To:   Members of the Development Management Committee

Councillors:

Chair – T McCarthy
Deputy Chair – J Richards

B Axcell, B Barr, D Earl, G Friend, T Higgins, L Hoyle, C Jordan, L Ladbury, F Rashid, G Settle

8 February 2012

Development Management Committee
Thursday, 16 February 2012 at 6.30pm

Council Chamber, Town Hall, Sankey Street, Warrington

Agenda prepared by Jennie Cordwell, Democratic Services Assistant – Telephone: (01925) 442111, Fax: (01925) 656278, E-mail: jcordwell@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.
<table>
<thead>
<tr>
<th>Item</th>
<th>Code of Conduct - Declarations of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Members are reminded of their responsibility to declare any personal or prejudicial interest that they have in any item of business on the agenda no later than when the item is reached.</td>
</tr>
<tr>
<td>3.</td>
<td><strong>Minutes</strong></td>
</tr>
<tr>
<td></td>
<td>To confirm the minutes of the meeting held on 26 January 2012 as correct records.</td>
</tr>
<tr>
<td>4.</td>
<td><strong>Planning Applications (Main Plans List)</strong></td>
</tr>
<tr>
<td>5.</td>
<td><strong>Report on the Development at Rushgreen Road, Oughtrington</strong></td>
</tr>
<tr>
<td>6.</td>
<td><strong>Section 106 Quarter 2 &amp; 3 Annual Performance Report 2011/12 (July 2011 –December 2011)</strong></td>
</tr>
</tbody>
</table>
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

*If you would like this information provided in another language or format, including large print, Braille, audio or British Sign Language, please call 01925 443322 or ask at the reception desk in Contact Warrington, Horsemarket Street, Warrington.*
Agenda Item 3

DEVELOPMENT MANAGEMENT COMMITTEE

26 JANUARY 2012

Present: Councillor T McCarthy (Chair)
Councillors B Axcell, B Barr, G Friend, T Higgins, L Hoyle,
L Ladbury, G Settle, F Rashid and J Richards

DM50 Apologies for Absence

Apologies for absence were received from Councillor D Earl and Councillor C Jordan.

DM51 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

DM52 Minutes

Resolved,

That the minutes of the meeting held on 5 January 2012 were agreed as a correct record and signed by the Chair.

DM53 Planning Applications

Resolved,

That -

1. pursuant to the Town and Country Planning Act 1990, Planning (Hazardous Substances) Act 1990 the applications for permission to develop land be considered and dealt with in the manner agreed and entered into the Planning Register;

DM54 2011/18728 – Land to the North of Hall Lane, Stretton, Warrington,
WA4 4NY - Proposed change of use land to form showmen's family quarters including siting of caravans, amendments to existing access, additional fencing, gates and landscaping.

The Executive Director of Environment and Regeneration submitted the above application with a recommendation of conditional approval.

This application had been subject to a site visit on 20 January 2012.

Representations were heard for and against the officer recommendation.

Resolved,
Agenda Item 3

That planning application 2011/18728 be refused on the grounds of inadequate proof of special circumstances and harm to the green belt

**DM55 Results of Appeals**

A report of the Executive Director of Environment and Regeneration set out the result of recent appeals along with the Inspector’s findings and the Director’s subsequent comments:

<table>
<thead>
<tr>
<th>Application/Appeal Reference</th>
<th>Location and Description</th>
<th>Committee/Delegated Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/18026 M0655/D/11/215485</td>
<td>Apple Jacks Farm, Stretton Road, Appleton&lt;br&gt;Development of land without complying with conditions on a previous planning permission</td>
<td>None a “non-determination” appeal</td>
<td>Allow – subject to 2 new conditions</td>
</tr>
<tr>
<td>2010/17578 M0655/D/11/2156988</td>
<td>Brookside Farm, Lady Lane, Croft&lt;br&gt;Development of land without complying with conditions on a previous planning permission</td>
<td>Refuse</td>
<td>Allow – subject to new conditions</td>
</tr>
<tr>
<td>2011/18578 M0655/D/11/2163059</td>
<td>32 West Avenue, Stockton Heath&lt;br&gt;Single storey and rear extension and detached double garage</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
<tr>
<td>2011/18560 M0655/D/11/2163925</td>
<td>8 Ellesmere Road, Culcheth&lt;br&gt;Single storey extension and provision of a garage space to the existing dwelling</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
<tr>
<td>2011/18480 M0655/D/11/2163144</td>
<td>10 Smithy Brow, Croft&lt;br&gt;Two storey side extension</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
</tbody>
</table>
### Agenda Item 3

<table>
<thead>
<tr>
<th>Agenda Number</th>
<th>Location Details</th>
<th>Description</th>
<th>Officer Recommendation</th>
<th>Committee Decision</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/17870</td>
<td>18 Falconers Green, Kingswood</td>
<td>Two storey side extension (first floor extension over existing garage)</td>
<td>Refuse</td>
<td>Committee Decision - Refuse</td>
<td>Refuse</td>
</tr>
<tr>
<td>M0655/D/11/2163061</td>
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<tr>
<td>2011/18722</td>
<td>Farm Cottage, Cliff Lane, Grappenhall and Thelwall</td>
<td>Single storey and two storey side extension</td>
<td>Refuse</td>
<td></td>
<td>Refuse</td>
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<tr>
<td>M0655/D/11/2164433</td>
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Signed……………………

Dated ………………………


# DEVELOPMENT MANAGEMENT COMMITTEE

**Thursday 16th February 2012**

**Start 6.30pm**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| 1    | 2    | 2011/18571 | Former Fiat Warehouse, Off Winwick Road, Warrington, Cheshire, WA2 8JR  
Proposed demolition of existing buildings and construction of new employment units and remodelling of existing buildings for research and development, light industry, general industry and storage or distribution (use classes B1(b), B1(c), B2 and B8) along with two new road junctions at Winwick Road and Cromwell Avenue, associated car parking and landscaping. | Approve         |
| 2    | 2    | 2011/18583 | Alban Retail Park, Hawleys Lane, Warrington  
Proposed construction of five new retail units (Use Class A1), one new restaurant unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail, improvements to existing retail units including new lobby entrances, new façades, and new servicing access with associated car parking and landscaping. Creation of new road junction with Winwick Road and improvements to existing access off Hawleys Lane. | Approve         |
<table>
<thead>
<tr>
<th></th>
<th>2011/19241</th>
<th>Santa Rosa Boulevard, Great Sankey, Warrington, WA5 3AL</th>
<th>Approve</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Proposed construction of new primary school building, associated car parking, external multi-use games and play area with new pedestrian and vehicular access. The relocation and recladding of existing nursery provision unit onto the same site with associated playground and independant access.</td>
<td></td>
</tr>
</tbody>
</table>
Application Number: 2011/18571

Location: Former Fiat Warehouse, Off Winwick Road, Warrington, Cheshire, WA2 8JR

Ward: Bewsey and Whitecross, Orford

Development: Proposed demolition of existing buildings and construction of new employment units and remodelling of existing buildings for research and development, light industry, general industry and storage or distribution (use classes B1(b), B1(c), B2 and B8) along with two new road junctions at Winwick Road and Cromwell Avenue, associated car parking and landscaping.

Applicant: Mr Christopher Barr, Derwent Holdings Ltd

RECOMMENDATION: Approve without condition

Conditions:
- Standard Time limit - full 3 years
- Approved plans/drawings
- Further landscaping details to be agreed and implemented.
- Protection of trees to be retained
- Job/training opportunities
- Energy efficient/ renewable energy measures
- Surface water regulation
- Site drainage
- Land remediation
- Noise insulation of external plant
- Any floodlighting to be agreed
- Footway/cycleway provision
- Retention of parking
- Cycle parking provision
- Implementation of Cromwell Avenue Access Management Plan
- Detailed design of service access junction with Cromwell Ave to be agreed
- Travel Plan to be agreed
- No change of use to B1(a) Office without express consent

Reason for Referral
- At request of Development Services Service Manager – this proposal relates to 2011/18583, also on this Agenda
Description

- This application is submitted concurrently with proposals for retail, restaurant and other uses at the adjacent Alban Retail Park (2011/18583) – also on this Agenda
- Full application for comprehensive development – as set out above - Fiat vacated the site earlier in 2011
- A combination of new build – to create ten new employment units – and the remodelling of the existing former Fiat warehouse – to provide seven new employment units
- The proposals involve the partial demolition of the former Fiat warehouse - with four of the new units being created within the existing steel structure of this building along with the creation of three units within the existing building to the rear of the site. The proposed units will range in size from 279 m² to 3804m² -including a mezzanine floor - and are aimed at offering flexible new business start-up space and space for small and medium sized businesses
- The proposals will provide a total of 19,354m² of floorspace – and would result in only a minor increase to the overall amount of employment floorspace on the site (an additional 45 sq m)
- The applicants estimate that the new floorspace (approx 11,500 sq m) would have the potential to result in over 500 new jobs (FTE)
- Existing access is taken from Hawleys Lane along the western (rear) boundary of Alban Retail Park. No access exists from Cromwell Avenue or Winwick Road
- A new access road junction is proposed from Winwick Road providing left in/left out access along with a new access road from Cromwell Avenue providing servicing access into the site - the existing access arrangement off Hawley’s Lane would be retained
- 306 car parking spaces will be provided on site including 21 disabled spaces. Cycle parking spaces will also be provided
- The site is in a prominent location on the junction of Winwick Road and Cromwell Avenue / Sandy Lane West. A line of trees is situated on the boundary with Winwick Road.
- Amongst other things, the application is submitted with an Energy Statement; Tree Survey; Utility Report; Flood Risk Assessment; Transport Assessment and Travel Plan

Location

- A 5.1 ha site, which adjoins the northern edge of Alban Retail Park
- The site has an approx 300m frontage with Winwick Road; is bounded to the north by Cromwell Avenue, with commercial development on the far side of Dallam Brook to the west
- There is residential development and open space on the far side of Winwick Road to the east
- The nearest residential dwellings are approx 70 metres away to the east on the far side of Winwick Road
Relevant History

- There have been many applications at the former Fiat warehouse site since 1974 – relating to adverts; extensions to provide additional storage of spare parts; ancillary offices; plant; temporary buildings; and additional loading bays
- The main warehouse building and use was granted planning permission in 1977

Main Issues and Constraints

Principle
Highways/Transport matters
Detailed matters; design, landscaping etc
Nature conservation matters
Other material considerations

Key policy/guidance checklist

National Planning Policy & Guidance:
PPS1; Delivering Sustainable Growth
PPS4; Planning for Sustainable Economic Growth
PPG13; Transport

Supplementary Planning Guidance/Documents:
Design and Construction
Landscape Design Guide for New Developments

Adopted Warrington UDP policies:

| Principle | In general terms, the physical and economic renewal of this site is considered desirable. Warrington’s strategic regeneration vision is set out in a number of key documents. The Fiat Warehouse site is situated within the Northern Spine Regeneration Area, which is located along one of the main routes into Warrington. This area is identified as a focus for new economic development. The key regeneration documents relating to the proposals and the application site are:
| | · Warrington Unitary Development Plan (2006)
| | · Regional Strategy – The North West Plan (2008)
| | · Regeneration Framework for Warrington (2009)
| | · Local Development Framework Core Strategy Objectives and Options (2010).
| | It is acknowledged that there is clear potential for regeneration within this area - that will have a positive impact on neighbouring wards - which currently suffer from high levels of deprivation. Whilst it is accepted that not all the work opportunities can be expected to be felt within the immediate local community, the proposals will help to increase the level of employment in the local area. The proposals will primarily provide job opportunities in the employment sector |
Class B), however there will also be opportunities in the service and support roles (i.e. maintenance, cleaning and security). Research, most recently noted in the Government White Paper Health Lives Healthy People (November 2010) has found that improved health is one of the positive impacts from increased employment opportunities as a result of higher income levels leading to a greater accessibility to health care.

**Highways & Transport matters**

Revisions to the proposed access and parking arrangements have been made as part of the combined Alban Retail Park/Fiat site, with acceptable proposals now in place. Further mitigation – by way of a financial contribution towards measures to improve the local transport network – have been put to the applicant for agreement – Appendix 2 – below.

**Detailed matters; design, landscaping etc**

The site is visually prominent at the Cromwell Avenue/Winwick Road junction, and has a long (300m) frontage with the latter. The site forms a main gateway route into & out of the town to the M62 and other main routes. The view of the application site from Alban Retail Park, in particular, is unwelcoming and unattractive, with wire fencing and an industrial character. Some planting and good quality fencing currently helps reduce the negative impact of the large and functional warehouse building which would otherwise result. The proposal is a major opportunity to visually enhance and update the site itself - and its impression from the main surrounding roads.

The proposed units have the potential to bring a significant improvement to the appearance of the site - through the creation of new good quality employment buildings and improved landscaping treatments. The units will be of a good quality built form - with two storey glass entrance-ways and aluminium framing to create focal points, with composite grey cladding and ceramic panel detailing at intervals along the elevations. This functional but attractive design will help bring a sense of identity to the site - which is currently dominated by a single and tired-looking large warehouse building. Additional landscaping detail is required by condition – to ensure a high quality provision alongside the visually important A49 Winwick Road corridor.

All buildings on the site would be constructed to exceed current building regulation requirements – in terms of energy efficiency – and measures are incorporated into the design of the buildings to assist in reducing the level of carbon dioxide emissions.

**Comment**

- It is understood that there is no prospect of these proposals being implemented – unless the application for new retail development at the adjoining Alban Retail Park is first granted planning permission (2011/18583 – also on this Agenda) – as the viability of this scheme is reliant on the proposals at Alban Retail Park
- The applicant is committed to invest in this location. The opportunity to deliver the employment proposals is dependent upon the redevelopment and extension of Alban Retail Park which, through increased rental incomes, will help to finance the
new employment development. Read together, these major investments will create much needed employment and deliver significant improvements to the streetscene which will have a strong catalytic effect on this key A49 corridor

Responses to consultation (Full details on file)

Planning Policy
No objection (Appendix 1 below).

Highways
No objection subject to a financial contribution towards measures to mitigate the impact of the proposed development on the local transport network – Appendix 2.

Environmental Protection
No objection subject to conditions.

Environment Agency
No objection in principle, subject to conditions.

United Utilities
No objection subject to conditions.

Health and Safety Executive
Do not advise against the grant of planning permission.

Responses to Notification (Full details on file)

Neighbours
No response.

Conclusions and reasons for recommendation/decision
Overall, the proposal is considered to be a major opportunity to visually improve this large and prominent site at an important “gateway” location – as recognised in the Council’s Regeneration Framework 2009. Subject to conditions and to S106 Agreement, the traffic impacts of the proposal can be adequately mitigated. The development would provide good quality modern employment floor space in a commercially popular and sustainable location and is considered to be accord with the provisions of policies DCS1; DCS6; DCS7; GRN1; GRN2; GRN4; GRN5; GRN12; GRN22; GRN23; GRN24; HOU7; REP1; REP4; REP5; REP6; REP7; REP8; REP10; REP11; REP16; LUT1; LUT5; LUT7; LUT10; SOC1 of the adopted Warrington UDP.

Appendix 1 – Comments from WBC Planning Policy

Proposals
The application seeks the development of 18 new industrial units (use classes B1(b), B1(c), B2 and B8). The proposals will provide a total of 19,354m² of floorspace. The proposals will result in a minor increase to the overall amount of employment floorspace on the site providing an additional 45m² of floorspace.
The proposals involve the partial demolition of the former Fiat Warehouse and will range in size from 279m² to 3804m² including mezzanine floor provision and are aimed at offering flexible new business start-up space and space for small and medium sized business.

**Policy Considerations**

**PPS1 Delivering Sustainable Development**

The applicant outlines that the central principle underpinning the planning system is identified in PPS1 as delivering sustainable development. The planning system is the central means by which sustainable and inclusive patterns of development are created. The applicant provides justification as to how the development may support this later in their submission.

**PPS4 Planning for Sustainable Economic Growth**


Its primary objective is to plan for sustainable economic growth. The statement also promotes the vitality and viability of town and other centres and aims to direct development to identified centres.

The proposed employment uses on the site do not fall within the ‘main town centre’ uses set out in PPS4.

Policy EC10 identifies that local planning authorities should adopt a positive and proactive approach when considering applications for economic development. It also sets out a variety of impact tests that economic development proposals should be assessed against.

These are set out below and considered in turn below;

Whether the proposal limits carbon dioxide and minimises vulnerability to climate change over the lifetime of the development;

The application is accompanied by an Energy Statement which demonstrates the applicant's commitment to a low carbon approach. The applicant outlines that they are committed to delivering a development that limits carbon dioxide emissions and taking forward the use of low carbon technologies and energy efficiency measures as much as is practicable.

The applicant also outlines in paragraph 4.27 that all buildings on the site will be constructed to not only meet the present and future building regulations, but also will meet the sustainable construction agenda. Energy efficient measures are incorporated into the design of the store to assist in reducing the level of carbon dioxide emissions.

It can be agreed that this employment proposal would assist in limiting carbon dioxide and climate change.
Whether the proposal is accessible by a choice of transport means;

The applicant outlines that the site is located in an area that is well served by public transport and is identified as a 'frequent bus route' by the Warrington Borough Council Bus Route Map which benefits from at least six buses an hour Monday-Saturday. The site also benefits from access to a cycle route along Winwick Road with Cycle Parking to be provided whilst also being located close to the M62 motorway and on a key route into Warrington Town Centre.

The applicant outlines that the site is already considered to be a highly accessible location and the proposals will not have a negative impact on this. In fact the proposals will help to improve the accessibility to the site through the creation of a new vehicular access point directly off Winwick Road which will reduce pressure on Hawleys Lane which currently provides the only access point into the site.

