To: Members of the Development Management Committee

Councillors: Chair – T McCarthy
Deputy Chair – J Richards
P Carey, F Rashid, L Morgan, L Murphy,
B Barr, J Wheeler, S Woodyatt, D Keane
S Wright and A Heaver

8 March 2016

Development Management Committee

Wednesday, 16 March 2016 at 6.30pm

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

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

A G E N D A

Part 1

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

Item 1. Apologies for Absence

To record any apologies received.

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

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

   To confirm the minutes of the meeting held on 24 February 2016 as a correct record.

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


5. **Planning Appeal Decisions for period between 13 February and 7 March 2016**


5.1 Broomedge Nurseries, Burford Lane, Lymm, Warrington, WA13 0SH

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**Part 2**

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

Nil

*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.*
DEVELOPMENT MANAGEMENT COMMITTEE

24 February 2016

Present: Councillor T McCarthy (Chairman)
Councillors J Richards, B Barr, L Murphy, D Keane
A Heaver, F Rashid, J Wheeler, L Morgan, P Carey,
S Woodyatt and S Wright.

DM123 Apologies for Absence

There were no apologies for absence.

DM124 Code of Conduct – Declarations of Interest

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Minute</th>
<th>Reason</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cllr J Richards</td>
<td>DM130</td>
<td>Cllr Richards was a School Governor at St Barnabas.</td>
<td>Cllr Richards stood down from the committee, he took no part in the discussions or the vote</td>
</tr>
<tr>
<td>Cllr J Wheeler</td>
<td>DM131</td>
<td>Councillor Wheeler was a Ward Member representing the area, but had no involvement in the matter.</td>
<td>Councillor Wheeler remained in the meeting – she took part in the discussion and the vote thereon.</td>
</tr>
<tr>
<td>Cllr B Barr</td>
<td>DM132</td>
<td>Councillor Barr was a Board Member (Helena Housing and Torus Group)</td>
<td>Councillor Barr stood down from the committee, he spoke in support of the application, he took no part in the following discussions or the vote</td>
</tr>
<tr>
<td>Cllr S Wright</td>
<td>DM135</td>
<td>Councillor Wright was a Ward Member representing the area, but had no involvement in the matter.</td>
<td>Councillor Wright remained in the meeting – he took part in the discussion and the vote thereon.</td>
</tr>
</tbody>
</table>

DM125 Minutes

Resolved,
That the minutes of the meeting held on 3 February 2016 were agreed as a correct record and signed by the Chairman.

**DM126 Planning Applications**

Resolved,

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

**DM127 2016/27340 - Cuerdon Cottage, Cuerdon Drive, Grappenhall and Thelwall, Warrington, WA4 3JU - Full Planning - Construction of detached dwelling on the site of a partially constructed garage (resubmission of 2015/26652)**

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

Resolved,

That application 2016/27340 be deferred to the next meeting of the Committee.

Reason,

To allow the full statutory 21 days notification period to surrounding land / property owners.

**DM128 2015/26747 - Agricultural Building Off Spring Lane, Croft, Warrington, WA3 7AS - Full Planning - Change of use from Ancillary Office Accommodation for Horticultural Business (B1a) to Residential dwelling (C3)**

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

Members visited the site on 19 February 2016.

Members considered the information as set out in the update report.

Resolved,

That application 2015/26747 be approved with additional conditions as set out in the update report.

**DM129 2015/27031 - The Market Multi Storey Car Park, Moulders Lane, Bewsey And Whitecross, Warrington, WA1 2FA - Full Planning (Major) -**
Proposed demolition of all existing on-site buildings and structures, and the construction of a new multi-storey car park together with associated public realm works and access improvements.

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

Representations were heard in support of the officer recommendation.

Members considered the additional information as set out in the update report.

Resolved,

That application 2015/27031 be approved with additional conditions as set out in the update report.

DM130 2015/27040 - Warrington St Barnabas C E Primary School, Collin Street, Bewsey And Whitecross, Warrington, WA5 1TG - Full Planning - Proposed New Entrance Extension

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

Members considered the additional information as set out in the update report.

Resolved,

That application 2015/27040 be approved as per the officer recommendation.

DM131 2015/27121 - Warrington Golf Club, London Road, Warrington, WA4 5HR - Full Planning - Proposed part retrospective new safety fence to rear of golf club

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

Members visited the site on 19 February 2016.

Representations were heard in support of and against the officer recommendation.

Members considered the additional information as set out in the update report.

Resolved,

That application 2015/27121 be deferred to a further meeting of the Committee.
Agenda Item 3

Reason,

To allow time for discussions between the Golf Club Management, the Parish Council and local Residents to take place.

**DM132 2015/27149 - Land Adjacent To Dallam Playing Fields, And St Margarets Church, Longshaw Street, Bewsey And Whitecross, Warrington, WA5 0DY - Full Planning - Proposed Bewsey and Dallam Hub building comprising new three storey building to provide fitness, leisure, community wellbeing facilities including a Learner and Therapy Pool and Smart Library services; new car park, associated lighting and landscaping.**

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

Representations were heard in support of the officer recommendation.

Resolved,

That application 2015/27149 be approved as per the officer recommendation.

**DM133 2015/26816 - Unit 8, Sankey Bridges Industrial Estate, Liverpool Road, Great Sankey, Warrington, WA5 1QQ - Full Planning - Proposed change of use from existing industrial unit with office space to two dance studios**

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

Members visited the site on 19 February 2016.

Representations were heard in support of the officer recommendation.

Resolved,

That application 2015/26816 be approved as per the officer report subject to additional conditions for landscaping and tree protection in new parking area.

**DM134 2016/27199 - 50, West Avenue, Stockton Heath, Warrington, WA4 6HX Full Planning - Proposed Change of use of existing outbuilding into detached dwelling & associated Parking**

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation of approval subject to conditions.
Members visited the site on 19 February 2016.

Representations were heard against the officer recommendation.

Resolved,

That application 2016/27199 be approved as per the officer recommendation subject to an additional condition to provide one electric vehicle charge point.

**DM135 2015/26544 - Phase 3B Latchford East (Westy), Land to the North and West, of Cardinal Newman High School including land to the North of Mersey Walk and land to the East of Mort Avenue, Latchford, Warrington - Full Planning (Major) - Proposed Phase 3B Latchford East (Westy) of the Mersey Warrington Flood Risk Management Scheme consisting of a flood defence wall together with landscaping and other associated works**

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

Representations were heard in support of the officer recommendation.

Resolved,

That application 2015/26544 be approved as per the officer recommendation.

**DM136 2015/26914 - Unit 6, Gatewarth Industrial Estate, Barnard Street, Bewsey & Whitecross - Proposed change of use to a gym**

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

Resolved,

That application 2015/26914 be approved as per the officer recommendation.

**DM137 Planning Appeal Decisions for period 18 January and 12 February 2016**

Members were presented with a report of the Executive Director of Economic Regeneration, Growth and Environment that set out the result of recent appeals along with the Inspector’s findings and the Executive Director’s subsequent comment

<table>
<thead>
<tr>
<th>Application Appeal Reference</th>
<th>Location and Description</th>
<th>Committee / Delegated Decision</th>
<th>Appeal Decision</th>
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<tbody>
<tr>
<td>APP/M0655/W15/3136559</td>
<td>4 Martin Avenue, Poplars and Hulme, Warrington WA2 0HQ</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>Reference</td>
<td>Address</td>
<td>Decision</td>
<td>Result</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------------------------------------</td>
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</tr>
<tr>
<td>APP/M0655/W/15/3131537</td>
<td>137 Kenyon Lane, Kenyon, Warrington WA3 4AY</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APP/M0655/W/15/3124784</td>
<td>2 Station Approach, Station Road, Warrington, Cheshire WA5 1RQ</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APP/M0655/D/15/3136734</td>
<td>82 Highfield Avenue, Appleton, Warrington WA4 5DX</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APP/M0655/W/15/3033706</td>
<td>31 Hillside Road, Appleton, Warrington WA4 5PX</td>
<td>Refused</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

Resolved,

That the report be noted.

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

Dated ..........................
TITLE OF REPORT: Appeal decisions for period between 13th February & 7th March 2016.

