 - Proposed new family friendly WC building within the gardens between the playground and the zoo.

Planning Policies

National Planning Policy Framework
Chapter 12 – Conserving and Enhancing the Historic Environment.
Chapter 7 – Requiring Good Design.

Core Strategy
Policy CC3 – Walton Hall Estate
Policy QE8 – Historic Environment
Policy PV7 – Promoting the Visitor Economy
Policy QE7 – Ensuring a High Quality Place

Supplementary Planning Documents

Construction and Design

Notification Responses
Parish Council – No comments to date
Neighbours – No comments to date.

Consultation Responses
Historic England – does not fall within their remit for comment.

Amenity Societies – no comments received.

Warrington Civic Society – no comments received.

**Observations**

Policy QE7 states that the Council will look positively on proposals that create inclusive, accessible and safe environments. Policy CC3 supports development proposals at Walton Hall Estate, subject to detailed criteria. The current scheme would accord with this policy in the following respects;

- It would preserve safe public access to the Estate
- It would not conflict with the tranquil setting of the gardens; the cctv cameras are discreetly located, at high level and would not intrude into visitors enjoyment of the gardens or the zoo. There would be no adverse impact on the immediate or wider parkland.

Policy PV7 recognises that Walton Hall is a key attraction that contributes to tourism in the borough and the local economy. The policy seeks to support proposals which sustain and enhance Warrington’s visitor and tourism economy. The provision of increased security within the Estate would be likely to encourage visitors to use and enjoy the assets in a responsible manner.

Policy QE8 – The Council seek to recognise the significance of heritage assets by identifying their positive influence on the character of the environment and an area’s sense of place; their ability to contribute to economic activity and act as a catalyst for regeneration. The proposal would have no direct or indirect impact on any of the listed buildings within the Estate, or their setting. The provision of cameras would be more likely to prevent damage or deter vandalism to the heritage assets within the Estate, reducing the need for repairs to historic fabric and permitting their continued use.

**Conclusion**

The proposal would accord with the NPPF and Policies CC3, PV7, QE7 and QE8 of the Warrington Core Strategy in that the proposal would sustain the significance of the heritage assets and would help to create a safe and accessible environment where crime and disorder and the fear of crime do not undermine the quality of community cohesion.

The proposal would accord with section 66 of The Planning [Listed Buildings and Conservation Areas] Act 1990 in that it would preserve the listed buildings; features of special architectural or historic interest which they
possess and their setting.

**Recommendation**

This application is recommended for approval 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 and additional information received by Warrington Borough Council on 28/2/2018

   (b) Submitted drawing No's: Construction Traffic Access Route [Red Site Outline] Photograph - Zoo Toilet Block Camera Location. Details of CCTV - HIK Vision received on 28/2/2018.

   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.
Appendix 1 – Drawings

Numbers 12 & 13 on the plan identify the location of the proposed cctv cameras on the toilet block.

Details of the CCTV Cameras.

Dimensions
Appendix 2 – Photographs of Site

Toilet Block – 2 cctv cameras to be located at the apex of the gable.