It can be agreed that the proposal for the employment uses would be accessible by public transport.

Whether the proposal secures a high quality and inclusive design & the impact on economic and physical regeneration in the area

The applicant identifies that the current site is dominated by the existing Fiat Warehouse which is tired in appearance and offers little to the streetscene. The proposals will deliver high quality buildings which will enhance this key gateway site. These proposals will also significantly enhance the visual appearance of this key transport corridor providing a genuinely high quality inclusive design.

This is a Development Management consideration in relation to design. The applicant outlines (para 4.24) that the proposals align with the objectives of the Regeneration Framework and will help increase the prospect of new investments into the wider Northern Spine Regeneration Area through increased investor confidence. It should be noted that the Regeneration Framework does not form part of the Council’s statutory Development Plan. The document has not been subject to wider consultation, and the weight that could be attributed to this document as material considerations in considering this planning application is minimal.

The impact on local employment.
The applicant outlines that the proposals will help to secure the physical and economic regeneration of this area through redevelopment of this site by bringing the site back into active use and the creation of new employment opportunities for local people. Section 4 of the supporting statement provides details on the areas surrounding the site which are identified to be amongst the most deprived within the borough suffering from high levels of unemployment and low levels of income, particularly within the neighbouring wards of Orford and Poplars and Hulme.
The applicant outlines that the proposal is estimated to create approximately 506 full time equivalent jobs. On top of this a number of temporary construction jobs will be created throughout the redevelopment of this site.

The existing employment development on the site provides large scale warehousing and distribution floor space which was formerly occupied by Fiat as a parts warehouse and training centre. It is estimated that this former operation provides approximately 241 jobs.

Even if the existing warehouse were to be reoccupied the proposed development would deliver 265 net additional FTE jobs in the area. Given that Fiat have recently vacated the site, the jobs created by this redevelopment will all be net additional jobs whilst the development will help to bring this site back into use and help to attract new businesses to the site.

Although not all the work opportunities can be expected to be felt within the immediate local community, the proposals will help to increase the level of employment in the local area. The proposals will primarily provide job opportunities in the employment sector (Use Class B), however there will also be opportunities in the service and support roles (i.e. maintenance, cleaning and security).

It can be agreed that the proposal would provide economic benefits through the creation of new jobs in a sustainable location for employment development.

**Regional Spatial Strategy for North West (2008)**
While there is an intention to abolish the RSS, the strategy remains a consideration in Development Management decisions.

The Regional Strategy identifies Warrington as part of the Manchester City Region.

In terms of regeneration objectives, the key regional policy of relevance for the application site is Policy MCR 6: Strategic Framework for Warrington.

The applicant also sets out relevant policies in paragraph 5.7 of their statement.

**Warrington UDP**
The applicant correctly identifies that the location of the building falls within an identified employment area and therefore policy EMP4 applies which seeks to ensure that the redevelopment and changes of use within existing employment areas are supported provided that the use falls within Use Classes B1, B2, or B8, or is a sui-generis employment use density. The employment uses proposed are consistent in principle with this policy and appropriate in this location.
Employment Land Supply
The applicant outlines that the Council’s 2010 Employment Land Availability Statement identifies a healthy forward supply of employment land within the borough showing a marginal oversupply when compared to the requirements set out within the Warrington UDP (Policy EMP1). Although the proposals for the adjacent Alban Retail Park extension result in the loss of some employment land, this loss is minor and will not affect the supply of employment land within the borough. In terms of employment floor space, these proposals provide a similar level of employment floor space than is currently provided on the wider site. As such the proposals will not harm the supply of employment land or floor space within the borough in accordance with RSS Policy W3 and UDP Policy EMP1.

The proposals will replace a large old warehouse premises which has recently become vacant. The new units are intentionally smaller, aimed at flexible local businesses.

The 2010 Employment Land Review (Warrington Borough Council) identifies that the majority of companies (95%) currently located within Warrington are small businesses with less than 50 employees. The number of companies in Warrington with 200 or more employees represents just 1.25% of the total number of companies located in the town. This highlights the importance of these smaller companies to Warrington as a key employer of local people. Given the strong presence of smaller companies in the borough it is important that high quality floor space is created that meets their needs and is of a scale that is appropriate to their business.

Flood Risk
The applicant has provided a flood risk assessment indicating that a sequential test has been carried out. A list of the sites considered has not been submitted and it is understood that the applicant is due to forward these to the Council. A response to this assessment will be provided once the information has been received.

Conclusion
The proposals involve the partial demolition of the vacant Fiat Warehouse to provide a total of 19,354m² floor space for B1(b), B1(c), B2 and B8 uses. However the proposal will only result in an additional 45m² of employment floor space in the borough.

The justification submitted to support the application is considered to be consistent with national, regional and local policy in relation to the principle of the proposed employment development.

Provided that the proposal satisfies the sequential flood risk assessment then the application can be supported from a policy perspective. A conclusion to this assessment will be provided once the information has been received.

Appendix 2 – Comments from WBC Highways
As for 2011/18583 – also on this Agenda.
Application Number: 2011/18583

Location: Alban Retail Park, Hawleys Lane, Warrington

Ward: Bewsey and Whitecross, Orford

Development: Proposed construction of five new retail units (Use Class A1), one new restaurant unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail, improvements to existing retail units including new lobby entrances, new façades, and new servicing access with associated car parking and landscaping. Creation of new road junction with Winwick Road and improvements to existing access off Hawleys Lane.

Applicant: Mr Christopher Barr, Derwent Holdings Ltd

RECOMMENDATION: Approve subject to Section 106 Agreement

Conditions:
- Standard Time limit - full 3 years
- Approved plans/drawings
- Foul/surface water disposal
- Further details of landscaping to be agreed and implemented
- Tree protection measures
- Scheme of job creation/training opportunities
- Energy efficiency/renewable energy measures
- Land contamination
- Cooking equipment
- Noise insulation of external plant
- Any floodlights to be agreed
- Non-food only
- No sub-division of units without consent
- Road improvement works; Hawleys Lane - Winwick Road
- Retention of parking
- Cycle parking to be retained
- Travel Plan to be agreed

Reason for Referral to Committee
- Departure from the Development Plan

Description
- This application is submitted concurrently with proposals for new employment uses at the adjoining (formerly Fiat) site (2011/18571) – also on this Agenda
- Full application for comprehensive development – as set out above
• The extension and modernisation of the existing Alban Retail Park is proposed - to include the creation of five new retail units and one new restaurant unit. Alongside these works the existing retail units will be remodelled and improved through the creation of new lobby entrances, new elevation façades and improved servicing access
• Three units (the existing Pizza Hut, KFC and Carphone Warehouse) are to be retained and will remain unaltered
• Potential creation of 260 jobs - although the retail use is the primary focus of the proposals, employment opportunities will also be created within the restaurant use and through other support roles (e.g. servicing and security)
• A total of 716 parking spaces would be provided - of which 628 are standard parking spaces, 56 spaces would give disabled and family provision - 29 would be for use by staff.
• Provision for various highway works include new accesses off Winwick Road and improvements to the existing access with Hawleys Lane

Location
• The 7.5 ha site mostly comprises the existing Retail Park and is alongside an approx 450m stretch of Winwick Road, with the former Fiat site to the north
• The application site goes beyond the existing northern boundary of the retail park into part of the former Fiat site – where the five new units would be accommodated
• The site is bounded to the west by Antrim Road, to the south by Hawleys Lane – which currently includes the main access point - and to the east by housing and open space, on the other side of Winwick Road itself

Relevant History
Planning permission was granted for the retail park, including a fast food outlet and garden centre in June 1988 (88/21277). Prior to that, the site was part of the adjoining Fiat site. Since the development of the retail park there have been many applications for adverts, fencing and other works associated with the retail uses.

The Retail Park currently has a total gross floor space of 14,535m2, which consists of nine A1 retail units, two A3 food units (543 m2) and a 298m² car repair centre. The retail park currently has two vacant units.

Main Issues and Constraints
Principle; Retail matters
Highways/Transport matters
Nature conservation matters
Detailed matters; design, landscaping etc
Other material considerations

Key policy/guidance checklist
National Planning Policy & Guidance:
PPS1; Delivering Sustainable Growth
PPS4; Planning for Sustainable Economic Growth
In general terms, the physical and economic renewal of this site is considered desirable. Warrington’s strategic regeneration vision is set out in a number of key documents. The Alban Retail Park site is situated within the Northern Spine Regeneration Area, which is located along one of the main routes into Warrington. This area is identified as a focus for new economic development. The key regeneration documents relating to the proposals and the application site are:

- Warrington Unitary Development Plan (2006)
- Regeneration Framework for Warrington (2009)
- Local Development Framework Core Strategy Objectives and Options (2010).

It is acknowledged that there is clear potential for the physical updating and renewal of the site - that would have a positive impact on neighbouring wards - which currently suffer from high levels of deprivation. Whilst it is accepted that not all new work opportunities would be available to the immediate local community - the proposals would help to increase the level of employment in the local area. The proposals will primarily provide job opportunities in the retail sector, however there will also be opportunities in the restaurants and in service and support roles (eg, maintenance, cleaning and security). Research, most recently noted in the Government White Paper Health Lives Healthy People (November 2010) has found that improved health is one of the positive impacts from increased employment opportunities as a result of higher income levels leading to a greater accessibility to health care. It is acknowledged that approval of the proposals would add to the viability of the proposals at the adjoining Fiat site (2011/18571 – also on this Agenda) – and enhance the prospects of the delivery of that scheme – which in turn would bring further employment and other benefits.

The proposals at Alban Retail Park are, however, in clear conflict with policies which aim to concentrate significant new retail floor space within town or other existing retail centres (Appendix 1 below). By reason of the scale of retail development in this out-of-centre location, the proposal is considered to be a Departure from the Development Plan (ie the adopted Warrington UDP).

There is clearly scope to resist this development through the application of UDP policies relating to retail development. Overall however, it is considered that
notwithstanding conflict with elements of adopted UDP and national planning policy and guidance - which require thorough justification for new out-of-centre retail development (in order to protect the viability of the town and other centres) that overriding weight should be attached to the following material factors:
- the project represents a rare – and possibly unique - opportunity to begin the environmental and visual transformation of a large site within the Winwick Road corridor in earnest;
- the project would better secure the viability of the proposals on the adjoining former Fiat site (2011/18571) – which itself would bring forward acknowledged further regenerative and other benefits;
- whilst an addition to retail floor space, the development relates to a site already in active retail use and it is unlikely that use will diminish;
- the clear wider regeneration benefits accruing from the development outweigh any harm in respect of retail policy.

It is not considered that the grant of consent would set a potentially seriously harmful precedent for future out-of-entre retail development in the Borough – because of the particular potential of this proposal to secure the viability of firm proposals at the adjoining Fiat site – thereby fulfilling acknowledged strategic objectives – including those in the Council’s Regeneration Framework 2009.

It is not considered either that the proposal would seriously limit or prejudice the ability of the Council to plan positively in order to underpin and secure investment in Warrington Town Centre, the Bridge St area and other areas – because these other areas would remain as the prime focus for retail uses and for a wide range of other “town centre” uses.

| LUT1; LUT5; LUT7; LUT10; LUT20 | Highways/ Transport matters | Amended plans have been agreed which show adequate access arrangements to and from Winwick Road. A financial contribution, based on current SPD, has been put to the applicant for agreement – in order to secure measures to further mitigate impact on the local transport network – Appendix 2 below. |
| GRN2; GRN21; GRN22 | Nature conservation matters | The site is acknowledged as currently having little interest in these terms, with little scope to enhance potential value as part of this form of development. |
| DCS1; DCS7; GRN2; GRN22 | Detailed matters; design, landscaping etc | The proposed detailing and design of new buildings, and their layout would form an acceptable addition to the existing retail park, in visual terms. Enhancements to planting along the A49 Winwick Road edge are satisfactory. |

Comment
- It is acknowledged that there is little likelihood of the proposals for employment development at the former Fiat site (2011/18571 – also on this Agenda) going ahead – unless this application is first granted planning permission – as the viability of the scheme on the Fiat site is reliant on the proposals at Alban Retail Park
It is therefore valid for Members to attach weight to the greater prospect of securing the desirable re-development of the Fiat site – if a resolution is first made to grant planning permission for the proposed re-development of Alban Retail Park.

Responses to consultation (Full details on file)

Planning Policy
Object – Appendix 1 below:
- The proposed retail use and restaurant use has not been sufficiently justified in this out of centre location as the applicant has failed to properly undertake the sequential assessment.
- Up to date commitment information is lacking and inaccuracies are contained within the assessment.
- The conclusions of the applicants own capacity assessment cannot be agreed.
- It is considered that the proposal could cause significant adverse impacts to Warrington Town Centre from the justification set out in the impact test.
- No material planning considerations have been set out that are considered to outweigh the national policy tests.
- Allowing the proposal could continue to set a precedent for future out of centre retail development in this location and other locations.
- Such proposals limit the ability for the Council to plan positively to underpin and secure investment in Warrington Town Centre
- The level of floorspace proposed for this application alone as well as current commitments and cumulatively with existing provision within the borough pose a significant threat to the vitality and viability of Warrington Town Centre as a whole and longer terms corporate aspirations such as Bridge Street development.
- There are therefore strong policy objections to this proposal. If minded to approve, the proposal should be referred to the National Planning Casework Unit, and advice should be sought regarding conditions.

Comment
- Notwithstanding the receipt of further information and justification from the applicant, there remains conflict with Planning policy
- The additional information does not satisfy the policy tests. The proposal is not only contrary to National Policy and the Development Plan but also poses a significant threat to the vitality of the town centre and the viability of the Bridge Street regeneration scheme. Compromising this key corporate priority should be carefully considered
- If minded to approve, the proposal should be referred to the National Planning Casework Unit for them to decide whether it should be called-in for decision by the Secretary of State.

Highways
No objection subject to a financial contribution towards measures to mitigate the impact of the proposed development on the local transport network – Appendix 2.

Environmental Protection
No objection, subject to conditions.
**Nature Conservation**  
No objection, subject to conditions.

**Environment Agency**  
No objection, subject to conditions.

**United Utilities**  
No objection, subject to conditions.

**Responses to Notification** *(Full details on file)*

**Wigan Council**  
No response.

**St Helens Council**  
Comment:  
- Proposal unlikely to impact on St Helens  
- Principle of retail use already established here  
- In conformity with PPS4 and policy EMP8 of the Warrington UDP  
- Conditions may need to be applied with regard to limits on unit sizes and range of goods sold to prevent harmful impact on the town and other centres

**Halton Borough Council**  
No response.

**Neighbours**  
No response.

**Conclusions and reasons for recommendation/decision**

Approval is recommended subject to conditions; subject to S106 Planning Obligation and subject to referral to the National Planning Casework Unit.

Notwithstanding conflict with elements of adopted UDP and national planning policy and guidance - which require thorough justification for new out-of-centre retail development (in order to protect the viability of the town and other centres) it is considered that overriding weight should be attached to the following material factors:

- the project represents a rare – and possibly unique - opportunity to begin the environmental and visual transformation of a large site within the Winwick Road corridor;
- the project would better secure the viability of the proposals on the adjoining former Fiat site (2011/18571) – which itself would bring forward acknowledged regenerative and other benefits;

It is not considered that the grant of consent would set a potentially seriously harmful precedent for future out-of-entre retail development in the Borough – because of the particular potential of this proposal to secure the viability of firm proposals at the adjoining Fiat site – thereby fulfilling acknowledged
strategic objectives – including those in the Council’s Regeneration Framework 2009.

It is not considered either that the proposal would seriously limit or prejudice the ability of the Council to plan positively in order to underpin and secure investment in Warrington Town Centre, the Bridge St area and other areas – because these other areas would remain as the prime focus for retail uses and for a wide range of other “town centre” uses.

By reason of the scale and nature of the proposed development, it is considered necessary that referral to the National Planning Casework Unit is necessary, should Members resolve to approve the application subject to conditions and subject to S106 Agreement as set out in this report.

The proposed development is considered to be accord with the provisions of policies DCS1; DCS6; DCS7; GRN1; GRN2; GRN4; GRN5; GRN12; GRN22; GRN23; GRN24; HOU7; REP1; REP4; REP10; REP11; REP16; LUT1; LUT5; LUT7; LUT10; and SOC1 of the adopted Warrington UDP.

Appendix 1 – Comments from WBC Planning Policy – Policy Background; Energy Efficiency and Renewable Energy

Proposals
The above planning application proposes the extension and remodelling of the existing Alban Retail Park to create an additional five retail units and one A3 restaurant unit (237 sq m). The proposals will create an additional 5,307m² gross A1 retail floorspace.

Retail and leisure development are defined as a main town centre use within PPS4 and the site lies outside of any centre designated by UDP Policy TCD1.

The key policy consideration is to assess whether the proposed floorspace is justified in this out of centre location considering both the sequential and impact tests set out in National Policy and any other material considerations.

Policy Considerations
Planning Policy Statement 4 (PPS4): Planning for Sustainable Economic Growth was published in December 2009. The statement also promotes the vitality and viability of town and other defined centres and aims to direct development to identified centres.

In addition, Planning Policy Guidance (PPG13): Transport, also provides guidance to LPAs to ensure that policies for retail and leisure seek to promote the vitality and viability of existing town centres, which should be the preferred locations for new retail and leisure developments.