1. PURPOSE OF THE REPORT

1.1 To advise members of the planning appeal decisions at:
   - Broomedge Nurseries - appeal dismissed

2. REPORT BODY

Dismissed Appeals

Broomedge Nurseries

2.1 Consent was sought for 8 no. detached dwellings, an improved access, wildflower meadow, and the clearance of existing greenhouses and associated hardstanding. As the site lies in the green belt, the key issues centred on whether the proposal constituted inappropriate development, the impact on openness and the purposes of the green belt and whether there are any very special circumstances to outweigh the harm due to the inappropriate development and any other harm identified.

2.2 Broomedge nursery is approx. 2 ha in size, but lies outside of the settlement boundary of Broomedge, which is washed over by the Cheshire Green Belt. Although an LDC was granted for the storage of touring caravans, the site fell outside the definition of Annex 2 (NPPF) which excludes land that is, or has been, occupied by agricultural or forestry buildings. New dwellings are inappropriate development unless they fall into either paragraphs 89 or 90. Both parties accepted that the proposal would not satisfy the exceptions, and as such the scheme represented inappropriate development, which is harmful by definition and contrary to Policies SN1, CS5 and CC2 of the LPCS.

2.3 The Inspector accepted on a mathematical basis, the development would result in a reduction in the footprint, floor space and volume of built development, and areas of hardstanding on the site and would consequently reduce the impact on the openness of the Green Belt. A moderate benefit was attached to the proposal.

2.4 However, the glasshouses appeared to be in a relatively good state of repair. Although they may become increasingly dilapidated over time, the Inspector did not consider they have an adverse impact on the character and appearance of the area. The glasshouses are visually compatible with the countryside location and
are commonplace in such surroundings. Thus, no visual benefit was attached to the sites redevelopment, despite the designs being of a high quality. Little harm would arise from long distance views of the site, with the houses being of a similar scale, massing and design to adjacent dwellings. However they would be larger and create a suburbanisation of the site that would fundamentally harm the character and appearance of the countryside. Consequently, this would result in moderate harm and would be contrary to Policy QE7 which requires developments to maintain and respect the landscape character.

2.5 The sole harm arising to the green belt purposes was in the form of encroachment. The Inspector agreed with the Council in this respect, given the sites location outside the village settlement which represents a significantly different character to that of the appeal site. The proposal was contrary to policies SN1, CS5 and CC2.

2.6 Notably the Inspector considered the proposal had merit in terms of the wildflower meadow, reduction in heavy traffic, the £75,000 affordable housing contribution, living conditions of neighbours, landscaping. However their totality did not outweigh the harm caused by the proposals inappropriateness, non-compliance with the green belt purposes and the countryside’s character and appearance. Collectively these factors carried substantial weight and no very special circumstances were proven to outweigh this.

3. CONFIDENTIAL OR EXEMPT
3.1 Not confidential or exempt.

4. FINANCIAL CONSIDERATIONS
4.1 None.

5. RISK ASSESSMENT
5.1 No risks identified.

6. EQUALITY AND DIVERSITY/EQUALITY IMPACT ASSESSMENT
6.1 Not required.

7. CONSULTATION
7.1 Not required.

8. REASON FOR RECOMMENDATION
8.1 To inform Members of the outcome of the appeal decision.

9. RECOMMENDATION
9.1 That members note the appeal decision.

10. BACKGROUND PAPERS
10.1 None
Contacts for Background Papers:

<table>
<thead>
<tr>
<th>Name</th>
<th>E-mail</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew McGlone</td>
<td><a href="mailto:amcglone@warrington.gov.uk">amcglone@warrington.gov.uk</a></td>
<td>01925 442845</td>
</tr>
</tbody>
</table>

12. CLEARANCE DETAILS

<table>
<thead>
<tr>
<th>Name</th>
<th>Consulted</th>
<th>Date Consulted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andy Farrall</td>
<td>x</td>
<td>7/3/2016</td>
</tr>
</tbody>
</table>
Appeal Decision

Site visit made on 15 December 2015

by Louise Nurser  BA (Hons) Dip Up MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 February 2016

Appeal Ref: APP/M0655/W/3131899
Broomedge Nurseries, Burford Lane, Lymm, Cheshire WA13 0SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Beck Developments Ltd against the decision of Warrington Borough Council.
- The application Ref 2014/24978, dated 15 December 2014, was refused by notice dated 12 February 2015.
- The development proposed is redevelopment of Broomedge Nurseries for 8 no, detached dwellings and creation of improved access and additional landscaping, plus restoration of residue nursery site as wildflower meadow following clearance of existing buildings and hardstanding.

Decision

1. The appeal is dismissed.

Procedural matter

2. A copy of a signed, completed planning obligation under S106 of the Town and Country Planning Act 1990 was submitted during the appeal. This would provide for the funding of off-site affordable housing. I have had regard to this in my consideration of this appeal.

Main Issue

3. I consider the main issues in this case are: a) whether the proposal constitutes inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt, on the character and appearance of the area and the purpose of including land in the Green Belt; and c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

4. The appeal site is a former horticultural nursery of around 2 ha which lies outside of the settlement boundary of the village of Broomedge, which is washed over by the Cheshire Green Belt.
Whether inappropriate development?

5. The Framework establishes that new buildings within the Green Belt are inappropriate unless, amongst other things, they relate to buildings for agriculture and forestry, limited infilling in villages, and limited infilling or the partial or completed redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and purpose of including land within it than the existing development.

6. Both parties\(^1\) accept that the proposed development would not satisfy the exceptions set out in paragraph of 89 of the Framework. As such the proposed development would be inappropriate development which is, by definition, harmful to the Green Belt and in the absence of very special circumstances would be contrary to Policies SN1, CS5, and CC2 of the Warrington Local Plan Core Strategy (CS), adopted July 2014.

Effect on openness

7. The Framework (paragraph 79) states that openness and permanence are the essential characteristics of Green Belts. The fundamental characteristic of openness is the absence of buildings.

8. I have been referred to an appeal decision relating to a proposed residential development on the site of a former garden centre and retail business opposite this appeal\(^2\) site. Whilst I do not have the details of the scheme before me I have been directed to the paragraph where the Inspector considered the redevelopment of a previously developed site with reference to the comparative impact of the proposed development on its openness\(^3\) and on the purposes of including land within it compared to the existing development.

9. However, as the appeal before me relates to a former nursery, albeit part of which has a Lawful Use Certificate for the storage of touring caravans, this is not directly relevant to the appeal before me as the definition of previously developed land (PDL) within Annex 2 of the Framework, specifically excludes land that is, or has been, occupied by agricultural or forestry buildings.

10. Nevertheless, on a purely mathematical calculation the proposed development would result in a reduction in the footprint, floorspace and volume of built development, and areas of hardstanding on the site and would consequently reduce the impact on the openness of the Green Belt. I accord this a moderate benefit.

Character and appearance

11. The appeal site is set within open countryside. The wider area includes open fields behind the site, with large detached dwellings in commensurately large gardens to its south: a couple of detached houses to the north along Burford Lane, an open field laid to grass with views into the fields beyond, and a ribbon of semi-detached traditional ribbon development housing which is typical of its period. Opposite the site there is an ‘up-market’ dog kennels, and the former Willow Pool garden centre.

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\(^{1}\) Paragraph 3.14 Statement of Case JWPC August 2015
\(^{2}\) APP/M0655/A/14/2227516
\(^{3}\) Paragraph 10 ibid.
12. The appeal site falls within a landscape type described as Red Sandstone Escarpment\(^4\) which is characterised as enclosed by hedgerows and woodland and is considered able to absorb small scale development.

13. The appeal site is large and includes areas of hard standing, degraded land, and an area at its north eastern end which is in a poor state, characterised by rubble and weeds. I note that there is a Lawful Use Certificate for the open storage of caravans on the site. However, they are not currently very visible as they are screened by large conifers, a brick building, the hedgerow to the fields beyond, and the glasshouses.

14. I was aware from my site visit that whilst the horticultural business was no longer operating, the remaining glasshouses, which are located close to Burford Lane, to the rear of the site and immediately to the rear of no 56 Burford Lane appeared to be in a relatively good state of repair. Consequently, whilst they may become increasingly dilapidated with time I do not consider that they currently have an adverse impact on the character and appearance of the area. Rather, that the former horticultural buildings are visually compatible with the countryside location, where agricultural buildings are commonplace. Consequently, I consider that there would be no visual benefit in their redevelopment.