Quantitative Need Assessment
PPS4 no longer requires applicants to demonstrate quantitative or qualitative need. The Council’s Retail & Leisure Study 2006 and update in 2009 (WRLS) includes a capacity assessment and is considered to be robust evidence for
policy development and to assess planning applications. The applicant has undertaken their own capacity assessment using assumptions that vary significantly from the Council’s evidence.

The relative merits of which assessment is the most accurate to use will not be debated at this time but it is considered that the assumptions made by the applicants in relation to the following elements inflate the amount of available capacity at the design date (2017).

- Population estimates
- Expenditure
- Special Forms of Trading
- Sales Densities
- Commitments

It is acknowledged that the WRLS took a cautious approach to the issue of market share, which was also noted by the Inspector and Secretary of State at the Wireworks and Time Square call-in inquiry in 2007. The nature of retail capacity assessments are that they do not provide an unquestionable picture of the future situation and they are based on a number of assumptions. It is considered entirely appropriate and robust for the study to take a cautious approach.

When using the Council’s evidence base and considering current commitments capacity only begins to emerge to support development at around 2019.

**PPS4 Considerations**

PPS4 takes a wide-ranging and positive view of economic development.

Plan making policies EC1 and EC2 advise that LPAs must take account of both the quantitative and qualitative need for additional floorspace for different types of retail developments in planning positively for town centre developments. Policy EC2 specifically advises regional and local planning authorities to plan for sustainable economic growth.

In relation to retail and development management policies, PPS4 places emphasis on the sequential and impact test. The relevant polices to properly assess this application are policies EC10, EC14, EC15, EC16 and EC17. I will deal with each policy in turn:

**EC10: Determining planning applications for economic development:**

The policy outlines that LPAs should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably. Policy EC10.2 sets out five impact considerations that any planning application for economic development must be assessed against. The submitted supporting planning statement considers each one in turn. Comments in relation to the criteria considered are set out below:
Carbon Dioxide Emissions, Climate Change and Accessibility
The applicant outlines that all new buildings on the site will be constructed to present and future building regulations and will meet the sustainable construction agenda. Energy efficient measures will be incorporated into the design of the stores to assist in reducing the level of carbon dioxide emissions. The applicant states that they are committed to delivering development which provides energy performance in accordance with the Council’s requirements for 10% energy saving.

The applicant’s commitment to a low carbon approach and proposed energy efficiency measures are noted. However, the proposals involve the development of new units, which will inevitably increase the overall energy demands throughout the retail park.

The proposal site is certainly less accessible than a town centre site and would arguably increase carbon dioxide emissions through increased trips and lack of combined trips to town centre facilities.

Design
The applicant outlines that, alongside the A1 and A3 units, the existing retail units will be remodelled and improved through the creation of new lobby entrances and new elevation facades. The existing units will be re clad with new facades which the applicant states will significantly improve and enhance the image of the retail park. The supporting statement outlines that the recladding will be of high quality, and will bring together the existing and new units, creating a coordinated and coherent scheme. The proposals will also introduce quality soft landscaping at the application site itself and along the adjacent transport corridor to improve the key gateway.

The supporting statement outlines that the proposals will deliver high quality buildings and improvements to existing buildings which will enhance this key gateway site whilst significantly enhancing the visual appearance of this key transport corridor providing a genuinely high quality inclusive design.

The proposed design measures are noted and aesthetic improvements to the A49 corridor are welcomed. However, these must be appropriately weighed against the other policy considerations set out in this memo.

Economic and Physical Regeneration
The supporting statement outlines that the existing retail park has a number of vacant units and trades poorly and that the proposed extension and remodelling will result in a higher quality retail park, attracting higher order retailers, with stronger economic performance.

The applicant states that the surrounding areas (particularly Orford and Poplars and Hulme) are amongst the most deprived within the borough with high levels of unemployment and low levels of income and that proposals will help secure the physical and economic regeneration of this area through the extension and renovation of the retail park by bringing vacant units back in to use and creating new job opportunities.
It is stated that the proposals will also improve the physical appearance of the application site and the A49 Transport Corridor.

Whilst the Council recognises the importance of the A49 corridor, aesthetic improvements to the A49 corridor should be appropriately weighed against the other policy considerations set out in this memo.

**Employment**

In terms of permanent job creation, the additional floor space and reoccupation of the existing vacant retail units is estimated to create approximately 260 additional full time equivalent jobs.

It is stated that not all the work opportunities can be expected to be felt within the immediate local community but will increase the level of employment within the area.

The application does not, however, provide a breakdown of how exactly the 260 full time equivalent jobs will be provided. This figure appears to be excessive given the total amount of floor space proposed.

Employment opportunities are welcomed in the borough where the development is located in appropriate, accessible and sustainable locations and where the proposals are consistent with other parts of the development plan. This is not considered to be the case in this instance.

**Summary of Policy EC10**

Overall, it is not considered that the proposal meets the impact tests set out in Policy EC10 of PPS4. It can be agreed that the proposal does offer some benefits such as improved design, employment and regeneration opportunities but these could be achieved through all development. This proposal is not unique or exceptional and it is important to be aware of the precedence these type of considerations could have on outweighing other policy tests.

**EC14- Supporting evidence for planning applications for main town centre uses:**

This policy identifies that applications for main town centre uses which are not in an existing centre nor allocated in an up-to-date development plan must be accompanied by a Sequential Assessment. It also makes specific reference to applications to remove conditions changing the range of goods sold. An Impact Assessment is required for developments over 2,500sq m gross or any local floor space threshold. This is to identify any applications that are likely to have significant impact on Warrington Town Centre or other defined centres in the hierarchy.

The applicant has provided a sequential and impact assessment. The assessment and conclusion of these are addressed when considering Policy EC15 & EC16. These are considered below.
**EC15- The consideration of sequential assessments for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan:**

The policy advises that LPAs should ensure that all in-centre options have been thoroughly assessed before less central sites are considered. Sites should be assessed for their availability, suitability and viability.

It is noted the applicant has carried out a sequential assessment and considered ten properties; three of which are within the Retail Core of Warrington Town Centre, five are within the Warrington Town Centre boundary, and two are in edge of centre locations.

The sequential search has considered sites that are up to 15% larger than the largest proposed retail unit (1,346sqm) and 15% smaller than the smallest unit proposed (889sqm). Therefore the sequential search has identified sites and units capable of accommodating between circa 750sqm and 1,548sqm gross retail floor space on a single retail floor or with mezzanine floor provision. I will deal with each site in turn in the table below:

<table>
<thead>
<tr>
<th>Premises</th>
<th>Location</th>
<th>Applicant’s comments</th>
<th>WBC comments</th>
</tr>
</thead>
</table>
| 1. Former Littlewoods Store, Unit 47A-47B Golden Square Shopping Centre | Retail Core | - Unit considerably larger than the largest new unit at Alban Retail Park. Would need to be subdivided. 
- Subdivision not possible due to small frontage of unit and irregular layout. 
- Not attractive to retail operators if just using one floor due to large amount of floor space being unused meaning high rent for a small level of net retail sales area.
- Poor service access.
- Unit not considered as a suitable scale to accommodate any of the proposed retail units. | - No specific rental information has been provided to conclude unit is not viable. |
| 2. Former Boots Store, 39-45 Bridge Street | Retail Core | - Level of floor space considerably larger than proposed units at Alban Retail Park. Potential to subdivide. 
- Floor space would be over two floors. Unattractive to retailers that usually locate at retail parks. 
- Not attractive to retail | - Such use in town centre could complement existing retail uses. 
- Stated unsuitable but no specific information provided on rents. |
<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed Retail Unit</th>
<th>Comments</th>
</tr>
</thead>
</table>
| Town Centre | - Too small, only 690sqm.  
- No dedicated car park.  
- Unit not considered suitable. | - Car parks to front and rear of Cockedge Mall.  
- Agreed that the unit is smaller than required. |
| Town Centre | - 1,054sqm gross retail floor space.  
- Currently occupied on a temporary basis. But is actively being marketed and is available.  
- Located 500m outside principal retail frontage so not considered sequentially preferable to application site. | - Agreed that the site is outside the Retail Core.  
However, the site is within the Town Centre boundary and more sequentially preferable to application site. |
| Edge of Centre | - Planning condition restricts the sale of goods from the unit (98/38069).  
Sale of bulky goods only.  
- Proposals are for unrestricted A1 units so unit not considered suitable.  
- Located 500m from Principal Shopping Frontage so is an out of centre location. Not considered sequentially preferable. | - Agreed that the site is outside the Retail Core.  
However, the site is edge of centre and more sequentially preferable to application site. |
| Town Centre | - Currently occupied but actively marketed so considered available.  
- 1,884sqm gross retail floor space. Considerably larger (40%) than proposed units.  
- Not considered suitable | - Agreed that the site is outside the Retail Core.  
However, the site is within the Town Centre boundary and more sequentially preferable. |

operators if just using one floor due to large amount of floorspace being unused meaning high rent for a small level of net retail sales area.  
- Poor service access.  
- Unit not considered as a suitable scale to accommodate any of the proposed retail units.
| **7. Pound Stretcher, Unit H2 Cockhedge Shopping Park** | **Town Centre** | - Currently occupied but actively marketed so considered available.  
- Too small, only 634sqm.  
- Unit not considered suitable.  
- Located 400m from Principal Shopping Frontage so is an out of centre location. Not considered sequentially preferable. | - Agreed that the unit is smaller than required.  
- Agreed that the site is outside the Retail Core.  
However, the site is within the Town Centre boundary and more sequentially preferable to application site. |
| --- | --- | --- | --- |
| **8. Former MFI, Wilson Patten Street** | **Town Centre** | - Unit vacant since 2008.  
- Restricted by planning condition. Sale of durable household goods only.  
- Proposals are for unrestricted A1 units so unit not considered suitable.  
- Go Outdoors Ltd to lease the site (2011/17725 approved and allows sale of camping and caravanning goods and outdoor equipment.). Unit no longer considered available.  
- 2,600sqm retail floor space. Considerably larger than proposed units.  
- Unit not considered suitable.  
- Unit cannot be sub-divided.  
- Located 450m from Principal Shopping Frontage so is an out of centre location. Not considered sequentially preferable. | - Unit now occupied by Go Outdoors Ltd.  
- Accepted that unit no longer available. |
<p>| <strong>9. Former Edge of</strong> | <strong>Edge of</strong> | - Planning consent for | - Agreed units |</p>
<table>
<thead>
<tr>
<th>Wireworks site, Winwick Street</th>
<th>Centre</th>
<th>mixed use development including 4,490sqm gross retail floor space (2010/16345). Considered available.  - Two retail units. Condition restricting subdivision of units.  - Larger unit considered too big. Smaller unit considered sufficient scale for current proposals.  - Condition restricts sale of clothing and footwear. Proposals are for unrestricted A1 units so unit not considered suitable.  - Units would be most attractive to bulky goods retailers.  - No dedicated parking provision for the retail units. Only proposed parking not visible so pass by trade unlikely to stop and visit the retail units.</th>
<th>may not be suitable.</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. Bridge Street Quarter redevelopment site</td>
<td>Retail Core</td>
<td>- Site will not come forward at same time as proposed development at Alban.  - Development will come forward on a phased basis so retail units can be discounted as a sequential site on the basis that they are unavailable.</td>
<td>Proposals pose a potential threat to the Bridge Street scheme which is likely to be will be implemented within the next five years.</td>
</tr>
</tbody>
</table>

The applicant concludes that none of the ten units assessed above are available, suitable or viable to accommodate the scale and type of retail floor space proposed.

Some of the units have been discounted due to viability reasons although no indication of the typical rents associated with the units assessed have been provided compared with the typical rents expected to be paid for such a store. A number of units have also been discounted for not being sequentially preferable, which is factually wrong. In addition, many have been unattractive to occupiers which will always be the case if comparing in centre to out of centre options.
The applicant has failed to consider the following six units. Pre-application advice on which units to include in the sequential test was not sought from the Policy Team.

1. Vacant unit at Riverside Retail Park
2. Cabinet Works
3. Vacant units at Golden Square
4. Vacant unit at Tile Wizard, Winwick Road
5. Former TK Maxx, Cockedge
6. Former TJ Hughes, Sankey Street

All of the above are being marketed at present. Whilst some of these are also considered to be edge or out of centre sites, they are nevertheless in sequentially preferable locations than the application site with existing retail permissions.

Given that the sequential test has not sufficiently detailed viability issues or addressed all appropriate units, it can not be agreed that the proposal satisfies the requirements of Policy EC15.

**EC16- The impact assessment for planning applications for main town centre uses that are not in a centre and not in accordance with an up to date development plan:**

As previously explained under policy EC14, an impact assessment is required for a retail use of this size in an out of centre location.

Policy EC14.7 explains that the assessment of impact should focus on the first 5 year period after the implementation of the proposal.

The applicant outlines within their statement that they anticipate the proposal will be operational in 2017 and have therefore assessed the impacts at this time.

The policy advises that LPAs must assess the impact of the proposals for main town centre uses that are not in a centre against a number of tests: I will deal with each one in turn below:

**a. The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal**

Paragraph 1.5 of Appendix 3 of the applicant’s supporting Retail Assessment outlines that the cumulative impact of retail commitments and planned developments at the design year of 2017 is shown in Table 11 of Appendix 5. This takes into account the impact of current planning consents (commitments) within the Alban PCA and also planned investment as highlighted within the capacity appendix (2).

As stated previously in the memo, the applicant’s use of a number of assumptions to assess capacity, turnover and trade diversion vary significantly from the Council’s evidence base. Up to date commitment information is lacking from the applicant’s statement, as well as accurate
anticipated floor space information in relation to the future Bridge Street Scheme. The relative merits of which assumptions are most accurate will not be debated at this time but some assumptions may contribute to potentially understimating the impact the proposal could have on Warrington Town Centre.

When using the Council’s evidence, it is considered that the scale of retail floor space proposed in this location could have a serious detrimental impact on retailing within Warrington Town Centre and allowing further cumulative retail development in peripheral locations will only exacerbate this problem.

Paragraph 1.14 of Appendix 3 refers to the Bridge Street Redevelopment. The applicant has calculated turnover of this development based on the expected uplift created using the proposed floor space set out within the master plan document. It should be reiterated that these assumptions and proposed floor space figures cannot be agreed.

Given that the Council is actively promoting the Bridge Street area for mixed use development, it is supercilious to state that “the proposals will not prevent any committed or planned investment within Warrington town centre (former wireworks and Bridge Street Quarter).” The next five years will be critical in the viability of this scheme (2017 is the year in which the applicant has assessed the impacts of the scheme.)

The applicant’s conclusion in relation to impact EC16a is strongly disputed. Continuing to allow this and similar out of centre development could seriously compromise the viability of the Bridge Street scheme and the vitality of Warrington Town Centre as a whole.

b. The impact of the proposal on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer

The Retail Assessment statement outlines in para 5.87 that “In respect of the requirements of EC16.1b and EC16.1d, these have been assessed in detail through the accompanying Impact Assessment at Appendix 3. This clarifies that it is extremely unlikely that there will be material adverse impacts upon the ongoing vitality and viability of centres resultant from this proposal, based upon a cumulative impact approach.”

It is noted that appendix 3 provides details on the impact of committed and planned developments and also makes reference to the Bridge Street Scheme. Conclusions in relation to these are set out above in impact test (a) where they are most relevant.

In relation to this impact test, it is noted that the applicant has included a Warrington Town Centre Health Check in March 2011 within Appendix 4 of their submission although this is not specifically referred to in the supporting text. It is assumed that this Health Check has been undertaken by the applicant. The Council’s most recent Town Centre Health Check was published in December 2009 and this has not been referred to.
It cannot be agreed with the conclusions set out by applicant which include that ‘the centre offers a diverse mix of uses’ and that ‘the vacant units in the town centre are predominately small in scale and are of poor quality’. The applicant has also omitted any reference to the Council’s conclusion in 2009 that the main threat to Warrington Town Centre is the continued development of retail uses in peripheral locations.

In addition the applicant makes no reference to the Council’s Retail Study & Leisure Study in relation to the vitality and viability of Warrington Town Centre. The WRLS also makes a number of references to the type of retail floor space within the edge and out of centre locations in Warrington and the threat they pose to the vitality and viability of the town centre. Paragraph 4.22 of the retail study concludes that the extent of the edge/out of centre offer that competes directly within the town centre in many instances is a major weakness. Paragraph 6.12 notes that “Retail warehousing is well provided for in the borough and the quality of the offer is good. There should be no need for new bulky goods retail warehousing in the Borough during the study period.” Paragraph 10.32 goes onto conclude that, “There is no qualitative need for new retail warehousing as the local offer is already very good and there are several vacant units that could be used to accommodate any further demand”

The situation has not changed significantly since 2009, apart from a more fragile market and more vacancies in the town centre. The applicants’ conclusion in relation to the impact on the vitality and viability of the town centre is therefore disputed.

c. The impact of the proposal on allocated sites outside town centres being developed in accordance with the development plan

There are no edge or out of centre sites allocated for retail development in the respective development plans in Warrington. This impact test is not applicable.

d. In the context of a retail or leisure proposal, the impact of the proposal on in-centre trade/turnover and on trade in the wider area, taking account of current and future consumer expenditure capacity in the catchment area up to five years from the time the application is made, and, applicable, on the rural economy

The Retail Assessment statement outlines in para 5.87 that “In respect of the requirements of EC16.1b and EC16.1d, these have been assessed in detail through the accompanying Impact Assessment at Appendix 3.

The key consideration here is the impact on ‘In Centre’ locations. ‘Edge and out of centre locations’ have no policy protection by PPS4.

Whilst the applicant argues that the scheme will only to divert a limited proportion of trade from Warrington Town Centre, any impact will be dispersed thinly across other retail parks across the borough, it must be reiterated that allowing such a scheme will directly compete with the town
centre, thus limiting the type of offer the town centre and other defined centres can provide.

e. If located in or on the edge of a town centre, whether the proposal is of an appropriate scale (in terms of gross floor space) in relation to the size of the centre and its role in the hierarchy of centres

PPS4 explains that it is only necessary to consider whether a proposal is of an appropriate scale if the application site is located ‘in or on the edge of a town centre’.

The applicant’s statement outlines that “The proposal is located out of centre and therefore, on a technical level, this policy requirement is not strictly relevant.” Nevertheless, the applicants state that the ‘proposed scheme is of a scale appropriate to its location. All the retail units within Alban Retail Park are large floor plate units. The proposed scheme will not therefore fundamentally alter the role or function of the wider retail park.’

Whilst the scale of the proposal may be similar to the scale and nature within the Alban Retail Park area, the proposal for the uplift of 5307sq m of out of centre floor space is significant to the potential impact on Warrington Town Centre.

As the Warrington Retail and Leisure Study 2006 & 2009 identifies, there is already a large amount of out of centre floor space in the borough that directly competes with the Town Centre and continuing to allow out of centre development will have a cumulative impact on the Town Centre.

f. Any locally important impacts on centres under policy EC3.1.e

The applicant has failed to comment on this impact test at all.

Policy EC3 of PPS4 sets the context for the assessment of application schemes against ‘locally important impacts’ and explains that local planning authorities, when formulating their development plan strategies, should ‘define any locally important impacts on centres which should be tested’.

A key local consideration is the development of the Bridge Street area. This will be specifically incorporated into the development plan as it progresses. The potential impact on this scheme is already set out above.

EC17: The consideration of planning applications for development of main town centre uses not in a centre and not in accordance with an up to date development plan:

LPAs should refuse planning permission where the applicant has not demonstrated compliance with the sequential approach or where there is clear evidence that the proposal could lead to significant adverse impacts. It is considered that the applicant has not sufficiently addressed the sequential assessment or impact test and therefore it cannot be agreed that proposal would not cause any significant adverse impacts on Warrington Town Centre. The proposal cannot comply with policies EC16 & EC17.
**Warrington UDP**

The supporting statement also makes reference to the Warrington UDP. Paragraph 5.97 outlines that, "UDP Policy TC1 sets out the retail hierarchy for the borough identifying the town centres, district centres, neighbourhood centres and local centres. This policy states that out-of-centre retail development will not be permitted where it would have a serious impact on the vitality and viability of any of these centres either cumulatively or by itself. As demonstrated above and within the accompanying Impact Assessment at Appendix 3 the majority of trade will be drawn from existing out-of-centre locations with impact on existing centres being minimal and in the case of Warrington Town Centre the cumulative impact being beneficial. As a result there will be no harm to the vitality and viability of any existing defined centres in accordance with UDP Policy TC1.

This conclusion is strongly disputed. It cannot be agreed that the proposal would not harm the vitality and viability of existing defined centres for the reasons set out previously. The proposal is therefore also contrary to the Development Plan and policy TCD1.

**A49 Improvements/ Regeneration Framework**

Para 1.15 of the supporting statement makes reference to the Council’s Regeneration Framework and defines the application site as part of the A49 Northern Spine. The statement outlines that “The framework promotes the transformation of ‘what is a dreary strip’ into a zone of active business and enterprise, building on the revitalised Collegiate campus and the delivery of the Orford Park project

It should be noted that the Regeneration Framework does not form part of the Council’s statutory Development Plan. The document has not been subject to wider consultation, and the weight that could be attributed to this document as material considerations in considering this planning application is minimal.

Para 1.16 goes on to add, “The Alban Retail Park has seen little investment over several years, the application is proposing the complete transformation of this key site into an appropriate gateway for Warrington through the creation of a high quality and attractive development. The proposals will increase job opportunities in the area and will promote economic and physical regeneration.

Whilst, the council recognises the importance of the A49 corridor and potential job creation, it is not considered that the aesthetic benefits to the A49 corridor would outweigh the policy objections including the potential impact this proposal would have on Warrington Town Centre.

**Conclusion**

The supporting statement concludes that, “There is a presumption for the grant of planning permission under Section 38(6) of the Planning Act as the proposals accord with relevant adopted development plan policies, supplementary planning documents, guidance and other material considerations. There are no material considerations found, including
emerging Local Development Framework plans and policies to reach an alternative conclusion than support for the proposed development”.

This statement is strongly disputed. The proposal is considered to be contrary to National, Regional and Local Planning Policy. The material considerations presented are not considered to outweigh the presumption that development control decisions should be made in accordance with the Development Plan.

There is already a significant amount of out of centre floor space in the borough that directly competes with the Town Centre and continuing to allow out of centre retail and leisure development will have a cumulative impact on the Town Centre which will affect the viability of key corporate schemes such as Bridge Street.

Continuing to allowing such uses in peripheral locations will continue to set precedence and reignite interest in developing retail along the A49 corridor and adjacent areas. It would also set a precedent in terms of diminishing the weight that should be given to the Council’s adopted policy framework and associated evidence base that support the emerging Local Development Framework.

Allowing this proposal would undermine the key objective in PPS4 of promoting vital and viable town centres.

Given the comments above, there are significant policy objections to this proposal.

The proposals do not accord with the adopted development plan. It is therefore advisable that if this application is recommended for approval or the Development Control Committee are minded to approve the application, that further clarification is sought from the policy team in relation to conditions that may be required.

Given the circumstances outlined above, it would also be appropriate to refer the application to the National Planning Casework Unit for them to decide whether it should be called-in for decision by the Secretary of State.

Appendix 2 – Comments from WBC Highways

2011 / 18583 – Alban Retail Park
The application seeks approval for the proposed construction of five new retail units (Use Class A1), one new restaurant unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail, improvements to existing retail units including new lobby entrances, new facades, and new servicing access with associated car parking and landscaping. The application also proposes the creation of a new road junction with Winwick Road, and improvements to the existing access off Hawleys Lane.
1. Proposed Site Plan
The proposed site plan is shown on drawing M3620 P102 J. This proposes the creation of five additional retail units to the north of the existing Alban Retail Park site and provision of a new hot food unit adjacent to the A49 Winwick Road.

In terms of how this quantum of development has been reflected within the Transport Assessment accompanying the application, it is noted that the TA states (para 6.1) that:

“The development proposes to increase retail floor space at Alban Retail Park by 5,245 sqm from 15,378 sqm to 20,623 sqm.”

This represents a 34% increase in overall retail floor space. Accordingly, in assessing the transport implications of the proposed development, a growth factor of 34% has been applied to existing observed traffic movements at Alban Retail Park.

2. Highway Improvement Works
The application proposes the improvement of the existing Hawleys Lane retail park access, and the creation of a new signalised access serving the retail park directly from the A49 Winwick Road.

2.1. Proposed New Signalised Access onto A49 Winwick Road
The design of the proposed new access junction onto the A49 has been subject to various amendments following comments received from the Council’s Highways Design and Urban Traffic Management and Control Managers. The revised design is now shown on drawing number 6395 -002 Rev D

The proposed junction would incorporate a dedicated right turn filter lane into the site from the A49 southbound carriageway and left and right turn lanes from the proposed new site access out onto the A49. The junction would incorporate controlled pedestrian crossing facilities on all arms.

In terms of its geometric design, it is to be noted that the proposed new junction would provide access for cars and LGV’s only. A swept path analysis has been provided to demonstrate that access into the site by a fire tender can also be achieved. However, given that the access would not be suitable for HGV’s, appropriate signage will need to be provided on the A49 to deter such movements.

The detailed engineering design of the new signalised access to incorporate appropriate signage should therefore be conditioned.

2.2 Proposed Improvements to Hawleys Lane Access
Para 6.3 of the Alban Retail Park Transport Assessment states that:
“It is proposed to retain the existing retail and servicing accesses from Hawleys Lane together with improvements shown on drawing 5803/01 at Appendix J, designed to improve access visibility and layout.”

The proposed improvement plan, drawing 5803/01 originally proposed amendments to highway lining arrangements relating to the right turn filter lane into the site. However, following the recent resurfacing and relining of the carriageway by the Council, it has been agreed with the applicant that relining is now no longer needed. However, the proposed site plan also includes improvements to visibility splays from the junction, which would be beneficial.

The traffic counts supplied by the applicant within the Transport Assessment also note that despite the junction currently being designed so as to only allow left turns onto Hawleys Lane, right turns are still observed to be regularly occurring.

Additionally it is noted that following the replacement of the Long Lane / A49 roundabout with a new intersection junction, the possibility to turn left from the site access and U–turn at the roundabout in order to repass the site in a westerly direction has now been removed.

It is therefore advised that a scheme for the improvement of the existing Hawleys Lane access is progressed, and that this should also consider the possibility of removing right turn restrictions in order to facilitate right turns out from the access.

This should be ensured via planning condition.

3. Proposed Parking Provision

3.1 Car Parking

671 parking spaces currently exist on the Alban Retail Park site. The proposed development seeks to increase this to 716 spaces, (comprising 628 standard spaces, 39 disabled spaces, 17 parent and child spaces and 29 dedicated staff spaces).

The proposed level of provision is significantly below the maximum level of provision permitted by the Council’s adopted standards, which would in this instance permit 986 spaces to be provided. Therefore the proposed increase in parking provision as proposed within the application is acceptable.

3.2 Cycle Parking Provision

It is stated within page 25 of the Transport Assessment that:

"It is considered that a total of 45 cycle stands are required for the proposed development across the site. Cycle parking will be convenient and secure."

The above level of cycle parking provision has been discussed with the Council’s Travel Plan Officer who has confirmed that provision of 45 stands is
likely to be excessive in this instance, and would wish to see a scheme developed to provide around 30 stands across the expanded retail park, provided in small groups by the entrances to individual retail units.

We would therefore advise that a detailed scheme demonstrating the provision of cycle parking spaces, in accordance with the advice received above, should be conditioned.

4. Transport Modelling
The applicant has submitted Transport Assessments which assess the operation of the following junctions in 2011 and 2016:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Cromwell Avenue / Calver Road;
- Winwick Road / Long Lane / Hawleys Lane;
- Hawleys Lane / Athlone Road;
- Hawleys Lane / Existing Site Access;
- Hawleys Lane / Existing Servicing Access;
- Proposed New Signalised Junction Alban Retail Park / A49.
- Winwick Road / Orford Park
- A49 Toucan Crossing south of Orford Park

The time periods modelled within the Transport Assessments are Thursday AM (0745-0845), Thursday PM (1645-1745), and Saturday PM (1330-1430)

4.1 Proposed Trip Generation
Using the approach to assess potential traffic generation outlined previously i.e. by factoring up existing arrivals and departures to the retail park by 34%, the existing and proposed trip generation associated with the proposals is detailed below:

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<th>Thurs PM</th>
<th>Sat PM</th>
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<tr>
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<tr>
<td>Departures</td>
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<td>210</td>
<td>542</td>
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Table 1: Existing Retail Park Traffic Movements

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<th>Thurs PM</th>
<th>Sat PM</th>
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<tbody>
<tr>
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<td>812</td>
</tr>
<tr>
<td>Departures</td>
<td>25</td>
<td>283</td>
<td>732</td>
</tr>
</tbody>
</table>

Table 2: Proposed Retail Park Traffic Movements

4.2 Traffic Impact: Without Retail Development
The applicants Transport Modelling has been subject to extensive review. This demonstrates that in the base case scenario (i.e. without development in
2011), the following junctions are noted to already be experiencing traffic capacity constraints in the Weekday AM period:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Winwick Road / Orford Park

Transport modelling also indicates that in the Weekday PM and Saturday PM period, the following junctions are experiencing capacity constraints:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;

4.3 Traffic Impact: With Retail Development

Modelling of the predicted impact of additional traffic generation on the local highway network with the proposed development in the years 2011 and 2016 has also been undertaken. This demonstrates that with background traffic growth and accounting for committed development, in the 2016 future year scenario the following junctions can be expected to experiencing traffic capacity constraints:

Weekday AM
- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Winwick Road / Orford Park.

Weekday PM
- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane.

Saturday PM
- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Proposed New Site Access Junction with A49.

As can be seen from the above, modelling to a large extent indicates that capacity constraints will remain at links and junctions that are currently experiencing congestion and delay in the weekday AM and PM peak hour periods.

However, it is also to be noted that in the 2011 and 2016 Saturday PM periods the new retail park access onto the A49 would be approaching its capacity limits. This capacity constraint is not predicted to affect traffic on the A49 but are expected to result in some queuing and delay within the retail park. The applicant has subsequently confirmed that this is recognised and accepted.

In view of the above, it is considered that the additional traffic generated by the proposed development can be accommodated on the local highway
network and that the proposed new junction onto the A49 should operate with reserve capacity, exception during the Saturday PM period, when some queuing and delay within the retail park is predicted to occur.

It is also noted that the above results are based on the applicant’s assumption that circa 70% of all traffic accessing and egressing the retail park would utilise the new signal junction out onto A49 once created. In practice, should queuing at the new site access onto the A49 occur, then it could be expected that more traffic may use the existing Hawleys Lane junction. Facilitating right turns out from the existing Hawleys Lane junction (if indeed feasible) should also assist in this regard.

4.4 Independent Review of Transport Modelling
In order to determine the validity of the applicant’s junction and highway network modelling, the Council commissioned independent transport consultants to undertake a technical review of the modelled network.

Technical advice relating to modelling of the network has been duly received and passed to the applicants transport consultants. Various modelling amendments have been actioned, and the results detailed within these comments are based on this revised modelling.

5. Servicing
No changes to the existing service access serving the site from Hawleys Lane are proposed as part of this application. As noted above, the proposed new site access onto the A49 would not be designed to accommodate HGV’s, therefore servicing movements will, by necessity, be required to use the existing Hawleys Lane service access.

It is also noted that the planning application description of development this includes “creation of new service access” – This is erroneous. The creation of a new service access is not proposed within the plans submitted in support of the application.

6. Cycle and Pedestrian Access
In response to highways comments issued on the 20th September 2011, the applicant has revised the proposed site plan in order to make allowance for the provision of a widened highway verge along the A49 site frontage. Increased width along the A49 frontage is shown on proposed site plan M3620 P101 J.

Widening of the highway verge by 1.8m as proposed will facilitate construction of a new shared pedestrian and cycleway along the site frontage. This is welcomed.

Accordingly, a scheme for the detailed design of a proposed shared pedestrian / cycleway along the A49 frontage should be conditioned.
It should be noted that cycle and pedestrian access issues will need to be further considered during the detailed design of all highway works that are subject to condition.

7. Public Transport Accessibility
The site is well served by bus stops on the north and southbound carriageways of the A49 Winwick Road. On the northbound carriageway, directly in front of the site, it is noted that the existing bus stop is outdated and in a poor state of repair. Additionally, no raised kerbs currently exist to facilitate easy boarding and alighting at the stop.

Improvement of the bus stop on the northbound carriageway would facilitate easier access to the development for public transport users. It is therefore requested that the applicant commits to upgrading this shelter and stop as part of the scheme to develop the improved footway / cycleway along the A49 frontage.

8. Stage 1 Road Safety Audit
A Stage 1 Road Safety Audit of the proposed highway improvements outlined above has been undertaken by the Council’s Road Safety Auditors.

In respect of proposed improvements to the existing Hawleys Lane junction, the audit confirmed that right turning vehicles are exiting onto Hawleys Lane, and advised that it is therefore necessary to either make arrangements to allow this movement, or reinforce the existing restriction with additional signage.

In respect of the new proposed signal junction onto the A49, the audit confirmed that this is acceptable in highway safety terms, subject to further detailed design work.

The applicant has provided a Designers Response to the Road Safety Audit which acknowledges the above points.

9. S278 Works
In order to facilitate the highway improvement works listed above, the applicant will need to enter into a S.278 agreement with the Council. It is envisaged that the S.278 agreement will also entail improvements to:

- Street lighting and highway drainage provision;
- Carriageway resurfacing;
- Footway renewal;
- Bus stop improvement works;
- Removal of redundant street furniture and / or relocation as appropriate;
- Amendments to Traffic Regulation Orders.

The S.278 agreement will also ensure that Stage 2 Road Safety Audits will be undertaken in respect of detailed designs, and Stage 3 Road Safety Audits are completed following construction of the highways improvements.
10. Supplementary Planning Document
The Council’s Supplementary Planning Document: “Planning Obligations” has also been referred to in order to determine the likely transport contribution arising from the development in accordance with this adopted policy.

Using the formula in the SPD, the transport contribution is calculated as follows:

\[ 52.45 \text{ (Proposed Increase in GFA / 100)} \times £413 \text{ (Cost per daily trip)} \times 42.36 \text{ (Average No of Total Daily trips per 100 sqm GFA)} = £917,595 \]

It should be noted that an SPD based contribution has yet to be agreed with the applicant. Such contribution would allow the Council to further mitigate the impact of the proposed development on the local transport network.

11. Travel Plan
A Framework Travel Plan, which aims to promote the use of sustainable transport modes to access the development, has been submitted in support of the application. This should be conditioned, in order to allow this to be further developed into a Full Travel Plan, in conjunction with the Council’s Travel Plan Officer.

12. Summary and Conclusions
In view of the above no highways objection are raised in respect of the proposals, subject to attachment of the following planning conditions:

“Prior to the commencement of development, schemes for the detailed design of the following highway improvement works shall be submitted to and agreed in writing with the Local Planning Authority:

- Hawleys Lane / existing retail park access junction improvement;
- Creation of new footway / cycleway along the A49 frontage between Hawleys Lane and the northern periphery of the site frontage;
- New retail park signalised junction with A49 Winwick Road.