15. I note that the proposed cul de sac development would provide vehicular access off a spur from Burford Lane which would allow for the retention of the hedging which fronts the road, and obviate the need for direct vehicular access to the public highway. However, in order to provide adequate sight lines around 100 m of hedging and one tree would be required to be lost.

16. Nevertheless, it is clear from the artist impressions which have been submitted with the application that the proposed housing would be designed to be of a high quality design, and with adequate conditions that the landscaping and boundary treatment would result in an attractive development which would appear consistent with the existing housing development.

17. However, a core planning principle of the Framework is to recognise the intrinsic character and beauty of the countryside. I accept that in terms of long distance views the proposed development would have little impact, and that the housing may be similar in scale, massing and design to the adjacent properties. However, the proposed residential development of substantial houses of approximately 7.8-7.9 m in height set in large gardens accessed off a cul de sac, compared to the existing predominantly glass buildings of around 5.3-6 m in height and the caravans which benefit from a Certificate of Lawfulness, would permanently alter the rural attributes of the southern half of the appeal site. This suburbanisation would fundamentally harm the character and appearance of the countryside. Consequently, this would result in moderate harm and would be contrary to Policy QE7 which requires developments to maintain and respect the landscape character.

**Purposes of Green Belt**

18. The Framework sets out in Paragraph 79 that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential

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\(^4\) Landscape and Visual Impact Appraisal Woolerton Dodwell December 2014 Paragraph 1.20
characteristics of Green Belt are their permanence and openness. The Green Belt serves five purposes as set out in Paragraph 80 of the Framework

19. The village of Broomedge is not part of a large built up area. Consequently, the proposed development would not compromise the first bullet point. Both parties agree that the development would not compromise the second, fourth and fifth bullet points.

20. The appeal site is located outside of the tightly drawn village settlement boundary which has remained unaltered in the CS. Broadly, the village boundary corresponds to Character Areas 1, 2 and 4 as described in the appellant’s Village Character and Heritage Assessment, which are relatively high density housing developments. The appellant’s study includes an extensive area around the village. The appeal site is described as falling within Burford Lane Central which includes large detached houses, and the disused garden centre. However, I consider this to be significantly different in character to the housing within the settlement boundary.

21. I am aware of the appellant’s argument that the concentration of development closer to the village would provide a positive benefit. However, the two types of development are substantially different. Buildings for agriculture or forestry are by definition not inappropriate in the Green Belt whilst housing, unless it falls within the list of exceptions is not.

22. Were the appeal to be allowed, the extent of housing development within the Green Belt would extend into the open countryside and would clearly run counter to the purpose of the Green Belt to assist in safeguarding the countryside from encroachment from inappropriate development.

23. Therefore this would compromise one of the five purposes of the Green Belt and would result in significant harm and is therefore contrary to Policies SN1, CS5 and CC2 which requires development to accord with national Green Belt policies.

Other considerations

24. A wildlife meadow would be provided as part of the proposed development. Whilst I note that the Council has reservations that this could be achieved I do not consider that this would raise insurmountable issues and as such I conclude that this, together with improvements to the existing hedging and management of trees would be a moderate benefit of the proposal.

25. In addition, the replacement of the green house by an appropriately landscaped wildflower meadow to the rear of nos 54 and 56 Burford Lane would provide a moderate benefit to the amenity of the residents.

26. I have been referred to the reduction in heavy traffic from the horticultural use and caravan storage. Taken together I accord this benefit moderate weight.

27. The appellant has provided a signed undertaking which would provide for a contribution of £75 000 towards the provision of off-site affordable housing which would be a considerable benefit of the scheme.

28. I have taken into account the appeal to which I have been referred where a distinction was made between the strict definition of previously-developed land

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5 Broomedge Village Character and Heritage Assessment Woolerton Dodwell
as set out in Annex 2 to the Framework, and land occupied by agricultural buildings which could not be described as greenfield land\(^6\). However, the circumstances of the appeal before me is significantly different in that the site lies within the Green Belt, and as concluded above, I do not consider that the existing buildings are an “eyesore”\(^7\). Consequently, I consider that this has a limited impact in my consideration of the appeal.

**Conclusion**

29. In conclusion, both parties accept that the proposed development would be inappropriate development. Therefore, the proposal would be by definition harmful to the Green Belt which the Framework indicates should be given substantial weight. The development would also compromise one of the 5 purposes of the Green Belt as described in The Framework to which I have ascribed significant harm. In addition, the proposed development would result in development in the open countryside which would harm the character and appearance of the countryside and would result in moderate harm and there would be in conflict with the development plan. Collectively, this carries substantial weight.

30. I conclude a considerable benefit from the affordable housing contribution which I accord considerable weight, together with the moderate benefits to the openness of the Green Belt, and to the living conditions of the occupants of nos 54 and 56 Burford Lane, as well as from the wildflower meadow, hedging and trees, and from the reduction in heavy traffic which I accord moderate weight, when combined with the limited benefit of the appeal decision to which I have been referred to which I accord limited weight, do not clearly outweigh the substantial harm to the Green Belt which the development would cause.

31. Consequently, there are not the very special circumstances necessary to justify inappropriate development in the Green Belt and the proposal therefore conflicts with Policies SN1, CS5 and CC2 of the CS. I have been referred to a number of other policies which I have carefully considered; however, I do not consider these to be determinative in relation to this proposed development. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*L. Nurser*

INSPECTOR

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\(^6\) APP/A1530/A/13/2195924 Paragraph 284
\(^7\) Ibid paragraph 283
# DEVELOPMENT MANAGEMENT COMMITTEE

**Wednesday 16th March 2016**

**Start 18:30**

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<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| 1    | 3    | 2016/27340  | Cuerdon Cottage, Cuerdon Drive, Grappenhall And Thelwall, Warrington, WA4 3JU  
Full Planning - Construction of detached dwelling on the site of a partially constructed garage  
(resubmission of 2015/26652) | Approve |
| 2    | 29   | 2015/27126  | The Yard, Top of New Cut Lane, Woolston, Warrington, WA1 4AG  
Full Planning - Proposed erection of a storage and maintenance workshop and increase in the working hours for the whole of the site to 730am-1830pm Monday to Friday and 800am-1300pm Saturdays | Approve |
| 3    | 40   | 2015/27135  | Hard Surface site, Wellfield Street, Warrington, Cheshire, WA5 1PU  
Full Planning - Proposed Temporary permission for 5 years for 58 car parking spaces for NHS Staff only | Approve |
| 4    | 51   | 2016/27228  | Vacant land just North of Briar Cottage, Warrington Road, Hatton, WA4 5NX  
Full Planning - Proposed construction of a detached 2 storey dwelling and detached garage | Approve |
DEVELOPMENT CONTROL COMMITTEE DATE 16-Mar-2016

ITEM 1

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2016/27340</th>
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<tr>
<td>Location:</td>
<td>Cuerdon Cottage, Cuerdon Drive, Grappenhall And Thelwall, Warrington, WA4 3JU</td>
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<tr>
<td>Ward:</td>
<td>Grappenhall And Thelwall</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Construction of detached dwelling on the site of a partially constructed garage (resubmission of 2015/26652)</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>03-Feb-2016</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Latif</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>29-Mar-2016</td>
</tr>
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Reason for Referral

Objection received from Grappenhall and Thelwall Parish Council

The application was visited by members of the planning committee on the 11th December and heard at the committee meeting on the 16th December. At the meeting members deferred the application due to new issues raised in representations regarding access rights and land ownership which required further consideration.

Since the 16th December committee meeting the application was withdrawn and a new application immediately submitted for the same proposal but with the following alterations/points of clarification:

• The description of development amended to include an accurate description of the proposal bearing in mind the presence of the partly constructed garage
• The existing plans amended to show the garage as it currently exists on site
• Ownership certificates provided which confirm the extent of ownership/access rights of the applicant over the access road off Cuerdon Drive
• Site plan amended to reflect land ownership/access rights
• Relevant notices served on those with an interest in the land
• Other aspects such as the design and location of the proposal remain unchanged
The application was again heard at the 24th February planning committee and further deferred as it became apparent that the application had been submitted inside the 21 day notice period as required under Part 3, section 13 (1) of the Development Management Procedures Order 2015. This requires a 21 day notice period in advance of the application being submitted to all parties with an interest in the land.

As a result the application should not have been submitted until the expiry of the prescribed date, which was 18th February 2016.