The agreed schemes shall be implemented in full prior to first occupation of the development hereby approved.”

“Prior to first occupation of the development the car parking spaces shown on drawing number M3620 P102 J shall be provided and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to the commencement of development a scheme for the provision of cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. Such scheme as is agreed shall be provided prior to first occupation of the development and shall be retained thereafter.”

“Prior to first occupation of the development a Revised Travel Plan (including a detailed action plan) shall be submitted to and agreed in writing with the
Local Planning Authority. The agreed Travel Plan shall be implemented in accordance with the agreed action plan timetable.”

(Reason: In order to ensure that the highway capacity implications of such change of use can be duly considered.)
Application Number: 2011/19241

Location: Santa Rosa Boulevard, Great Sankey, Warrington, WA5 3AL

Ward: Whittle Hall

Development: Proposed construction of new primary school building, associated car parking, external multi-use games and play area with new pedestrian and vehicular access. The relocation and recladding of existing nursery provision unit onto the same site with associated playground and independent access.

Applicant: Children and Young Peoples Services

RECOMMENDATION: Approve subject to Conditions

Conditions:
- Standard Time limit - full 3 years
- Approved plans
- Flood mitigation
- Energy efficiency measures
- Agreed landscaping to be implemented
- Job & training opportunities
- Travel plan to be agreed
- Car and cycle parking to be provided
- External plant to be acoustically attenuated
- Details of community uses to be agreed
- Gas protection
- Protection of break layer - disposal of arisings
- Nesting bird survey

Description
- Full application by WBC Children & Young People’s Services to re-locate the existing two-form entry Sycamore Lane Primary School and nursery to a cleared, brownfield 1.9 ha site to the edge of Chapelford village centre
- Unlike the existing school, the new school would combine infant and junior provision in a single school building, on a single level and is primarily single storey – although there is additional height near the centre – to make provision for dining, PE and main hall space
- The existing mobile building, currently sited at Sycamore Lane, would be relocated to a new position at the Chapelford school site, and treated to match the appearance of the new school
- There would be no increase in pupil numbers, compared to that at Sycamore Lane
• As at present, there would be 21 full time and 18 part time staff at the school - with 5 FTE staff at the nursery
• The school would make its facilities available to the community, outside school hours
• 26 staff parking bays 32 community parking bays and provision for a line of three coaches would be provided
• “Drop-off/pick-up” provision on foot is provided from each direction of approach
• Vehicular access to the school would be from both the front and rear of the site – with each entrance leading to a car park
• Visitors would use a five bay (plus two disabled bay) car park accessed from the shopping car park
• Pedestrian access is well separated from vehicular accesses and routes
• Junior sized grass and synthetic court/pitch provision is proposed – community playing fields on Dakota Park would also be used
• Changing rooms, and some other facilities within the school, have been designed with community use in mind, to allow access for Dakota Park users outside school hours
  • Boundary landscaping – especially dense at the interface with the proposed restaurant/pub - is proposed
  • Planting along the boundaries with Dakota Park and with the car parks would be provided
• A combination of brickwork, timber and a contemporary treatment to external wall features – coloured render to each classroom is proposed

**Location**

• The 1.9 ha site is on the edge of the village centre, bounded by the approved pub/restaurant site, car parking areas serving the proposed shops, the health centre site, the edge of Dakota Park and a further housing site
• A footpath/cycleway runs along the eastern side of the site
• A refurbished pedestrian bridge is intended to provide access for parents and pupils across the railway line to the south

**Relevant History**

• Outline planning permission for Chapelford (99/40635), was granted in 2002. The site of this application is shown for residential use in the Masterplan agreed as part of 99/40635. The site was shown for residential use as part of the Masterplan which formed part of the Chapelford Urban Village Public Realm Design Guide in 2004 and in the 2006 revision to that Design Guide
• Revisions to the Masterplan attached to the revised Design Guide were agreed at the 26th August 2010 meeting of the Council’s Development Management Committee and continues to identify this phase for the school site. A further revision of the Masterplan – updated to reflect the reserved matters approvals since mid-2010 – was approved for use in September 2011 (Drawing Master Base Plan NW-01-54 Rev G)
- Village Centre proposals – including a principal retail food store with four smaller units, car parking and public realm works – were approved in April 2011 (2011/17876)
- Reserved matters approval for a pub/restaurant were approved in August 2011 (2011/18548)

**Main Issues and Constraints**

- Principle
- Details of design, layout etc
- Highways/Transportation matters
- Impact on living conditions
- Land quality
- Playing fields
- Flood risk
- Nature conservation

**Key policy/guidance checklist**

The following national guidance & policy is considered to be of background and strategic level relevance to this proposal:

- Policy Statement – Planning for Schools Development (August 2011)
- PPS1: Delivering Sustainable Development + Supplement to PPS1 (Planning and Climate Change)
- PPS9: Biodiversity and Geological Conservation
- PPG13: Transport
- PPG17: Planning for Open Space, Sport and Recreation
- PPS22: Renewable Energy
- PPS25: Development and Flood Risk

**Adopted Warrington UDP policies**

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**Responses to consultation** *(Full details on file)*

**Planning Policy**

No objection, subject to condition.

**Network and Development Control (Highways)**

No objection, subject to conditions – Appendix 1 – below.

**Environmental Protection**

Advice from WBC Environmental Protection concerning land remediation will be reported verbally.

**Nature Conservation**

No objection, subject to conditions.
Sport England
No objection.

Parish Council
No response.

Responses to Notification (Full details on file)
Neighbours
No response.

Conclusions and reasons for recommendation/decision
- The proposal is considered to accord with the approved Chapelford Masterplan. Subject to conditions, it is considered that the proposal is acceptable in terms of its potential impacts and is, therefore, in accordance with policies DCS1; GRN1; LUT1; LUT3; LUT5; LUT7; LUT11 and LUT12 of the adopted Warrington UDP.

Appendix 1
Comments of Network and Development Control (Highways)

Proposed Car Parking Provision
It is proposed that the school will be served by two new car parks. A small visitor car park is to be created to the front of the school, accessed from the Sainsbury’s supermarket car park access road. A large rear car park will be created to cater for staff parking, parent drop off and pick up, and community use associated with Dakota Park. This will be accessed from Boston Boulevard.

Proposed site plan drawing number 2261 / 102 rev R has been reviewed. This demonstrates that the small visitor car park to the front of the school would accommodate 5 cars in total (2 disabled and 3 visitor parking spaces). The car park would have separate “In” and “Out” accesses, both of which would be controlled by secure rising barrier linked to the school reception.

It is stated within the planning application that: “Out of hours and at weekends the visitor car park will be closed.” This is welcomed. However it is noted that it is also important to also ensure access to the small visitor car park is restricted during school and nursery drop off and collection times. This will then help to prevent congestion at the front of the school. This issue can be addressed within the agreement of the Travel Plan for the school.

The rear car park, accessed from Boston Boulevard, would provide 58 car parking spaces in total. As shown on the proposed site plan, 32 spaces would be marked for community use associated with Dakota Park. These spaces would also be available for parent pick up and drop off activity associated with school use. A further 26 spaces are to be provided for staff. The large rear car park would be controlled via a lockable barrier.
**Proposed Cycle Parking**
An area for cycle storage at the front of the school is indicated on drawing number 2261 / 102 rev R, with the planning application stating that 10 cycle parking spaces are to be provided. This is acceptable.

**Pedestrian Entrances**
Four pedestrian entrances to the school are proposed to be created from the North, East, West and South boundaries of the development. This will ensure that direct pedestrian access to the school can be achieved from all approaches.

**Servicing**
Access for refuse collection will be via the rear car park. It is also noted that the small visitor car park at the front of the school has been designed so as to facilitate emergency access for ambulances and fire tenders.

A swept path analysis for a 15m length coach, sufficient to facilitate the dropping off / picking up of pupils from the rear car park, has also been provided by the applicant. This demonstrates that coaches can adequately access the rear car park and can turn on site in order to be able to leave the site in a forwards direction.

**School Travel Plan**
A Framework School Travel Plan has been prepared by the applicant in conjunction with the Council’s Travel Plan Officer. This is generally acceptable but will require updating to include an Action Plan prior to first occupation of the school. This should be conditioned.

**Summary and Conclusions**
In view of the above, no highways objections are raised in respect of the proposals, subject to attachment of the following planning conditions:

“Prior to occupation of the development, a revised School Travel Plan including a detailed Action Plan shall be submitted to and agreed in writing by the Local Planning Authority. The revised Travel Plan shall be implemented as agreed in writing with the Local Planning Authority.”

“Prior to occupation of the development, the car and cycle parking spaces shown on drawing number 2261/102 Rev R shall be provided and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”
A

WARRINGTON BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT REGULATORY COMMITTEE 16 FEBRUARY 2012

Report of the: Executive Director Environment and Regeneration
Report Author: John Groves
Contact Details: Email Address: jgroves@warrington.gov.uk
                Telephone: 01925 442805
Ward Members: Cllrs Woodyatt, Barr and Marks

1. SUMMARY PAPER – REPORT ON:
   Development at Rushgreen Road Oughtrington

2. Purpose of the Report:
   To appraise members issues relating to the delivery of affordable housing

3. Recommendations:
   That the previous decision to grant planning permission is reaffirmed

4. Reason for Recommendation:
   The grant of planning permission is consistent with the requirements and objectives of Development Plan Policy

5. Confidential or Exempt:
   n/a

6. Financial Considerations:
   None

7. Risk Assessment:
   There are no specific financial of similar risks

8. Equality Impact Assessment:
   n/a
9. Consultation:
The planning application was subject to consultation and notification which is reported in the appended report.

10. Background Papers:
Report on application 2011/18631

Contacts for Background Papers:

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<tr>
<th>Name</th>
<th>E-mail</th>
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<tbody>
<tr>
<td>John Groves</td>
<td><a href="mailto:jgroves@warrington.gov.uk">jgroves@warrington.gov.uk</a></td>
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Application 2011/18631

Land adjacent to the Farmer Arms Public House, Rushgreen Road, Oughtrington, Lymm.

Proposed erection of 10 affordable dwellings (shared ownership); the construction of a new access road off Sandy Lane, car parking and hard and soft landscaping including new boundary treatments.

Introduction

Members of the Planning Applications Sub Committee considered a report relating to the above application on 26 October 2011. Whilst the concern expressed over highway safety and amenity issues was the subject of detailed consideration, members accepted that the proposed development managed these issues in a satisfactory manner. The benefits of delivering a new affordable housing opportunity, in this particular part of the borough, were clearly of importance and given great weight by the committee in determining whether or not planning permission should be granted. Appropriate conditions and an agreement made under S106 of the Planning Act, secured control over the delivery of the affordable housing. The permission has not been issued. The issue of the notice is usually withheld until the agreement has been signed and concerns have been raised as to whether or not the agreement can ensure that development reflects the reported position and is in therefore in keeping with committee’s decision.

Issues

The report to members contained the following paragraph.

*Note applicant is willing to enter into a S.106 agreement to ensure that the properties remain affordable in perpetuity, & request an occupancy*
condition to ensure that affordable housing, secured by an appropriate method, remains in perpetuity.

The report described the housing product, delivered through a recognised “Registered Provider”, in simple terms. It stated that the new housing would offer shared ownership, part rented/part owned, accommodation. This would create scope for access to home ownership which might not otherwise be possible, particularly for those already in Lymm or working in Lymm but unable to access the home ownership market.

It should be noted that the report raises the expectation that the properties will remain affordable, as initially provided, in perpetuity.

As the S106 agreement has been drafted, it has become apparent that circumstances exist where 100% ownership can be attained by those who are offered the opportunity to occupy the affordable housing. Those initially acquiring a share of the property could “staircase” the proportion of the property they owned until 100% ownership was reached. This in and of itself is not a concern. Many affordable housing schemes allow this to happen; indeed in the report to committee this eventuality was made clear. It has however become clear that when a person has managed to acquire a 100% interest the property in question would cease to be an affordable house and would no longer be subject to the terms of the 106 agreement. It has become a matter of concern that this position was not represented to members in the Committee report or at the committee meeting in a sufficiently comprehensive manner.

It is considered that prior to completing the S106 agreement members should have the opportunity to consider the position again.

The Affordable Housing Product

The scheme being proposed by the developer falls within the Homes and Communities Agency (HCA) affordable housing programme which has been supported by the Council. Indeed the scheme has to be HCA compliant and has to be subject to the standard HCA lease. Such leases cannot be in perpetuity.

Strict eligibility criteria are applied by the HCA. Additional clauses have been inserted into the 106 agreement during this process to strengthen this position. The criteria used to identify persons eligible for affordable housing relate particularly to the salary of potential occupiers and seek to manage both the ability to sustain payment and to ensure that affordable properties are directed to those who would most benefit. The criteria for acquisition require purchasers to secure the maximum possible share at the outset. This results in a need for a significant change in the purchasers’ circumstances to enable additional shares to be secured.

It remains possible however for an initial purchaser to staircase and attain 100% ownership. Given the eligibility criteria described above, and the
provisions within the proposed agreement, all has been done to reduce the risk of this eventuality taking place; however it is still a possibility, albeit unlikely in current market and lending conditions. It is also fair to say that the arrangements suggested here are increasingly common and reflect advice on best practice from the Council of Mortgage Lenders and the Department of Communities and Local Government.

There are issues in seeking shared ownership and applying measures which would maintain the affordability of the properties in perpetuity; for example financial institutions are now extremely reluctant to lend on properties of this sort. This combined with the Governments stated intention that mortgage lenders must now look more closely at the spending capability of applicants makes it likely that an application to lend money using a property with restrictions of this sort attached as collateral would result in an outright rejection of a mortgage application.

The applicant has attempted to address the matter of perpetuity by applying a methodology considered as best practice by the HCA. This involves the reusing of any proceeds obtained from instances where occupiers do ‘staircase’ to 100%. The proceeds in question are ‘recycled’ and applied to providing new affordable housing investment in the general locality of the original housing. In this way they seek to protect the perpetuity of the investment in affordable housing rather than the specific house for which permission was given remaining affordable in perpetuity.

The committee report states, in two places, that we will enter into a Section 106 Agreement that will ensure that the properties for which permission was given remain affordable in perpetuity. The proposal that is made, in the draft agreement, would have the effect of reducing the risk of the properties ceasing to be affordable but would not ensure the properties remain affordable as stated in the Committee Report.

It is confirmed that the housing product proposed, is totally PPS3 compliant. It is also clear that if an agreement was drafted which fully complied with the committee decision it would most likely result in the proposal not commencing. The scheme as proposed is needed as it gets 10 families onto the housing ladder who otherwise wouldn’t be able to access it.

Conclusion

There has correctly been historic concern that affordable housing provision should secure benefit for the longer term. Market conditions and other factors have made the long term provision of affordable housing particularly complex, particularly in areas such as Lymm. Both the applicant’s submissions and the report to committee would have benefited from greater clarity to remove any scope for misunderstanding.

The grant of planning permission will deliver much needed access to affordable housing by a recognised provider and will be subject to strict
control over eligibility. Members are asked to reaffirm their previous decision in the light of this further explanation.
1. **SUMMARY PAPER – REPORT ON:**

   Section 106 Quarter 2 & 3 Annual Performance Report 2011/12 (July 2011 – December 2011)

2. **Purpose of the Report:**

   To provide an update for members relating to the status of planning obligations and S106 Agreements.

3. **Recommendations:**

   That the report is noted

4. **Reason for Recommendation:**

   The report is to provide members with information – no decisions are required.

5. **Confidential or Exempt:**

   Not applicable

6. **Financial Considerations:**

   The information provided has implications across a range of budgetary issues – but relates principally to the ability to anticipate the carrying out of works or development associated with developments which have received planning permission.

7. **Risk Assessment:**

   None

8. **Equality Impact Assessment:**


Prepared By Melanie Hughes - Planning Obligations and Monitoring Officer.
9. **Consultation:**

Not applicable

<table>
<thead>
<tr>
<th>10. <strong>Clearance Details</strong> <em>(Record of clearance of report):</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>Relevant Executive Board Member</td>
</tr>
<tr>
<td>SMB</td>
</tr>
<tr>
<td>Relevant Strategic Director</td>
</tr>
<tr>
<td>Solicitor to the Council</td>
</tr>
<tr>
<td>S151 Officer</td>
</tr>
<tr>
<td>Assistant Director</td>
</tr>
</tbody>
</table>

11. **Background Papers:**

Previous Section 106 Reports

Contacts for Background Papers:

<table>
<thead>
<tr>
<th>Name</th>
<th>E-mail</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melanie Hughes</td>
<td><a href="mailto:mhughes6@warrington.gov.uk">mhughes6@warrington.gov.uk</a></td>
<td>01925 442846</td>
</tr>
</tbody>
</table>

*(See next page to continue report).*
Meeting of the Development Control Committee  
Date:  
Report of Strategic Director for Environment and Regeneration  
Authors: Melanie Hughes  
Contact Details:  Melanie Hughes mhughes6@warrington.gov.uk 01925 442846  

Ward Members: All  

TITLE OF REPORT: Section 106 Annual Performance Report (2011/12)  

1. PURPOSE  

1.1 To provide an update for members relating to the status of planning obligations and S106 Agreements.  

2. INTRODUCTION AND BACKGROUND  

2.1 The attached report details progress of S106 Agreements for the 2nd and 3rd quarters 2011/12. The report includes details of active developments where S106 provisions have been triggered and developments which are yet to commence.  