In this instance the application had already been registered by the Council inside the 21 day notice period. As a result the Council re-commenced the 21 day neighbour consultation period from 22nd February as this is the date the issue was brought to the attention of the Council and this expired on 14th March.

Whilst the officer report will be published in advance of the expiry of the 21 days consultation period (14th March), any additional comments/representations received up until the committee date (16th March) will be reported to members of the planning committee via an update report which is emailed directly to members on the day of the committee. Therefore it is not considered that any part would be disadvantaged by this approach.

**Human Rights**

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

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

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

**Site and Proposal**

- The proposal seeks to subdivide the plot and create a new detached dwelling where the existing garage/outbuilding exists
- Application site currently serves as part of the garden curtilage of Cuerdon Cottage
- Residential setting consisting of mixed property types and styles ranging from detached and semi-detached properties and bungalows
- Boundary treatment consists of 2.5m high wall with planting beyond to the north eastern boundary shared with No.31 Cuerdon Drive, 1.8m high fencing to the south-western boundaries facing Stoneleigh Gardens and staggered planting/conifers to the north-western boundary shared with Four Oakes
- The land level of the application site is lower than that of the adjacent neighbouring properties with the more significant land level rise being
to No.31 Cuerdon Cottage

- The site is accessed between Nos.20 and 31 Cuerdon Cottage via a shared un-adopted road
- Trees noted on the north-western boundary

Relevant Planning History

78 to 2003 – Various applications to extend Cuerdon Cottage

2003/01177 – Erection of a 2 storey dwelling – initially recommended for approval by the case officer, with the decision over turned by planning committee for the following reasons:

1) The proposed development will have an adverse impact on the amenity of occupiers of adjoining residential properties by virtue of the size of the development and the location of the proposed dwelling relative to neighbouring houses. Development will result in overlooking and loss of privacy of these adjoining houses. Separation distances between existing and proposed dwellings fail to secure adequate space around buildings to protect amenity. The development is therefore considered to be contrary to the provisions of policies DCS1, DCS3, HOU2 and HOU13 of the emerging Warrington Unitary Development Plan

2) The use of the proposed access will generate activity in close proximity to existing residential property. These vehicle movements and activity will be detrimental to the amenity of the occupiers of those properties and would thereby be contrary to the provisions of policy DCS1 of the emerging Warrington Unitary Development Plan.

3) The proposed development is inconsistent with the criteria for assessing planning applications for new housing on previously developed sites as set out in Policies HOU1 and HOU2 of the Revised Deposit Draft UDP. (i) Policy HOU1 requires that sufficient land for housing to be provided to accommodate an average of 380 dwellings (net of clearance) per annum between April 2002 and 2016, in accordance with approved Regional Planning Guidance for the North West. Forecast completions over next 5 years from within the supply of land identified and available within the borough presently exceeded calculated requirements. (ii) Policy HOU2 requires that, in considering whether to grant planning permission for further housing development, the Council will need to be convinced that any approval does not add unnecessarily to the surplus available housing supply in the borough. In that regard, housing development that does not contribute to one or more of the following objectives will not be approved: - the regeneration of inner urban areas in need of investment and improvement; - the available supply of affordable or social housing in relation to identified needs; or - the vitality and viability of the town centre. The proposed development of the
application site would fail to meet expected standards of residential amenity and, as a consequence, would not contribute to any of the objectives identified in policy HOU2.

An appeal was subsequently submitted and this was dismissed on the reasons relating to loss of privacy to No.9 Stoneleigh Gardens and housing land supply only. The previous refusal reason relating to noise and disturbance from use of the driveway was dismissed.

2006/09481 – Lawful development certificate for a detached utility store (planning permission required as the structure was capable of independent accommodation and not therefore considered ancillary to the main dwelling)

2007/10221 – Lawful development certificate for a detached garage (planning permission not required)

2014/24023 – Detached garage (planning permission not required)

Planning Policies

National Planning Policy Framework (NPPF)
- Para 11-16 Presumption if favour of Sustainable Development
- Para 47-55 Delivering a wide choice of high quality homes
- Para 79-92 Protecting Green Belt land

Local Plan Core Strategy (LPCS)
- Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
- Policy CS2 Overall Spatial Strategy – Quantity and Distribution of Development
- Policy CS5 Overall Spatial Strategy – Green Belt
- Policy SN1 Distribution and Nature of New Housing
- Policy SN2 Securing Mixed and Inclusive Neighbourhoods
- Policy QE4 Flood Risk
- Policy QE6 Environment and Amenity Protection
- Policy QE7 Ensuring a High Quality Place
- Policy CC1 Inset and Green Belt Settlements

Supplementary Planning Guidance (SPG)/Documents (SPD)
- Design and Construction SPD
- Managing the Housing Supply SPD
- Parking Standards SPD

Notification Responses
Ward Councillor –
No comments received
Grappenhall and Thelwall Parish Council –
Objection for the following reasons:
- Back land development
- Loss of outlook to properties on Stoneleigh Gardens
- Inadequate access and parking arrangements
- Contrary to the village design statement
- Owners intention was never to just construct a garage
- No different to refused application 2003/01177
- Only official access is from Weaste Lane with no official access from Cuerdon Drive

Neighbouring properties –
X7 letters of objection regarding the following:
- Highway safety to shared un-adopted road
- Small plot out of character
- No access for emergency vehicles
- Precedent for future applications
- Loss of privacy to windows are garden areas
- Trees on site could be removed and should not be relied upon as screening
- Noise and disturbance to garden area from use of the driveway
- Water run off
- Loss of light
- Loss of radio signal
- Loss of house value
- Lack of neighbour consultation
- Owners intention was never to just construct a garage
- No different to refused application 2003/01177
- Query regarding agent’s registered business name
- Proposal is not a conversion – it is only partially complete. The application should be for a retrospective application to construct a dwelling
- There is no right of way to Cuerdon Cottage over the unadopted road from end of Cuerdon Drive.
- Certificate A that has been submitted is misleading. Part of the land is owned by Mr & Mrs Bennett at Four Oaks (title CH1 16043) and part owned by Mr Brownlee of 31 Cuerdon Cottage.
- The application should not be entertained in accordance with s327A and s65 of the TCP Act 1990. Notice has not been served
- The officer report makes little reference to the detailed observations submitted
- Development has proceeded without planning permission – pulling the wool over the eyes of council.
- Four oaks and dairy cottage share the use of the private access way that serves Cuerdon Cottage
- Access to Cuerdon Cottage and also Four Oaks and former garages that are due to be re-instated
- Covenant from 1950 requires 15 feet width of access
• Highways have not referenced the 15 feel wide unmade road with 3 blind bends from Weaste Lane.
• Request that if permission is to be granted a condition should be attached to prevent occupation in the event persons or vehicles going to it pass or repass over the private way leading to Weaste Lane.

X3 letters of objection regarding the current application regarding the following:
• The applicant never intended to the outbuilding to serve a garage but to create a 2 storey dwelling
• Implications of foul water discharge into the culvert
• Overlooking
• Loss of light
• Blocking of radio and television transmission
• Noise and disturbance from use of the access drive
• Loss of house value
• Access unsuitable to accommodate additional vehicles

Consultation Responses
Environmental Health –
No objection subject to the imposition of condition/informatives regarding contaminated land, environmental protection SPD, contaminated land screen assessment form and working hours for construction sites

Highways –
No objection subject to conditions requiring the parking areas, cycle store and vehicle charging point to be laid out prior to occupation.

Although access is shared this section of driveway serves just one property. Plans demonstrate minimum carriage way can be achieved. Forward visibility will be restricted by the 90-degree bend in the road however the road only serves 1 vehicle at this point, speeds will be low and users will be aware of this situation therefore impact will not be severe. Refuse collection will continue that of Cuerdon Cottage with bins taken to the adopted highway.

WBC Flood Risk
Agree with the findings of the submitted Flood Risk Assessment therefore no objection

United Utilities –
No objection however informative notes advised to the applicant

Observations
Green Belt
Paragraph 89 of the NPPF advises of the appropriate forms of new development in the Green Belt. One of the appropriate forms is the limited infilling in villages and limited affordable housing for local community needs under policies set out in the Local Plan.
As the proposal is sited within an existing village, forms part of the garden area of Cuerdon Cottage, is relatively modest in size and is surrounded by existing built form in all directions, it is considered that the proposal constitutes limited infilling and would be available for local community needs. This is also the view taken by the planning inspector as part of the previous application 2003/01177.