3. NOTABLE ISSUES  

3.1 The economic climate and reduced scale of development activity continues to be evident in the borough. Despite this, Warrington is still continuing to secure commuted sums through the planning obligations process and ensures that developments can progress when the economic climate improves.  

4 FINANCIAL CONSIDERATIONS  

4.1 Whilst the securing of commuted sums clearly has wider financial considerations the report is provided for information.  

5 RISK ASSESSMENT  

5.1 Not required  

6 EQUALITY IMPACT ASSESSMENT  

6.1 Not required  

7 RECOMMENDATION  

7.1 That the contents of the report are noted
Section 106 Agreements

Quarterly Performance Report

1 Highlights of Quarter 2 & 3 – 1st July 2011 – 31st December 2011

SECTION 106 HIGHLIGHTS

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Value of Agreements</td>
<td>£1,334,515.00</td>
</tr>
<tr>
<td>Signed (1st July 2011 – 31st December 2011)</td>
<td></td>
</tr>
<tr>
<td>Payments Received</td>
<td>£336,634.00</td>
</tr>
<tr>
<td>(1st July 2011 – 31st December 2011)</td>
<td></td>
</tr>
<tr>
<td>Monitoring Fees Received</td>
<td>£1870.00</td>
</tr>
<tr>
<td>(1st July 2011 – 31st December 2011)</td>
<td></td>
</tr>
<tr>
<td>Requested Contributions</td>
<td>£35,000.00</td>
</tr>
<tr>
<td>(Commuted Sum)</td>
<td></td>
</tr>
<tr>
<td>Requested Monitoring</td>
<td>£635.00</td>
</tr>
<tr>
<td>Contributions</td>
<td></td>
</tr>
</tbody>
</table>

Table 1: Quarter 2 & 3 (1st July 2011 – 31st December 2011)

2 Agreements

2.1 Seven Section 106 Agreements were signed between the 1st July 2011 and the 31st December 2011. The agreements provide a potential total income of £1,334,515.00.

Notable Agreements Negotiated:

2.2 Financial Contributions- Five of the agreements negotiated in quarters 2 & 3 of the financial year (2011/12) involved financial contributions from developers. These included:

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Development Site</th>
<th>Date Signed</th>
<th>Development Details</th>
<th>Amount</th>
<th>S.106 Details</th>
<th>Triggers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009/15420</td>
<td>Land/ Buildings South of Farrell Street</td>
<td>28/09/2011</td>
<td>Reserved matters application for mixed use development (372 dwellings comprising 176 apartments and 196 houses); surgery (Use</td>
<td>£1,038,515</td>
<td>Affordable Housing</td>
<td>Within 6 months of the date of the agreement the developer will secure an agreement for sale with a RSL. The provision of the affordable units should be provided within the completion of 75% of</td>
</tr>
<tr>
<td>Reference</td>
<td>Location</td>
<td>Date</td>
<td>Details</td>
<td>Contributions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>-----------------------------------------------</td>
<td>------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010/16177</td>
<td>Land at Western End of Greenalls Avenue</td>
<td>06/09/11</td>
<td>Proposed substitution of apartments (previously approved under 2003/01496 &amp; 2008/13614) with four bedroom townhouses (amended layout and reduction in total number of dwellings from 49 to 41; comprising 12 apartments; 4 mews and 25 townhouses).</td>
<td>£250,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Trans Pennine Licence</strong>&lt;br&gt;The owner does not own the “Green Land” but has the benefit of a licence to improve the Trans Pennine Trail and subsequent maintenance of the trail. This agreement has been entered into with Peel Investments.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>On or before the completion of the sale of the first housing unit the owners shall pay the affordable housing commuted sum to the Council. Prior to the completion of 40% of the dwellings on site.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2010/16609</td>
<td>6 Kingsland Grange, Warrington</td>
<td>02/11/11</td>
<td>Proposed extension to existing factory</td>
<td>£11,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Towards the costs of facilitating a scheme of sustainable transport improvements which would seek to secure improvements to pedestrian access between employment areas and residential areas within a 1.5 kilometre radius of the site.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>To pay the highways contribution upon completion of the legal agreement.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reference</td>
<td>Location</td>
<td>Date</td>
<td>Description</td>
<td>POS/Habitat Management</td>
<td>Note</td>
<td></td>
</tr>
<tr>
<td>-------------</td>
<td>-----------------------------------------------</td>
<td>------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------</td>
<td>---------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>2010/17585</td>
<td>Land off Lilford Avenue, Bewsey</td>
<td>15/11/2011</td>
<td>Proposed secure fenced extension to existing pumping station compound to include a pumping station control building, pumping station access/egress buildings and transformer compounds together with landscape proposals, outfall structure and temporary vehicular construction access with bridge required in association with the installation of a below ground pumping station.</td>
<td>£35,000 POS/ Habitat Management: Habitat Mitigation Measures</td>
<td>Within 28 days of signing the agreement</td>
<td></td>
</tr>
<tr>
<td>2009/15676</td>
<td>St. John’s Mission (unilateral Undertaking)</td>
<td>02/12/2011</td>
<td>Proposed conversion of existing church into seven residential apartments with associated car parking and access.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>2010/17381</td>
<td>Land at Wellfield Street, Whitecross, Warrington – Land East of Gas Value Compound</td>
<td>06/12/2011</td>
<td>Outline application for construction of six dwellings (50% affordable) with matters of appearance, landscaping, and scale reserved for later approval.</td>
<td>N/A</td>
<td>Provision of affordable housing on site. Not to use the land outlined for social housing for any other purpose. Not to start the development until the applicant has procured a RSL. To procure the social housing units so that the units are constructed to a standard required to at least meet the provisions of the Homes and Communities agency design and quality standards. Sale of social housing: There shall be no legal completion of the sale of the 3 market residential units comprised within the Development (excluding the Social Housing Units) until the social housing have been fully constructed and are finished ready for immediate occupation.</td>
<td></td>
</tr>
</tbody>
</table>
Table 2: Section 106 Agreements Negotiated/ Signed and Sealed (2nd and 3rd Quarters 2011/12)

3 Payments Received

3.1 The total payments received during the 2nd and 3rd quarters of the financial year 2011/12 were £336,634.00. Table 3 lists the payments received during this period:

<table>
<thead>
<tr>
<th>Planning Reference</th>
<th>Development Site</th>
<th>Amount Received</th>
<th>Contribution</th>
<th>Section 106 Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009/14880</td>
<td>Woolston Grange Avenue, Birchwood, Warrington, Cheshire (Cable and Wireless)</td>
<td>£60,000.00</td>
<td>Highways</td>
<td>Towards the provision of a bus service connecting the application site to other bus interchanges in the Warrington Area.</td>
</tr>
<tr>
<td>2010/16609</td>
<td>6, Kingsland Grange, Warrington, WA1 4RW</td>
<td>£11,000.00</td>
<td>Highways</td>
<td>Towards the costs of facilitating a scheme of sustainable transport improvements which would seek to secure improvements to pedestrian access between employment areas and residential areas within a 1.5 kilometre radius of the site.</td>
</tr>
<tr>
<td>2010/17585</td>
<td>Land off Lilford Avenue, Bewsey</td>
<td>£35,000.00</td>
<td>Public Open Space (Natural Habitat)</td>
<td>Towards the costs of developing, improving or maintaining sites within the Warrington areas that are or will be sites of important for nature conservation.</td>
</tr>
<tr>
<td>99/40635</td>
<td>Chapelford</td>
<td>£180,000.00</td>
<td>Highways</td>
<td>To be utilised towards the provision of a bus service within Chapelford Village.</td>
</tr>
<tr>
<td>2011/17717</td>
<td>Red Cott Farm Lymm</td>
<td>£50,634.00</td>
<td>Highways</td>
<td>Towards identified measures and initiatives for the local transport network.</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>£336,634.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 3: Quarters 2 & 3 2011/12

Monitoring Receipts:

<table>
<thead>
<tr>
<th>Planning Reference</th>
<th>Development Site</th>
<th>Date</th>
<th>Amount Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010/16177</td>
<td>Coopers Wharf (Land to the Western End of Greenalls Avenue)</td>
<td>06/09/2011</td>
<td>£500</td>
</tr>
</tbody>
</table>


Prepared By Melanie Hughes - Planning Obligations and Monitoring Officer.
3.2 Notable payments received were:

Chapelford Urban Village (99/40635)
- **Highways Bus Service - £180,000.00**: Towards the provision of a bus service within Chapelford Urban village.

Woolston Grange Avenue, Birchwood, Warrington, Cheshire (Cable and Wireless) (2009/14880)
- **Highways - £60,000**: Towards the provision of a bus service connecting the application site to other bus interchanges in the Warrington Area.

6, Kingsland Grange, Warrington, WA1 4RW
- **Highways - £11,000**: Towards the costs of facilitating a scheme of sustainable transport improvements which would seek to secure improvements to pedestrian access between employment areas and residential areas within a 1.5 kilometre radius of the site.

Red Cott Farm Lymm (2010/16609)
- **Highways - £50,634**: Towards identified measures and initiatives for the local transport network.

4.0 Expenditure:

4.1. Current schemes in the process of being implemented.

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Site Name/ Location</th>
<th>Total Contribution Received</th>
<th>Description/ Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/06963</td>
<td>Carrington Wire</td>
<td>£700,000</td>
<td>Section 106 detail: &quot;Highways improvements within the vicinity of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(Highways)</td>
<td><em>(Highways)</em></td>
</tr>
<tr>
<td>Reference</td>
<td>Site</td>
<td>Total Cost</td>
<td>Details</td>
</tr>
<tr>
<td>-----------</td>
<td>------</td>
<td>------------</td>
<td>---------</td>
</tr>
<tr>
<td>2008/12406</td>
<td>Marks and Spencer</td>
<td>£194,110.00 (Highways)</td>
<td>A 49 works are now complete. Further highways works are underway at the Long Lane junction. Long Lane Junction works are now complete. The signals were commissioned at the end of November 2011.</td>
</tr>
<tr>
<td>2006/09635</td>
<td>Woolston Grange</td>
<td>£800,000.00 (Highways)</td>
<td>Works on site. The estimated implementation timeframe is 5 weeks. This includes a toucan crossing and shuttle bus service. Residents have been consulted to put a list together of potential schemes that fore fill the requirements of the S.106 if there are any monies remaining.</td>
</tr>
<tr>
<td>2010/16581/2004/03782</td>
<td>Saxon Park</td>
<td>£286,000.00 (Highways)</td>
<td>Right of way works are due to commence.</td>
</tr>
<tr>
<td>A01/44253</td>
<td>Golden Square</td>
<td>Bus Station - £2,500,000, Linkage Strategy - £150,000, Traffic Management - £1,444,400, Breakdown: £327,000 (Highways)</td>
<td>Midland right turn is complete. The remaining expenditure is to be completed by March 2012.</td>
</tr>
<tr>
<td>2005/06423</td>
<td>New World Site</td>
<td>£53,000.00 (Highways)</td>
<td>“Towards the costs of carrying out highway improvements necessary because of the additional demands placed upon the highway network resulting from the development”. Junction works to be completed (Thelwall lane). Awaiting final confirmation regarding the start date on site.</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Cost (POS)</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------</td>
<td>-------------</td>
<td>-----------</td>
<td>-------</td>
</tr>
<tr>
<td>2003/00110</td>
<td>Wilderspool Causeway/Gainsborough Rd</td>
<td>£30,000.00 (POS)</td>
<td>Footpath works due to commence Feb 2012</td>
</tr>
<tr>
<td>2006/08553</td>
<td>Land Adjacent to 70 Bewsey Street</td>
<td>£10,000.00 (POS)</td>
<td>Contributions towards Bank Park play area. Works to commence on site.</td>
</tr>
<tr>
<td>2006/08808</td>
<td>Whittle Hall 16, Warrington</td>
<td>£264,000.00 (Affordable Housing)</td>
<td>The council have committed expenditure - This is to be confirmed Feb 2012.</td>
</tr>
</tbody>
</table>

Further detailed information regarding the progress of individual schemes and contributions received to date can be found in the appendices.
APPENDICIES

1. Appendix 1 - Total Obligations Value and Status and Ward
2. Appendix 2 - Total Obligations by Value and Service Area
3. Appendix 3 - Highways review of outstanding section 106 monies.
4. Appendix 4 - Public open space review of outstanding section 106 monies.
5. Appendix 5 - Education review of outstanding section 106 monies.
6. Appendix 6 - Primary care trust review of outstanding section 106 monies.
7. Appendix 7 - Affordable housing review of outstanding section 106 monies.
8. Appendix 8 - Environmental Improvements review of outstanding section 106 monies.
## Appendix 1 Total Obligations Value by Status and Ward (January 2012)

<table>
<thead>
<tr>
<th>Ward</th>
<th>Number of Agreements</th>
<th>Total Obligation Value</th>
<th>Not Started</th>
<th>Under Construction</th>
<th>Development under construction however, currently suspended</th>
<th>Scheme complete with outstanding obligations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appleton</td>
<td>0</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
</tr>
<tr>
<td>Bewsey and Whitecross</td>
<td>18</td>
<td>£10,676,496.00</td>
<td>£4,666,500.00</td>
<td>£899,016.00</td>
<td>£150,000.00</td>
<td>£4,957,980.00</td>
</tr>
<tr>
<td>Birchwood</td>
<td>5</td>
<td>£239,117.00</td>
<td>£175,000.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£64,117.00</td>
</tr>
<tr>
<td>Burtonwood and Winwick</td>
<td>1</td>
<td>£39,875.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£39,875.00</td>
</tr>
<tr>
<td>Culcheth, Glazebury and Croft</td>
<td>0</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
</tr>
<tr>
<td>Fairfield and Howley</td>
<td>7</td>
<td>£3,587,014.16</td>
<td>£199,059.16</td>
<td>£1,038,515.00</td>
<td>£390,440.00</td>
<td>£1,959,000.00</td>
</tr>
<tr>
<td>Grappenhall and Thelwall</td>
<td>2</td>
<td>£46,674.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£46,674.00</td>
</tr>
<tr>
<td>Great Sankey North</td>
<td>4</td>
<td>£2,116,467.34</td>
<td>£1,869,972.34</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£246,495.00</td>
</tr>
<tr>
<td>Great Sankey South</td>
<td>3</td>
<td>£328,944.67</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£328,944.67</td>
</tr>
<tr>
<td>Hatton, Stretton and Walton</td>
<td>0</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
<td>£0.00</td>
</tr>
<tr>
<td>Latchford East</td>
<td>12</td>
<td>£1,303,000.00</td>
<td>£81,000.00</td>
<td>£251,000.00</td>
<td>£622,000.00</td>
<td>£349,000.00</td>
</tr>
<tr>
<td>Latchford West</td>
<td>6</td>
<td>£1,378,977.00</td>
<td>£631,070.00</td>
<td>£663,347.00</td>
<td>£0.00</td>
<td>£84,560.00</td>
</tr>
<tr>
<td>Lymm</td>
<td>6</td>
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Appendix 2 - Total Obligations by Value and Service Area - (January 2012)

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<td>% Reduction</td>
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Prepared By Melanie Hughes - Planning Obligations and Monitoring Officer.
## Appendix 3 Current Status of Section 106 Monies – Highways (January 2012)