As a result the proposal aligns with this category and is considered an appropriate form of new development within the Green Belt.

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

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

Given that the proposal seeks to build a new dwelling on a brownfield site, in a sustainable location and with access to public transport links, the proposal is considered to be low impact development.

Therefore the proposal is considered to be acceptable in principle.

Amenity
The previous application was refused by the planning committee based on loss of outlook and privacy of adjoining residential properties and given general noise and disturbance from use of the driveway. At appeal these reasons were overturned but the privacy element in relation to impact of No.9 was upheld by the inspector.

The current proposal would be sited on the same footprint and would be sited the same distance to the rear elevations of the neighbouring properties and the shared boundaries. However the length of the proposal has been reduced by 1.4m from 12.5m to 11.1m. The ridge and eaves height of the current proposal would be lower. The eaves level has been reduced by 0.5m from 4.8m to 4.5m and the ridge height has been reduced by 0.9m from 7.7m high to 6.8m high.

As a result the impact on living conditions of the neighbouring properties has been reduced compared to that of the previous application by reducing the length and height which would reduce the overall bulk and dominance of the proposal.
- **Loss of outlook**

The proposal would provide a 13m separation distance to properties on Stoneleigh Gardens and 12m to No.31 Cuerdon Drive. These are the same separation distances which were considered acceptable by the case officer and planning inspector as part of the previous application. This conclusion was reached based on the fact that the neighbouring properties are sighted at higher land level than the application site and given the partial screening by the boundary planting/fencing therefore it was considered that that only the upper part of the proposal would be visible above the boundary treatment.

The conclusion of the planning inspector has to be attached significant weight in the decision making process. The site circumstances appear to remain relatively unchanged to those when the previous decision was made and although the relevant local plan policies have changed their aims are similar in respect to protecting the living conditions of neighbouring properties. Therefore given that the proposal would be sited in the same location and would achieve the same separation distances to the neighbouring properties, the proposal is again, considered to prevent significant harm through loss of outlook. Given the proposed reduction in height and length it is also that the proposal would be less dominant when viewed from properties on Stoneleigh Gardens when compared to the previous application.

- **Loss of sunlight**

The proposal would result in some loss of light to Nos.9, 10 & 11 Stoneleigh Gardens, however given the orientation (north-east facing), the juxtaposition and the change in levels it is considered that any impact would be limited to a short part of the morning and would not therefore result in any significant harm to living conditions.

Similarly in relation to Nos.31 and 29, given the variation in land levels and the boundary treatment it is considered that light is already limited to these properties and it is not considered that the proposal would not make this significantly worse.

This was also the conclusion reached by the case officer and planning inspector for the previous application. The current proposal is considered to result in an improvement given the reduction in ridge height.

- **Loss of privacy**

Whilst the proposal still contains habitable room windows on the north-west elevation, the ground floor windows would not result in harm through loss of privacy as they would be predominantly screened by the boundary treatment. The proposed 1st floor windows are specifically designed so that they angle away from Nos.9 and 10 with the section of windows which would face No.9 and 10 being solid. As a result there would be no loss of privacy from these windows and they would overcome the previous refusal reasons of the planning inspector. Whilst the windows would face the garden area of Four Oakes, the proposal would retain a 9m separation distance to the boundary which is considered significant to prevent harm through overlooking/loss of privacy and is not an uncommon relationship in modern housing estates.
Further screening will also be provided by the existing conifers on the north-western boundary.

No habitable room windows are proposed at first floor level on the south-western or north-eastern elevations. The windows proposed at 1st floor level would serve a study and landing window which could be conditioned so that they are fitted with obscure glazing and are non-opening. The proposed ground floor windows would not result in harm through loss of privacy as they would be predominantly screened by the boundary treatment. Therefore no loss of privacy to Nos.31 Cuerdon Drive and 9, 10, 11 Stoneleigh Gardens.

Whilst 1st floor windows are proposed on the south eastern elevation, the windows would not result in direct overlooking of the garden areas of No.29 Cuerdon Drive or 11 Stoneleigh Gardens given the 90-degree orientation. The ground floor windows would not result in harm through loss of privacy as they would be predominantly screened by the boundary treatment. Similarly overlooking/loss of privacy from these windows were not considered to be harmful by the planning inspector as part of the previous application. Therefore it is not considered that the proposal would result in any significant harm through overlooking/loss of privacy.

Character/Design
The locality consists of a mix of property types ranging from regular semi-detached properties, bungalows and more ad hoc/individual designs at the end section of Cuerdon Drive. As a result the locality has mixed character and can accommodate an additional detached dwelling.

The application plot seeks to develop part of the garden area of Cuerdon Cottage, which has a unique garden curtilage compared to other properties on Cuerdon Drive given the large size and shape, therefore the loss of part of the garden curtilage of the property is not considered harmful to the character/appearance of the area.

The size of the proposal at 5.9m wide, 11.1m long and 6.8m high and plot ratio would be different to the standard house types typically seen in Cuerdon Drive however the application property is set well back from the road and would be screened from view by intervening buildings. The end section of Cuerdon Drive where the proposal is to be located is also slightly against the existing pattern of built from in terms of design, height and plot ratio.

Whilst the proposed private amenity space would be limited, the Council do not have any policies which dictate what size this space should be. In this instance, the proposal would provide some outdoor space which would be of an adequate size be used to hang washing out e.t.c. and is therefore considered acceptable.

Therefore it is not considered that the proposal would be significantly harmful to the overall character/appearance of the area.
Highways
  - Access

The dwelling is accessed from an unadopted road from the end of Cuerdon Drive. This section of track serves a number of dwellings, however, the application site is accessed along a separate driveway which only provides access to a single other dwelling (Cuerdon Cottage).

The applicant has submitted a plan showing dimensions of the access driveway and this confirms a minimum carriageway width of approximately 4.5m. This is in excess of the WBC minimum requirement of 4.1m for two vehicles to pass at slow speed and is therefore acceptable for a single additional dwelling to utilise.

There is a 90 degree bend in the access driveway as it bends around the rear boundary wall of number 31 Cuerdon Drive. This wall will restrict forward visibility as vehicles approach the site. The carriageway is in excess of 4.1m in width and the road only serves a single other dwelling and as a result the number of vehicles and speed of vehicles will be low. Additionally, users of the drive will be residents (or their visitors) and will be familiar with the bend and small chance of encountering other vehicles. On this basis it is not considered that the restricted forward visibility will result in a severe impact as a result of an additional dwelling being accessed along the drive.

The applicant has confirmed that refuse collections will continue using the existing arrangements for Cuerdon Cottage whereby bins are taken to the adopted highway on Cuerdon Drive and this is acceptable.

  - Parking

The submitted site plan shows three appropriately dimensioned car parking spaces (2.5m x 5m) offset from the dwelling to allow clear visibility for vehicles approaching from Cuerdon Cottage. For a three bedroom dwelling Warrington’s Parking Standards require two allocated spaces and an additional visitor parking space and the proposals satisfy these requirements.

In addition a “secure bike store” is shown adjacent to the cycle parking area and accessed via a pathway. The applicant has stated that an electric vehicle charging point will be provided and this should be conditioned along with the retention of car parking and details of the cycle parking.

  - Summary

In view of the above it is not anticipated that any new highways issues will arise as a result of the proposals.

Landscape Features
The plot does contain some limited planting to the north-western boundary however this is not considered of sufficient size or quality to merit further protection should the applicant wish for it to be removed.
Ecology
Whilst the proposal is situated within a 250m pond buffer, it is not considered that the development would pose any threat to the pond given that the site is already partially developed and enclosed by existing built form.

Flood Risk
Whilst the proposal would be sited within a 250m pond buffer, given that the proposal seeks to develop a parcel of land already consumed by built form via the existing garage and hard standing, it is not considered that the proposal would pose any concerns regarding flood risk.

A Flood Risk Assessment has also been provided which concludes that based on the likely flooding risk, it is considered that the proposed development can be constructed and operated safely in flood risk terms, without increasing flood risk elsewhere and is therefore appropriate development in accordance with the NPPF.

Both United Utilities and the Councils Flood Risk Team have also considered the proposal in relation to site drainage and do not have any objections.