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<th>Budget</th>
<th>Progress</th>
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<tbody>
<tr>
<td>2003/00652</td>
<td><strong>Land at Grange Avenue/Kingsway</strong></td>
<td>£69,000.00</td>
<td>Section 106 Details - “Gateway treatments at the junctions of Grange Ave/ Kingsway South and Westy Lane/ Kingsway South and junction improvements along Kingsway” Start date to be confirmed (expected to be Jan / Feb 2012)</td>
</tr>
<tr>
<td>2004/03782</td>
<td><strong>Saxon Park Off Forrest Way, Warrington</strong></td>
<td>£286,580.00</td>
<td>Further alterations to be programmed to co-ordinate with Saxon Park East.</td>
</tr>
<tr>
<td>2006/07952</td>
<td><strong>Land at Europa Boulevard / Charon Way</strong></td>
<td>£100,700.00</td>
<td>Expenditure complete. Awaiting final invoices. Monies used to improve the pedestrian links surrounding Gemini Retail Park.</td>
</tr>
<tr>
<td>A01/44253</td>
<td><strong>Golden Square, Warrington</strong></td>
<td>£3,344,400.00</td>
<td>All works are now complete. All signal works have been invoiced and paid however the bridge work is still outstanding. There is some extra VMS signage to be completed and this will be completed Feb 2012. All expenditure will then be complete in accordance with the agreed end date.</td>
</tr>
<tr>
<td>2004/03119</td>
<td><strong>Gemini 8, Europa Boulevard, Warrington</strong></td>
<td>£17,850.00</td>
<td>Contribution to be utilised in providing a travel plan co-ordinator. Details of the post are to be established.</td>
</tr>
<tr>
<td>2005/06963</td>
<td><strong>Land at Former Carrington Wire, Warrington</strong></td>
<td>£700,000.00</td>
<td>A49 works complete. Long Lane works are now complete subject to snagging. Final invoices/expenditure are due to be confirmed in the next couple of months. This will complete all expenditure on monies received as part of the Carrington Wire development.</td>
</tr>
<tr>
<td>Project Code</td>
<td>Description</td>
<td>Amount</td>
<td>Details</td>
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</tr>
<tr>
<td>2007/11351</td>
<td><strong>Land at 6, Birchwood Park</strong></td>
<td>£32,500.41</td>
<td>The Council has submitted a DDA bid to accompany the monies received to implement the crossing. The Council are to submit an access for all bid to provide a lift. The S.106 monies are to be utilised to provide additional infrastructure required to support the scheme. The potential additional funding is to be confirmed by April.</td>
</tr>
<tr>
<td>2006/09635</td>
<td><strong>Woolston Grange</strong></td>
<td>£800,000.00</td>
<td>Dewhurst Road footpath and Harpers Road Pedestrian crossing is complete. The bus service has now been commissioned and will run for the next 3 years utilising monies received from the Cable and Wireless Development (Part of Olympic Park). Residents have been asked to pull together a list of potential schemes to fore fill the requirements of the S.106 if there are any monies remaining once all of works set out in the agreement have been completed.</td>
</tr>
<tr>
<td>2007/11925</td>
<td><strong>714 Warrington Road, Risley</strong></td>
<td>£10,000.00</td>
<td>Works complete. All invoices are to be provided (£8,900) Additional amendments to the pedestrian crossing have been completed and will complete expenditure.</td>
</tr>
<tr>
<td>2008/13263</td>
<td><strong>12 Kingsland Grange, Woolston</strong></td>
<td>£23,484.00</td>
<td>Crossing completed on Manchester Road. All expenditure complete, awaiting final invoices.</td>
</tr>
<tr>
<td>2007/11895</td>
<td><strong>Grappenhall Motors</strong></td>
<td>£20,000.00</td>
<td>Re-design required due to the Tesco delivery access. Consultation ongoing.</td>
</tr>
<tr>
<td>2008/12406</td>
<td><strong>Marks and Spencer</strong></td>
<td>£194,110.00</td>
<td>Pedestrian Works complete – some additional works will be completed to extend the footpath through the next stage of programmed works.</td>
</tr>
<tr>
<td>2005/06423</td>
<td><strong>New World Site</strong></td>
<td>£53,000.00</td>
<td>Monies to be used in collaboration with the Grange Avenue monies. Expected timescale for implementation is March/ April 2012</td>
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<td>Contribution</td>
<td>Notes</td>
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<td>-----------------------------------------------------------------------------</td>
<td>--------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>2010/16091</td>
<td>Priestley College, Loushers Lane, Warrington, WA4 6RD 9 (UU)</td>
<td>£10,000.00</td>
<td>Towards the implementation of traffic regulation orders to mitigate traffic problems associated with Priestly College. Including but not limited to driving, gaining access, parking, dropping off on Menin Avenue, Flers Avenue, Kemmel Avenue and Cambrai Avenue. Works complete – awaiting final invoices</td>
</tr>
<tr>
<td>2006/07553</td>
<td>Lakeside Drive</td>
<td>£267,000.00</td>
<td>The contribution is for the wider strategic network. Initial expenditure has included lining works at Brian Bevan Island/ Church Street.</td>
</tr>
<tr>
<td>P/2003/1461</td>
<td>Vulcan</td>
<td>£60,000.00</td>
<td>A scheme to improve highways safety in Alder Root Lane including the installation of traffic controls in the vicinity of the railway over bridge within the Borough of Warrington. Design brief produced. Warrington Borough Council has approached St Helens Borough Council regarding the additional costs associated with the works set out in the S.106 agreement. WBC Highways are to provide further information regarding costs associated to allow St Helens to approach the developer accordingly.</td>
</tr>
<tr>
<td>2009/15103</td>
<td>Ainscough Rd/ Dewhurst Rd</td>
<td>£21,576.00</td>
<td>The Council has submitted a DDA bid to accompany the monies received to implement the crossing. The Council are to submit an access for all bid to provide a lift. The S.106 monies are to be utilised to provide additional infrastructure required to support the scheme. The potential additional funding is to be confirmed by April.</td>
</tr>
<tr>
<td>2009/15034</td>
<td>Warrington Baths Site</td>
<td>£64,428.00</td>
<td>New Contribution: “To apply the road traffic contribution solely towards the financing of measures and initiatives within a 3 mile radius of the development that can be directly attributed to addressing the effects of the increased volume of traffic generated by the development”.</td>
</tr>
<tr>
<td>2009/15535</td>
<td>Eric Moore Health Centre, Tanners Lane, Warrington, WA2 7NJ</td>
<td>£3,000.00</td>
<td>“Prior to the occupation of the extensions to the building hereby approved, an undertaking or agreement shall be in place which secures a developer contribution towards to the implementation of an amended Traffic Regulation Order to cover the extension of “No Wailing At Any Time” restrictions adjacent to the proposed drop-off area on Marson Street, unless otherwise first agreed in writing with the Local Planning Authority”. Minor amendments to the TRO are to be implemented</td>
</tr>
<tr>
<td>2009/14880</td>
<td>Woolston Grange Avenue, Birchwood, Warrington, Cheshire (Cable and Wireless)</td>
<td>£60,000.00</td>
<td>The bus service has now been commissioned and will run for the next 3 years utilising monies received from the Cable and Wireless Development (Part of Olympic Park)</td>
</tr>
<tr>
<td>2010/16609</td>
<td>6 Kingsland Grange, Warrington, WA1 4RW</td>
<td>£11,000.00</td>
<td>New contribution – “Towards the costs of facilitating a scheme of sustainable transport improvements which would seek to secure improvements to pedestrian access between employment areas and residential areas within a 1.5 kilometre radius of the site”.</td>
</tr>
<tr>
<td>2011/17717</td>
<td>Red Cott Farm Lymm</td>
<td>£ 50,634.00</td>
<td>New Contribution - Local transport contribution – Towards identified measures and initiatives for the local transport network.</td>
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## Appendix 4 Current Status of Section 106 monies - Public Open Space (January 2012)

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<th>Progress</th>
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<td>A00/41247</td>
<td>Land at Fearnhead Lane</td>
<td>£190,971.00</td>
<td>Orford Park play pitch provision – Orford Park project near completion</td>
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<tr>
<td>A00/41248</td>
<td>Land at Winwick Road</td>
<td>£103,873.00</td>
<td>Orford Park play pitch provision – Orford Park project near completion</td>
</tr>
<tr>
<td>2003/00248</td>
<td><strong>South of Brian Bevan Island, Chester Road</strong></td>
<td>£54,560.00</td>
<td>Tree management/ fencing works completed – awaiting final invoices</td>
</tr>
<tr>
<td>2003/00110</td>
<td>Wilderspool Causeway/Gainsborough Rd</td>
<td>£30,000.00</td>
<td>Footpath works due to commence Feb 2012</td>
</tr>
<tr>
<td>A02/45573</td>
<td>Land At Liverpool Road, Great Sankey</td>
<td>£5,500 garden to the rear of St Mary's</td>
<td>Further planting work to be carried out on site (Rear of St Mary's Church)</td>
</tr>
<tr>
<td>2003/00888</td>
<td>Raddon Court, Knutsford Road</td>
<td>£20,000.00</td>
<td>Victoria Park Strategy is now complete.</td>
</tr>
<tr>
<td>2006/08672</td>
<td>Land at Thelwall New Road, Warrington</td>
<td>£16,674.00</td>
<td>Morris Park Scheme to move forward from March 2012.</td>
</tr>
<tr>
<td>2005/06036</td>
<td>Former Kingsway Public House, Kingsway South</td>
<td>£33,000.00</td>
<td>Tree Management works completed - further works to follow. The remaining monies are to be utilised in the wider regeneration initiatives of Victoria Park.</td>
</tr>
<tr>
<td>2006/08553</td>
<td>Land Adjacent to 70 Bewsey Street</td>
<td>£10,000.00</td>
<td>Contributions towards Bank Park play area. Works to commence on site.</td>
</tr>
<tr>
<td>2006/08808</td>
<td>Whittle Hall 16, Warrington</td>
<td>£22,000.00</td>
<td>All Vertidrain has been completed – awaiting final invoices.</td>
</tr>
<tr>
<td>2003/01400</td>
<td>Caledonia Motors, Thelwall Lane</td>
<td>£20,000.00</td>
<td>Consultants Commissioned to complete a strategy for the Victoria Park project</td>
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<td>Notes</td>
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<tr>
<td>2007/09991</td>
<td>Marsden Vanplan, longshaw Street, Warrington</td>
<td>£136,100.00</td>
<td>To be used as a revive scheme (Bewsey Tip/ sports provision). Replacement play facility which is the S106 funded element. The Working Group has now agreed the masterplan for the area and asked that further consultation with local schools takes place on what's required.</td>
</tr>
<tr>
<td>2006/08021</td>
<td>Land to the rear of 25-29, Church Street, WARRINGTON</td>
<td>£10,000.00</td>
<td>The contribution is to be utilised in the development/ improvement of play / sport/ recreational facilities within a 5 kilometres radius of land within 7 years of the date of payment of the contribution. Monies have been used to provide athletic equipment at Victoria Park. Remaining monies have been used on the athletic track – awaiting final invoices.</td>
</tr>
<tr>
<td>2005/06963</td>
<td>Carrington Wire</td>
<td>£596,000.00</td>
<td>Contribution towards the Orford Park Project (Orford Park project near completion)</td>
</tr>
<tr>
<td>2006/08548</td>
<td>Lingley Autos</td>
<td>£31,637.60</td>
<td>To be utilised for POS within a 5 mile radius of the site. Parks are to consider schemes. Monies are to be utilised towards the Freshwater Close play area.</td>
</tr>
<tr>
<td>2010/17585</td>
<td>Land off Lilford Avenue, Bewsey</td>
<td>£35,000.00</td>
<td>New Contribution - Habitat Mitigation Measures</td>
</tr>
</tbody>
</table>
Appendix 5 Current Outstanding Balance of Section 106 monies – Education (January 2012)

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Site Name/ Location</th>
<th>Budget</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005/06963</td>
<td><strong>Carrington Wire</strong></td>
<td>£287,000.00</td>
<td>Invoices provided for the expenditure to date - (St Elphins Primary School). The remaining monies are to fund educational resources for primary schools in the vicinity of the site.</td>
</tr>
<tr>
<td>A01/44411</td>
<td><strong>Hubert Jones site</strong></td>
<td>£145,000.00</td>
<td>Contribution received following the production of a report that presented educational investment in the Lymm area since the implementation of the Hubert Jones Development – Detailed within the S.106 Agreement) Monies received. Education is to consider further educational requirements in the area to utilise monies received.</td>
</tr>
<tr>
<td>2005/06083</td>
<td><strong>Burtonwood Married Quarters</strong></td>
<td>£100,535.00</td>
<td>Towards the improvements of secondary school resources in the vicinity of the site. Contribution received in instalments due to the current financial climate. Full contribution has now been received. Monies to be utilised towards educational investment at Great Sankey High School</td>
</tr>
<tr>
<td>A02/45601</td>
<td><strong>Britannia Works</strong></td>
<td>£175,000.00</td>
<td>New Contribution: To be used towards the costs of improving accommodation at school or schools in the area.</td>
</tr>
</tbody>
</table>
Appendix 6 Current Outstanding Balance of Section 106 monies - Primary Care Trust (January 2012)

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Site Name/ Location</th>
<th>Budget</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007/09991</td>
<td>Marsden Vanplan, Longshaw Street, Warrington</td>
<td>£50,000.00</td>
<td>PCT are currently in the process of implementing additional health facilities in the area.</td>
</tr>
<tr>
<td>2005/06963</td>
<td>Carrington Wire</td>
<td>£55,000.00</td>
<td>New Contribution - PCT notified</td>
</tr>
<tr>
<td>2007/10646</td>
<td>Walton Locks Development</td>
<td>£48,250.00</td>
<td>New Contribution – PCT Notified - The contribution is to be used towards the costs of providing new health care facilities or extending or improving existing healthcare facilities within a 5km radius of the site to meet health care needs arising from the development.</td>
</tr>
</tbody>
</table>

Appendix 7 Current Outstanding Balance of Section 106 monies - Affordable Housing (January 2012)

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Site Name/ Location</th>
<th>Budget (Full)</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>A02/45573</td>
<td>Land At Liverpool Road, Great Sankey</td>
<td>£175,000.00</td>
<td>Commuted sums towards affordable homes.</td>
</tr>
<tr>
<td>2003/01258</td>
<td>Land Adjacent to 'The World Club'</td>
<td>£85,000.00</td>
<td>Commuted sums towards affordable homes.</td>
</tr>
<tr>
<td>2006/08274</td>
<td>Land Adjacent to Manchester Ship Canal</td>
<td>£500,000.00</td>
<td>Commuted sums towards affordable homes.</td>
</tr>
<tr>
<td>2006/08808</td>
<td>Whittle Hall 16, Warrington</td>
<td>£264,000.00</td>
<td>The council have committed expenditure - This is to be confirmed Feb 2012.</td>
</tr>
</tbody>
</table>
Boothshill House, Lymm  £225,000.00  Commuted sums towards affordable homes.

### Appendix 8 Current Outstanding Balance of Section 106 monies - Environmental Improvements (January 2012)

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Site Name/ Location</th>
<th>Budget</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007/09937</td>
<td>Land at John Street/Winwick Street, Warrington</td>
<td>£150,000.00</td>
<td>Implementation of environmental works in Winwick street – Awaiting further information regarding future expenditure.</td>
</tr>
<tr>
<td>2004/04708</td>
<td>Cheshire Lines</td>
<td>£50,000.00</td>
<td>Implementation of environmental works in Winwick street - Awaiting further information regarding future expenditure.</td>
</tr>
<tr>
<td>2005/06460</td>
<td>Former Christadelphian Hall, Museum Street</td>
<td>£12,350</td>
<td>New owner (Purchase complete) Contribution received – Towards environmental improvements in the vicinity of the site.</td>
</tr>
</tbody>
</table>
Environment and Regeneration Services
Internal Memorandum

To: Michael Davies                                      From: Andrew Burrows

Date: 3rd February 2012                                Ref: 2011 / 18583 & 2011 / 18571 ii

Alban Retail Park and Former Fiat Warehouse, Winwick Road

Further to highways comments issued on the 20th September 2011, various amendments to the proposals have now been received, and the following comments are offered:

2011 / 18583 – Alban Retail Park

The application seeks approval for the proposed construction of five new retail units (Use Class A1), one new restaurant unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail, improvements to existing retail units including new lobby entrances, new facades, and new servicing access with associated car parking and landscaping. The application also proposes the creation of a new road junction with Winwick Road, and improvements to the existing access off Hawleys Lane.

1. Proposed Site Plan

The proposed site plan is shown on drawing M3620 P102 J. This proposes the creation of five additional retail units to the north of the existing Alban Retail Park site and provision of a new hot food unit adjacent to the A49 Winwick Road.

In terms of how this quantum of development has been reflected within the Transport Assessment accompanying the application, it is noted that the TA states (para 6.1) that:

“The development proposes to increase retail floor space at Alban Retail Park by 5,245 sqm from 15,378 sqm to 20,623 sqm.”

This represents a 34% increase in overall retail floor space. Accordingly, in assessing the transport implications of the proposed development, a growth factor of 34% has been applied to existing observed traffic movements at Alban Retail Park.

2. Highway Improvement Works

The application proposes the improvement of the existing Hawleys Lane retail park access, and the creation of a new signalised access serving the retail park directly from the A49 Winwick Road.
2.1. Proposed New Signalised Access onto A49 Winwick Road

The design of the proposed new access junction onto the A49 has been subject to various amendments following comments received from the Council’s Highways Design and Urban Traffic Management and Control Managers. The revised design is now shown on drawing number 6395 -002 Rev D

The proposed junction would incorporate a dedicated right turn filter lane into the site from the A49 southbound carriageway and left and right turn lanes from the proposed new site access out onto the A49. The junction would incorporate controlled pedestrian crossing facilities on all arms.

In terms of its geometric design, it is to be noted that the proposed new junction would provide access for cars and LGV’s only. A swept path analysis has been provided to demonstrate that access into the site by a fire tender can also be achieved. However, given that the access would not be suitable for HGV’s, appropriate signage will need to be provided on the A49 to deter such movements.

The detailed engineering design of the new signalised access to incorporate appropriate signage should therefore be conditioned.

2.2 Proposed Improvements to Hawleys Lane Access

Para 6.3 of the Alban Retail Park Transport Assessment states that:

“It is proposed to retain the existing retail and servicing accesses from Hawleys Lane together with improvements shown on drawing 5803/01 at Appendix J, designed to improve access visibility and layout.”

The proposed improvement plan, drawing 5803/01 originally proposed amendments to highway lining arrangements relating to the right turn filter lane into the site. However, following the recent resurfacing and re-lining of the carriageway by the Council, it has been agreed with the applicant that re-lining is now no longer needed. However, the proposed site plan also includes improvements to visibility splays from the junction, which would be beneficial.

The traffic counts supplied by the applicant within the Transport Assessment also note that despite the junction currently being designed so as to only allow left turns onto Hawleys Lane, right turns are still observed to be regularly occurring.

Additionally it is noted that following the replacement of the Long Lane / A49 roundabout with a new intersection junction, the possibility to turn left from the site access and U–turn at the roundabout in order to repass the site in a westerly direction has now been removed.

It is therefore advised that a scheme for the improvement of the existing Hawleys Lane access is progressed, and that this should also consider the possibility of removing right turn restrictions in order to facilitate right turns out from the access.

This should be ensured via planning condition.
3. Proposed Parking Provision

3.1 Car Parking

671 parking spaces currently exist on the Alban Retail Park site. The proposed development seeks to increase this to 716 spaces, (comprising 628 standard spaces, 39 disabled spaces, 17 parent and child spaces and 29 dedicated staff spaces).

The proposed level of provision is significantly below the maximum level of provision permitted by the Council’s adopted standards, which would in this instance permit 986 spaces to be provided. Therefore the proposed increase in parking provision as proposed within the application is acceptable.