Recommendation

Approve subject to Conditions

Conditions & Reasons

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

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

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on {5th October 2015}
   (b) Submitted drawing No's Location Plan P20091-PP-14 B, Proposed elevations and site sections P20091-PP-12, Proposed plans P20091-PP-11 & Block Plan P20091-PP-10

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

3. Prior to the commencement of the development hereby approved details shall be submitted in writing to the Local Authority for approval
detailing plans existing and proposed levels across the site and including finished slab levels of all proposed buildings. Proposed plans shall include a level (e.g. highway or footpath) adjacent to the site that will remain fixed/unchanged.

Reason: No details of these matters have been submitted with the application and bearing in mind the topography of the site and to accord with Policy QE6 of the Warrington Core Strategy and the Warrington Design and Construction SPD (2010).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification): (a) no external alterations shall be carried out to the dwelling(s) (b) no extensions shall be carried out to the dwelling(s) (c) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (d) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

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

5. The 1st floor windows in the north-eastern elevation facing No.31 Cuerdon Drive and south-western elevation facing Nos.9 and 10 Stoneleigh Gardens of the proposed development shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window shall be fitted with obscure glass only, of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority. Any replacement window frame shall also be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and be fitted with obscure glass of an equal degree of obscurity to that which was first approved.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring property Nos.31 Cuerdon Drive and Nos.9 and 10 Stoneleigh Gardens and to comply with Policy QE6 of the Warrington Core Strategy.

6. Prior to the first use of the dwelling for residential occupation, the proposed car parking area as shown on the approved plans shall be laid out and made available at all times for car parking unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and to allow the free and safe movement of vehicles in the site and to prevent off street parking in accordance with Warrington Development Plan Policies CS1, QE6 and QE7 and the Parking Standards SPD.
7. Prior to the first use of the development details of the proposed cycle store and electric vehicle charging point shall be submitted to and agreed in writing with the Local Planning Authority. Such scheme as is approved shall be implemented prior to the first occupation of the dwelling.

Reason: In order to promote other forms of transport to reduce reliance on motor vehicles in accordance with Warrington Development Plan Policies CS1, QE6 and QE7 and the Parking Standards SPD.

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

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in terms of potential risk to sensitive receptors:

- Preliminary Risk Assessment (PRA or Desk Study)
- Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive Site Investigation
- Detailed Quantitative Risk Assessment (DQRA)
- Remedial Options Appraisal

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

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: If required (as determined by the findings of Section A above) a remediation and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure
occupancy, resides entirely with the Landowner/Developer of the site.

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

Informatives

1. In the interests of residential amenity, the applicant/agent/developer is strongly advised to adopt the following recommended construction/demolition hours for all works on site.

Works audible at or beyond the site boundary, should not occur outside of
Monday to Friday 08.00hrs to 18.00 hrs, Saturday 08.30hrs to 13.30hrs and at no time on Sundays or Public/Bank Holidays.

Noisy or disruptive works carried on outside of these hours are much more likely to raise objections or complaints by local residents (due to disturbance) to the redevelopment of the site which may, in turn, result in formal action being pursued by Public Protection Services to enforce the recommended hours.

Contact: For more advice and guidance on recommended construction/demolition hours or construction/demolition methods, please contact an officer from Public Protection on 01925 442589.

2. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

3. In many cases your proposal will also require consent under the Building Regulations 2010, for advice and guidance on the requirements of the Building Regulations, please contact our Building Control section on 01925 442554 or email building.control@warrington.gov.uk


Contact: For further verbal advice please contact Mrs Angela Sykes regarding Contaminated Land on 01925 442557, Mr Richard Moore regarding Air Quality on 01925 442596 or Mr Steve Smith regarding Odour, Noise or Lighting on 01925 442589.

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

5. If planning applications are for individual residential properties (ie: one dwelling) a Screening Assessment Form may be used as a basic contamination assessment to satisfy the requirements of the Contaminated
Land Condition. Please note a Screening Assessment Form will not be accepted for developments than are larger than one singe dwelling. Please refer to Section 4.3.2 of the Environmental Protection Supplementary Planning Document.

Contact: The Screening Assessment Form can also be requested directly from the Environmental Protection Team on 01925 442581 or contaminatedland@warrington.gov.uk

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

6. In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. United Utilities would ask the developer to consider the following drainage options in the following order of priority:

a) an adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical

b) a watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable

c) a sewer (approval must be obtained from United Utilities)

7. Each individual unit will require a separate metered supply at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999.

The level of cover to the water mains and sewers must not be compromised either during or after construction.

Should this application be approved the applicant must contact our water fittings section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 1DS.

Should this planning application be approved, the applicant should contact United Utilities on 0345 672 3723 regarding connection to the water mains or public sewers.

8. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United
Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0370 751 0101 to obtain maps of the site.

Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.
Appendix 1 – Previously refused plans
Appendix 2 – Existing plans

North East Elevation

North West Elevation

South West Elevation

South East Elevation

Plan of Partially Constructed Garage

Existing Site Plan 1:200

Proposed site plan
Proposed elevations and floor plan

Ground Floor Plan

First Floor Plan
Appendix 3 – Photographs of Site

Photograph showing the north-western boundary to property on Stoneleigh Gardens

Photograph showing the south-eastern boundary facing Cuerdon Drive
Photograph showing the north-eastern boundary shared with Nos.31 and 29 Cuerdon Drive

Photograph showing the north eastern boundary shared with Four Oaks
Photograph showing the driveway access/exit

showing the shared un-adopted road access
Photograph showing the shared un-adopted road access off Weaste Lane
**DEVELOPMENT CONTROL COMMITTEE DATE 16-Mar-2016**

**ITEM 2**

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2015/27126</th>
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</thead>
<tbody>
<tr>
<td>Location:</td>
<td>The Yard, Top of New Cut Lane, Woolston, Warrington, WA1 4AG</td>
</tr>
<tr>
<td>Ward:</td>
<td>Rixton And Woolston</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Proposed erection of a storage and maintenance workshop and increase in the working hours for the whole of the site to 730am-1830pm Monday to Friday and 800am-1300pm Saturdays</td>
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<td>Date Registered:</td>
<td>09-Dec-2015</td>
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<tr>
<td>Applicant:</td>
<td>Mr Carl Grundy</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>02-Feb-2016</td>
</tr>
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**Reason for deferral**

Objection from Cllr Brinksman and Woolston Parish Council

**Human Rights**

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

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

**Site and Proposal**

- Proposal seeks the proposed erection of a storage and maintenance workshop and to increase the working hours from 8am-6pm Monday-Friday and 8am-12pm Saturdays to 7am-7pm Monday-Friday and 8am-1pm Saturdays
- Amended plans have been received regarding the location of the building on site, along with clarification of the thickness of the walls and roof of the proposed building and further clarification of the intended use of the building
• Situated at the end of an existing industrial estate with commercial premise to the east, south and west and residential properties to the north
• Access is currently taken to the west off New Cut Lane
• Nearest residential property is sited 9.8m away to the northern boundary
• No significant variation in land levels noted
• The site constraints as per the Local Plan Core Strategy are 250m pond buffer, previously contaminated land, existing employment area and site of special scientific interest

Relevant Planning History
• 78/6162 – Industrial unit and offices (approved)
• 79/8230 – Industrial units (approved)
• 89/23854 – Outline for the erection of a warehouse including offices (approved)
• 99/40151 – Use of land for storage and sale or porta cabins/containers (approved)
• A02/46471 – Commercial vehicle park and siting of containers for storage of garden equipment, tools and machinery (approved)
• 2004/04697 – Storage of airport equipment on both pieces of land and use of workshop for maintenance and variation of condition 6 of A02/46471 restricting the scale and nature of storage (approved with condition restricting working hours to 0800am-1800pm Monday to Friday and 08:00am-12:00pm on Saturdays with no working on Sundays or bank holidays)
• 2007/10584 – Develop a waste transfer and recycling facility and vehicle maintenance facility (refused)
• 2008/12717 – Recycling Transfer Building (RTB) and two B1 use industrial buildings (withdrawn)
• 2008/14050 – Recycling Transfer Building (RTB) and two B1 use industrial buildings (refused and dismissed at appeal)

Planning Policies
National Planning Policy Framework (NPPF)
Matters relating to sustainability and living conditions