3.2 Cycle Parking Provision

It is stated within page 25 of the Transport Assessment that:

"It is considered that a total of 45 cycle stands are required for the proposed development across the site. Cycle parking will be convenient and secure."

The above level of cycle parking provision has been discussed with the Council’s Travel Plan Officer who has confirmed that provision of 45 stands is likely to be excessive in this instance, and would wish to see a scheme developed to provide around 30 stands across the expanded retail park, provided in small groups by the entrances to individual retail units.

We would therefore advise that a detailed scheme demonstrating the provision of cycle parking spaces, in accordance with the advice received above, should be conditioned.

4. Transport Modelling

The applicant has submitted Transport Assessments which assess the operation of the following junctions in 2011 and 2016:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Cromwell Avenue / Calver Road;
- Winwick Road / Long Lane / Hawleys Lane;
- Hawleys Lane / Athlone Road;
- Hawleys Lane / Existing Site Access;
- Hawleys Lane / Existing Servicing Access;
- Proposed New Signalised Junction Alban Retail Park / A49.
- Winwick Road / Orford Park
- A49 Toucan Crossing south of Orford Park

The time periods modelled within the Transport Assessments are Thursday AM (0745-0845), Thursday PM (1645-1745), and Saturday PM (1330-1430)

4.1 Proposed Trip Generation

Using the approach to assess potential traffic generation outlined previously i.e. by factoring up existing arrivals and departures to the retail park by 34%, the existing and proposed trip generation associated with the proposals is detailed below:
Table 1: Existing Retail Park Traffic Movements

<table>
<thead>
<tr>
<th></th>
<th>Thurs AM</th>
<th>Thurs PM</th>
<th>Sat PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrivals</td>
<td>53</td>
<td>182</td>
<td>602</td>
</tr>
<tr>
<td>Departures</td>
<td>19</td>
<td>210</td>
<td>542</td>
</tr>
</tbody>
</table>

Table 2: Proposed Retail Park Traffic Movements

<table>
<thead>
<tr>
<th></th>
<th>Thurs AM</th>
<th>Thurs PM</th>
<th>Sat PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrivals</td>
<td>70</td>
<td>246</td>
<td>812</td>
</tr>
<tr>
<td>Departures</td>
<td>25</td>
<td>283</td>
<td>732</td>
</tr>
</tbody>
</table>

4.2 Traffic Impact: Without Retail Development

The applicants Transport Modelling has been subject to extensive review. This demonstrates that in the base case scenario (i.e. without development in 2011), the following junctions are noted to already be experiencing traffic capacity constraints in the Weekday AM period:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Winwick Road / Orford Park

Transport modelling also indicates that in the Weekday PM and Saturday PM period, the following junctions are experiencing capacity constraints:

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;

4.3 Traffic Impact: With Retail Development

Modelling of the predicted impact of additional traffic generation on the local highway network with the proposed development in the years 2011 and 2016 has also been undertaken. This demonstrates that with background traffic growth and accounting for committed development, in the 2016 future year scenario the following junctions can be expected to experiencing traffic capacity constraints:

Weekday AM

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Winwick Road / Orford Park.

Weekday PM

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane.

Saturday PM

- Cromwell Avenue / Winwick Road / Sandy Lane;
- Winwick Road / Long Lane / Hawleys Lane;
- Proposed New Site Access Junction with A49.
As can be seen from the above, modelling to a large extent indicates that capacity constraints will remain at links and junctions that are currently experiencing congestion and delay in the weekday AM and PM peak hour periods.

However, it is also to be noted that in the 2011 and 2016 Saturday PM periods the new retail park access onto the A49 would be approaching its capacity limits. This capacity constraint is not predicted to affect through traffic on the A49 but are expected to result in some queuing and delay within the retail park. The applicant has subsequently confirmed that this is recognised and accepted.

In view of the above, it is considered that the additional traffic generated by the proposed development can be accommodated on the local highway network and that the proposed new junction onto the A49 should operate with reserve capacity, exception during the Saturday PM period, when some queuing and delay within the retail park is predicted to occur.

It is also noted that the above results are based on the applicant’s assumption that circa 70% of all traffic accessing and egressing the retail park would utilise the new signal junction out onto A49 once created. In practice, should queuing at the new site access onto the A49 occur, then it could be expected that more traffic may use the existing Hawleys Lane junction. Facilitating right turns out from the existing Hawleys Lane junction (if indeed feasible) should also assist in this regard.

4.4 Independent Review of Transport Modelling

In order to determine the validity of the applicant’s junction and highway network modelling, the Council commissioned independent transport consultants to undertake a technical review of the modelled network.

Technical advice relating to modelling of the network has been duly received and passed to the applicants transport consultants. Various modelling amendments have been actioned, and the results detailed within these comments are based on this revised modelling.

5. Servicing

No changes to the existing service access serving the site from Hawleys Lane are proposed as part of this application. As noted above, the proposed new site access onto the A49 would not be designed to accommodate HGV’s, therefore servicing movements will, by necessity, be required to use the existing Hawleys Lane service access.

It is also noted that the planning application description of development this includes “creation of new service access” – This is erroneous. The creation of a new service access is not proposed within the plans submitted in support of the application.

6. Cycle and Pedestrian Access

In response to highways comments issued on the 20th September 2011, the applicant has revised the proposed site plan in order to make allowance for the provision of a widened highway verge along the A49 site frontage. Increased width along the A49 frontage is shown on proposed site plan M3620 P101 J.

Widening of the highway verge by 1.8m as proposed will facilitate construction of a new shared pedestrian and cycleway along the site frontage. This is welcomed.
Accordingly, a scheme for the detailed design of a proposed shared pedestrian / cycleway along the A49 frontage should be conditioned.

It should be noted that cycle and pedestrian access issues will need to be further considered during the detailed design of all highway works that are subject to condition.

7. Public Transport Accessibility

The site is well served by bus stops on the north and southbound carriageways of the A49 Winwick Road. On the northbound carriageway, directly in front of the site, it is noted that the existing bus stop is outdated and in a poor state of repair. Additionally, no raised kerbs currently exist to facilitate easy boarding and alighting at the stop.

Improvement of the bus stop on the northbound carriageway would facilitate easier access to the development for public transport users. It is therefore requested that the applicant commits to upgrading this shelter and stop as part of the scheme to develop the improved footway / cycleway along the A49 frontage.

8. Stage 1 Road Safety Audit

A Stage 1 Road Safety Audit of the proposed highway improvements outlined above has been undertaken by the Council’s Road Safety Auditors.

In respect of proposed improvements to the existing Hawleys Lane junction, the audit confirmed that right turning vehicles are exiting onto Hawleys Lane, and advised that it is therefore necessary to either make arrangements to allow this movement, or reinforce the existing restriction with additional signage.

In respect of the new proposed signal junction onto the A49, the audit confirmed that this is acceptable in highway safety terms, subject to further detailed design work.

The applicant has provided a Designers Response to the Road Safety Audit which acknowledges the above points.

9. S278 Works

In order to facilitate the highway improvement works listed above, the applicant will need to enter into a S.278 agreement with the Council. It is envisaged that the S.278 agreement will also entail improvements to:

- Street lighting and highway drainage provision;
- Carriageway resurfacing;
- Footway renewal;
- Bus stop improvement works;
- Removal of redundant street furniture and / or relocation as appropriate;
- Amendments to Traffic Regulation Orders.

The S.278 agreement will also ensure that Stage 2 Road Safety Audits will be undertaken in respect of detailed designs, and Stage 3 Road Safety Audits are completed following construction of the highways improvements.
10. Supplementary Planning Document

The Council’s Supplementary Planning Document: “Planning Obligations” has also been referred to in order to determine the likely transport contribution arising from the development in accordance with this adopted policy.

Using the formula in the SPD, the transport contribution is calculated as follows:

\[
52.45 \text{ (Proposed Increase in GFA / 100)} \times £413 \text{ (Cost per daily trip)} \times 42.36 \text{ (Average No of Total Daily trips per 100 sqm GFA)} = £917,595
\]

It should be noted that an SPD based contribution has yet to be agreed with the applicant. Such contribution would allow the Council to further mitigate the impact of the proposed development on the local transport network.

11. Travel Plan

A Framework Travel Plan, which aims to promote the use of sustainable transport modes to access the development, has been submitted in support of the application. This should be conditioned, in order to allow this to be further developed into a Full Travel Plan, in conjunction with the Council’s Travel Plan Officer.

12. Summary and Conclusions

In view of the above no highways objection are raised in respect of the proposals, subject to attachment of the following planning conditions:

“Prior to the commencement of development, schemes for the detailed design of the following highway improvement works shall be submitted to and agreed in writing with the Local Planning Authority:

- Hawleys Lane / existing retail park access junction improvement;
- Creation of new footway / cycleway along the A49 frontage between Hawleys Lane and the northern periphery of the site frontage;
- New retail park signalised junction with A49 Winwick Road.

The agreed schemes shall be implemented in full prior to first occupation of the development hereby approved.”

“Prior to first occupation of the development the car parking spaces shown on drawing number M3620 P102 J shall be provided and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to the commencement of development a scheme for the provision of cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. Such scheme as is agreed shall be provided prior to first occupation of the development and shall be retained thereafter.”

“Prior to first occupation of the development a Revised Travel Plan (including a detailed action plan) shall be submitted to and agreed in writing with the Local Planning Authority. The agreed Travel Plan shall be implemented in accordance with the agreed action plan timetable.”
The application seeks approval for the proposed construction of new employment units and remodelling of existing buildings for research and development, light industry, general industry and storage or distribution (use classes B1(b), B1(c), B2 and B8) along with two new road junctions at Winwick Road and Cromwell Avenue, associated car parking and landscaping.

1. Proposed Site Plan

The proposed site plan is shown on drawing M3621 P102 Rev J. This proposes the creation of 15 industrial units of varying size that would be replace the former Fiat storage and distribution depot.

The planning application form states that 19,309 sqm of B8 (Storage and Distribution) space is currently permitted on site, and that this would be replaced by 19,354 sqm of B1b, B1c, B2 and B8 floorspace. Consultations with the applicant have confirmed that no fixed GFA’s for each individual land use are proposed.

2. Highway Improvement Works

2.1 Proposed Cromwell Avenue Service Access

The proposed site plan seeks to create a new service access into the site from Cromwell Avenue as shown on drawing numbers 6395-006 and 6395-004.

The proposed access would facilitate access into the site only i.e. egress from the site onto Cromwell Avenue would not be provided.

It is envisaged that the proposed new servicing access would facilitate entry for HGV’s and for staff employed on site. A swept path analysis demonstrating that the new access can accommodate entry by a 16.5m length HGV is provided on drawing number 6395-004.

2.2 Removal of Proposed A49 Left In / Left Out Junction

The original proposed site plan submitted by the applicant included provision of a new uncontrolled left in / left out access to the site from the A49 Winwick Road. This has now been omitted from the proposals following the expression of highway safety concerns regarding this element of the proposals. This is welcomed.

3. Proposed Parking Provision

3.1 Car Parking

The proposed development seeks to create 306 parking spaces (of which 21 would be disabled spaces). This level of provision is in accordance with the Council’s adopted maximum standards.

3.2 Cycle Parking Provision

In terms of cycle parking, the Transport Assessment in support of the application states that it is proposed to provide 36 cycle stands within the development. This level of provision is acceptable. A condition relating to the agreement of cycle parking
is also sought, so as to ensure that cycle parking provision is evenly distributed across the proposed development.

4. Proposed Trip Generation

The Transport Assessment in support of the application states that in order to assess the potential traffic generation of the site, the following has been assumed:

1/3 Total GFA i.e. 6451 sqm Light Industry (Use Class B1c)
1/3 Total GFA i.e. 6451 sqm General Industry (B2)
1/3 Total GFA i.e. 6451 sqm Storage and Distribution (B8)

This results in the following trip generation estimates, as compared to the observed traffic generation of the former usage of the site, in Table 1 below:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AM Peak Hour</td>
<td>64</td>
<td>130</td>
<td>+66</td>
</tr>
<tr>
<td>PM Peak Hour</td>
<td>37</td>
<td>118</td>
<td>+81</td>
</tr>
</tbody>
</table>

Table 1: Proposed Difference in AM and PM Peak Hour Traffic Generation

As can be seen from the above, the additional traffic generated by the proposal would be in the region of an additional 1 arrival or departure per minute during the AM and PM peak hours.

5. Servicing

At present HGV access to the site is via the existing servicing access from Hawleys Lane. It is proposed that this access will remain. However as noted above, with the creation of a new service access from Cromwell Avenue, HGV's will also be able to access the site from the north. Egress for these vehicles will still need to be via the existing servicing access from Hawleys Lane.

In response to queries over the control of use of the new service access, the Cromwell Avenue Access Management Plan has been provided. This is acceptable and should be conditioned.

6. Cycle and Pedestrian Access

In response to highways comments issued on the 20th September 2011, the applicant has revised the proposed site plan in order to make allowance for the provision of a widened highway verge along the A49 site frontage. Increased width along the A49 frontage is shown on proposed site plan M3620 P102 J.

Widening of the highway verge by 1.8m as proposed will facilitate construction of a new shared pedestrian and cycleway along the site frontage. This is welcomed. Accordingly, a scheme for the detailed design of a proposed shared pedestrian / cycleway along the A49 frontage should be conditioned.

It should be noted that cycle and pedestrian access issues will need to be further considered during the detailed design of all highway works that are subject to condition.
7. Public Transport Accessibility

The site is served by public transport with bus stops in close proximity on both northbound and southbound carriageways of the A49 Winwick Road.

The design of the pedestrian and cycleway scheme outlined above should include direct access from the site to bus stops adjacent to the site.

8. Stage 1 Road Safety Audit

A Stage 1 Road Safety Audit of the proposals has been undertaken by the Council’s Road Safety Auditors. This confirmed that the proposal to create a new servicing access from Cromwell Avenue into the site is acceptable in highway safety terms.

9. S278 Works

In order to facilitate the highway improvement works listed above, the applicant will need to enter into a S.278 agreement with the Council. It is envisaged that the S.278 agreement will also entail improvements to:

- Street lighting and highway drainage provision;
- Carriageway resurfacing;
- Footway renewal;
- Removal of redundant street furniture and / or relocation as appropriate;
- Amendments to Traffic Regulation Orders.

10. Travel Plan

A Framework Travel Plan, which aims to promote the use of sustainable transport modes to access the development, has been submitted in support of the application. This should be conditioned, in order to allow this to be further developed into a Full Travel Plan, in conjunction with the Council’s Travel Plan Officer.

11. Summary and Conclusions

In view of the above, no highways objections are raised subject to attachment of the following planning conditions:

“Prior to the commencement of development, a scheme for the creation of new footway / cycleway along the A49 frontage between the southern periphery of the site frontage and Cromwell Avenue shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be implemented in full prior to first occupation of the development hereby approved.”

“Prior to the commencement of development the car parking spaces shown on drawing number M3621 P102 Rev J shall be provided and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to the commencement of development a scheme for the provision of cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. Such scheme as is agreed shall be provided prior to first occupation of the development and shall be retained thereafter.”

“The approved Cromwell Avenue Access Management Plan shall be implemented from the first use of the Cromwell Avenue service access and shall not be significantly varied without the prior express consent of the Local Planning Authority.”
“Prior to the commencement of development, the detailed design of the new service access junction with Cromwell Avenue shall be submitted to and agreed in writing by the Local Planning Authority. The agreed design shall be implemented prior to occupation of the development.”

“Prior to first occupation of the development a Revised Travel Plan (including a detailed action plan) shall be submitted to and agreed in writing with the Local Planning Authority. The agreed Travel Plan shall be implemented in accordance with the agreed action plan timetable.”

“There shall be no permitted change of use of the buildings hereby approved to B1(a) office use without express permission having been received from the Local Planning Authority.”

(Reason: In order to ensure that the highway capacity implications of such change of use can be duly considered.)

Andrew Burrows  
Principal Engineer (Transport Development Control)
DEVELOPMENT MANAGEMENT
COMMITTEE

Thursday 16th February 2012
DECISIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>2011/18571</td>
<td>Former Fiat Warehouse, Off Winwick Road, Warrington, Cheshire, WA2 8JR</td>
<td>Approve</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Proposed demolition of existing buildings and construction of new employment units and</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>remodelling of existing buildings for research and development, light industry, general</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>industry and storage or distribution (use classes B1(b), B1(c), B2 and B8) along with</td>
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<td></td>
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<td>two new road junctions at Winwick Road and Cromwell Avenue, associated car parking and</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>landscaping.</td>
<td></td>
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<td></td>
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<td>APPROVE AS REC</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>13</td>
<td>2011/18583</td>
<td>Alban Retail Park, Hawleys Lane, Warrington</td>
<td>Approve</td>
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<td></td>
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<td>Proposed construction of five new retail units (Use Class A1), one new restaurant</td>
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<td></td>
<td></td>
<td></td>
<td>unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail,</td>
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<td></td>
<td>improvements to existing retail units including new lobby entrances, new façades, and</td>
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<td></td>
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<td></td>
<td>new servicing access with associated car parking and landscaping. Creation of new road</td>
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<td>junction with Winwick Road and improvements to existing access</td>
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</tr>
</tbody>
</table>
off Hawleys Lane.

APPROVE – NO REQUIREMENT FOR S106 AGREEMENT

3  42  2011/19241  Santa Rosa Boulevard, Great Sankey, Warrington, WA5 3AL
Proposed construction of new primary school building, associated car parking, external multi-use games and play area with new pedestrian and vehicular access. The relocation and recladding of existing nursery provision unit onto the same site with associated playground and independant access.

APPROVE AS REC