Local Plan Core Strategy (LPCS)
• Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
• Policy CS2 Quality and Distribution of Development
• Policy PV1 Development in Existing Employment Areas
• Policy QE5 Biodiversity and Geodiversity
• Policy QE6 Environment and Amenity Protection
• Policy QE7 Ensuring a High Quality Place
• Policy SN6 Sustaining the Local Economy and Services
• Policy QE4 Flood Risk
Supplementary Planning Document (SPD) /Supplementary Planning Guidance (SPG)

- Environmental Protection

Notification Responses

23 letters of objection have been received regarding the following:
- Increased noise disturbance from increase in hours
- Increase noise disturbance from use of workshop
- Light pollution
- Applicant has not upheld conditions of previous planning approvals regarding hours of use
- No consideration by the applicant regarding impact to neighbouring properties
- No details of use of storage containers
- No clear dimensions of the proposed building
- Conditions required regarding drainage required
- Site is former land fill and may pose risk to human health
- Proposed building would be unsightly
- No mention if existing fence/trees will be repaired/maintained

Consultation Responses

Ward Councillors – Cllr Brinksman
Objection and request a site visit on the following grounds:
1) Increased operating hours would harm residential amenity
2) Visual intrusion to nearby neighbouring properties
3) Site is a dis-used land fill site
4) Same location as the building refused by the planning inspector

Woolston Parish Council
Objection of the following grounds:
1) Increased operating hours would harm residential amenity
2) Visual intrusion to nearby neighbouring properties

Environmental Protection
No objection subject to conditions requiring noise attenuation measures and hours reduced by half an hour in the mornings and evenings on weekdays

Highways
No objection
It is the Local Highways Authorities understanding that the proposed building will just provide cover for the existing works on the site and will not increase the level of work on site. Whilst there is no formal car parking layout for the site it is considered that there is adequate car parking for the existing uses on the site and that this building will not require the provision of additional car parking within the site.

On this basis there are no objections on highways grounds to the proposals
Ecology
No objection
The proposal will not have any harmful effects on nearby wildlife sites

Observations
Extending in existing employment areas
Policy PV1 supports proposals for B1, B2 or B8 uses within existing employment areas. As the proposal seeks an extension within the existing site in B2/B8 use the proposal is considered consistent with this policy.

Design/Appearance
Amended plans have been received which seek to site the building further away from the northern boundary, which backs onto the residential properties on Greymist Avenue.

The proposal would be sited 17m away from the end of New Cut Lane therefore it would not be overly prominent in the street scene. The proposed appearance and materials of brick wall and insulated prolife box sheets would also be consistent with the appearance of other building/structures in the locality.

Therefore it is not considered harmful to the overall character/appearance of the area given the siting within the confines of the existing site and the surrounding commercial buildings to the east, south and west.

Residential Amenity
- Impact of the building
Amended plans have been received which seek to site the building 10m further away from the northern boundary, which backs onto the residential properties on Greymist Avenue.

The proposal would therefore be sited 16.5m to the boundaries to the nearest neighbouring properties on Greymist Avenue to the north and 23-24m to the nearest habitable room windows of these properties. These distances are considered significant to prevent any harm to living conditions through loss of outlook, overshadowing, loss of light, oppressive impact or loss of privacy.

Whilst the new building would be visible above the fence lines of the neighbouring properties, it would be viewed side on which would limit the bulk and prominence of the building. It would also be viewed against the existing boundary planting/fencing which would screen the lower section of the building.

- Impact of the extended working hours
The existing site and those surrounding are all in B2 use. Given that neighbouring properties immediately bound the site, it is inevitable that the use will result in some form of noise disturbance by the very nature of the use. Environmental Protection have also received complaints relating to noise and disturbance from the use of the site and those surrounding.
As a result the proposal is considered an opportunity to provide betterment to the function of the site to reduce the impact on the neighbouring properties. If the betterment measures are implemented and are successful, this would mean that the business could grow to meet increased customer demand yet at the same time limiting the impact on the neighbouring properties.

Environmental Protection Officers are confident that betterment measures could be achieved subject to the co-operation of the applicant and the possible re-consideration of how the site functions.

To this effect, Environmental Protection have suggested a condition requiring noise restriction measures, which will require the applicant to submit a scheme detailing the proposed measures which will be required to be implemented and monitored during the life of the use and amended/additional measures incorporated if required.

Such measures would include the requirement to re-surface the yard to prevent noise from cars and machinery hitting pots holes, white noise beepers on vehicles, padding fitted to padlocks and chains to prevent clanging and restricting specific activities occurring in the yard. With the incorporation of these measures it is considered that the business can continue to grow in a way which reduces the impact on the neighbouring properties. If however no betterment measures were introduced and the site simply continued to operate as is permitted by the 2004/04697 approval, the use of the site would continue to cause noise/disturbance to neighbouring properties, with limited potential for the impacts to be improved given the conflict between the noise intensive B2 uses and the residential uses.

In terms of the proposed amendments to the working hours, it is necessary to consider the existing hours. Planning Approval 2004/04697 set the existing working hours on site as 0800am-1800pm Monday to Friday and 08:00am-12:00pm on Saturdays with no working on Sundays or bank holidays. The applicant originally sought to increase the working hours by an additional hour both in the morning and evening during the week and an additional hour in the afternoon on Saturdays (0700am-19:00pm Monday-Friday and 0800am-1300pm Saturdays)

However Environmental Protection Officers considered that the increase to these hours during the week would potentially result in further noise disturbance to the detriment of the living conditions of nearby neighbouring properties. They have therefore suggested that the hours be reduced along with the incorporation of noise attenuation measures.

As a result the hours have since been amended to reduce the opening and closing hours by half an hour in the week. The proposed hours are therefore 0730am-18:30pm Monday-Friday and 0800am-13:00pm Saturdays and not at all on Sundays and Bank Holidays.

On balance given the ability to provide betterment to the overall function of the
site, it is considered that the proposal presents an opportunity to reduce the impact of the use on the neighbouring properties, subject to the imposition of conditions limiting the working hours and requiring a scheme of noise reduction measures.

Highways
The applicant has confirmed that the proposed building will just provide cover for the existing works on site and will not increase the level of activity. The supporting letter dated 25th January confirms it will be used for overnight storage and maintaining of existing equipment which already occurs on site.

Whilst there is no formal car parking layout for the site it is considered that there is adequate car parking for the existing uses on the site and that this building will not require the provision of additional car parking within the site.

On this basis there are no objections on highways grounds to the proposals

Ecology
The proposal will not extend beyond the confines of the existing site. Therefore it is not considered that the proposal would pose any significant impact to nearby wildlife or their habitats. This has also been confirmed by the Council Ecologist.

Summary
The proposal is considered to be acceptable, subject to appropriate conditions, as it accords with Warrington Borough Council Local Plan Core Strategy Policies CS1, CS2, PV1, QE4, QE6, QE7, SN6 &QE5 and the National Planning Policy Framework. This is by reason of the extension being appropriate in this employment area, appropriate design, with no perceived detrimental impact upon the character/appearance of the area, ecology, surrounding neighbours or existing off-street parking.

Recommendation
Approve subject to Conditions

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

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

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

(a) The planning application forms, design and access statement and
additional information received by Warrington Borough Council on {25th January 2016}
(b) Submitted drawing No’s {Proposed workshop elevations 1, Proposed workshop elevations 2, Cross section of unit side 3, Site plan LE03625/SK/002} received 25th January 2016.

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

3. The working hours within the premises shall be confined to the period from 0730am-18:30pm Monday-Friday and 0800am-13:00pm Saturdays and not at all on Sundays and Bank Holidays

Reason: In order to protect the residential amenities of the occupiers of the adjacent properties and to comply with Policy QE6 of the Warrington Core Strategy, Warrington SPD: Environmental Protection and Warrington SPD: Design and Construction.

Informatives

1. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.

2. In many cases your proposal will also require consent under the Building Regulations 2010, for advice and guidance on the requirements of the Building Regulations, please contact our Building Control section on 01925 442554 or email building.control@warrington.gov.uk
Appendix 1 – plans

Proposed site plan

Proposed Workshop elevations

Proposed elevations (north and south)
Proposed elevations (east and west)
Appendix 2 – photographs

Photograph showing the location of the proposed building

View of the site from New Cut Lane
## DEVELOPMENT CONTROL COMMITTEE DATE 16-Mar-2016

### ITEM 3

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2015/27135</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Hard Surface site, Wellfield Street, Warrington, Cheshire, WA5 1PU</td>
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<tr>
<td>Ward:</td>
<td>Bewsey and Whitecross</td>
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<tr>
<td>Development</td>
<td>Full Planning - Proposed Temporary permission for 5 years for 58 car parking spaces for NHS Staff only</td>
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<td>Date Registered:</td>
<td>22-Dec-2015</td>
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<tr>
<td>Applicant:</td>
<td>Daniel Kelly</td>
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### Reason for Referral

This application is the subject of objections from Councillor J Richards and Councillor S Parish.

### Human Rights

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

### Site and Proposal

The site was previously occupied by 44 terraced flat roofed garages. These have been removed. The local area is predominantly residential, with a community centre to the north of the site and an associated bowling green / playing field adjacent to the northern boundary. The site is bordered to the south by a residential apartment block and a row of detached dwelling houses, all of which are elevated above the application site. To the east of the site, and forming the rear boundary to plot numbers 1 to 4, is an open river embankment with scrub and grass.
The proposal is for the introduction of a 58 space car park for a temporary period of 5 years for use by NHS staff in association with Warrington Hospital. Access is directly off Wellfield Street approximately 300m from the entrance of Warrington General Hospital.

Use would be restricted to Monday to Friday 7am - 7pm. The site area is approximately 0.15ha in size. The hard surface already exists and would be marked out for car spaces. Landscaping is proposed within the site either side of the entrance, at the south west corner of the site and along the southern boundary fence. The entrance is set back within the site from the full extent of the applicant’s ownership. This would be realigned as part of the proposal and the boundaries correctly positioned. A wooden fence would be erected at the site perimeter between the car park and the community space at 900mm in height. Security of the site would be provided by CCTV.

Planning History

2015/25747 Full Planning - Proposed Use of 65 Car Parking Spaces for NHS staff only on existing hard surface land – Refused 3 June 2015

1. The proposed use would promote significant traffic movements to and from the site. Paragraphs 35 and 36 of the NPPF requires that all developments which generate significant amounts of movement should be required to provide a Travel Plan and that opportunities for the use of sustainable transport modes should be exploited. No evidence of any Travel Plan being in place or having been implemented at Warrington Hospital has been provided. In the absence of a Travel Plan, the promotion of staff car parking would not accord with the requirement of the NPPF to encourage sustainable development. The proposal would be contrary to the NPPF, the SPD-Car Parking Standards and Policy QE7 of the Warrington Core Strategy.

2. Insufficient information has been provided to demonstrate that the proposed increase in car parking for hospital employees can be justified in accordance with the Council’s adopted car parking standards. The proposal is therefore contrary to the Council's SPD - Parking Standards and policy QE6 of the Warrington Core Strategy.

2012/21086 – Construction of 7 no. new dwellings with associated amenity spaces and adopted road - Approved

Planning Policy

National Planning Policy Framework
The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. Paragraph 14 sets out that there is a presumption in favour of sustainable development. This means where development proposals accord with the development plan they should be approved without delay.
Paragraph 19 says that significant weight should be placed on the need to support economic growth through the planning system.

Core Strategy
Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
Policy SN6 Sustaining the Local Economy and Services
Policy QE6 Environment and Amenity Protection
Policy QE7 Ensuring a High Quality Place
Policy MP1 General Transport Principles
Policy MP3 Active Travel
Policy PV1 Development in Existing Employment Areas

Notification Responses

Councillors
Concerns expressed by Councillor J Richards:

- The hospital have continually been resistant to tackling their parking issue on site. I have been involved for some 20 years both as a resident and elected member on the lack of consultation on their parking issues. When they installed a multi storey car park at the rear of the site, it was developed in its day with provision for extra additional capacity to add on extra height and car parking just like a form of lego.

Concerns expressed by Councillor S Parish:

- There is little different to the previously refused application P/2015/25747, other than a letter from the hospital management explaining why not enough has been done towards a Travel Plan. The use does differ from the previous use as garages, and although the applicant suggests that employees leave on different shifts there is clearly an evening rush hour leaving the hospital around 5pm, with traffic often stacked back from Sankey Green. It is likely that many of the 58 users would at that time be trying to turn right onto Lovely Lane from Lexden Street.
- Further advice is required on the established use. Is the garage use a sui generis use. Does one sui generis use mean that there is an established use for a different sui generis use?

Neighbours
One letter of support received:

- As an NHS worker myself, I support the application

Consultation Responses

Environmental Health
No objections
Highways
Raise no objections subject to the imposition of a condition regarding the layout of car parking and turning areas.

Observations

Amenity
There is residential development adjacent to the southern boundary of the site. A low wall and close boarded fence [approximately 2 metres in height] form the boundary between the two sites. It is proposed to relocate / replace the existing lighting column and provide additional floodlights in the car park. If approved, the location, angling and cowling of the lights will need to be first agreed with the LPA, in order to avoid glare from the light sources having a potentially negative impact on the living conditions of adjacent residents. The previous use of the site was for garaging of cars, the proposed use would not differ significantly from the existing use in terms of the nature of the use and its impact on adjacent residents. Due to the presence of boundary treatment, the impact on residential amenity would be minimal.

Highways
Following the previous refusal of permission (2015/25747) the hospital produced a Travel Plan with the assistance of the Council’s Travel Planning Team. The Travel Planning Team has been consulted on the application and has confirmed that the effectiveness of the hospital Travel Plan would not be reduced by the proposals. The use of the application site is not part of the hospital’s Travel Plan. Moreover, there would be no requirement for this site to have its own Travel Plan, as this application is not for an increase in floorspace at the hospital.

A Travel Plan for the hospital has now been produced, and this is considered to address one of the previous grounds for refusal of planning permission.

The application states that Warrington Hospital currently has 1510 car parking spaces plus an off-site overspill staff car park containing 75 spaces. It mentions that recent surveys have identified in excess of 200 vehicles parking in non-defined areas, such as on-street, on the busiest clinic days. The issues have been further highlighted by the fact that many complaints are received both from patients struggling to attend appointments on time, and from clinical staff members being late for outpatient and clinical sessions. The hospital trust is to embark on a proposed estate development strategy, which will require existing parking areas to be closed to facilitate new build and development works. Therefore the parking situation is likely to be worsened when this occurs. The intention of leasing the site is not intended to expand the overall number of parking spaces used by the Trust but to maintain levels currently in place whilst the estates development strategy is progressed.

The applicant has confirmed that a new car park deck cannot be added to the existing car park and it would be prohibitively expensive to install a new car park deck to one of the existing surface car parks.
The application states that the car park would only be used by staff between the hours of 7am and 7pm Monday to Friday. The car park would be controlled by an automatic number plate recognition system, similar to that already used by the hospital trust, with permits issued to staff. There would be no site access changes as a result of the development. Adequate highway visibility is available within the adopted highway boundary at the site access junction. The access is approximately 7m wide and can accommodate two-way traffic. The parking spaces would each be 2.5m x 5m in size which accords with the Council’s adopted parking standards. The aisle widths would be at least 6m wide which would allow sufficient manoeuvring room for cars to be able to turn in and out of the spaces.

Although the garages on the site have been demolished, the site has a lawful use for garages, and these could be replaced were the proposed development not to be undertaken for any reason. Therefore this is the fallback situation. It is likely that the proposed car park would be used in a similar way to the garage site in terms of its highway impact, in that both uses would be likely to have a single arrival and departure in any one day. The applicant proposes to issue one permit per parking space, meaning there will be no more than one vehicle able to use each space in any one day. Therefore the maximum daily traffic generation of the 58 space car park is 116 vehicles (two-way), although not all staff with permits will be at work on any single day, due to days off, holiday leave, sick leave, etc. Shift working would also mean that arrivals and departures would not just be concentrated during peak periods. The fallback position of 40 garages on the site would mean that the increase in car parking would be 18 spaces, equating to a generation of a maximum daily net increase of 36 vehicle trips (two-way) to/from the site.

The Council’s Highways Team consider that even were the proposed car park to be full and all 58 cars left in the afternoon peak hour, this would equate to an average of around one vehicle a minute leaving the site. This is not considered to be a significant traffic impact, especially as the consented use of the site for garages would have generated vehicle trips. The National Planning Policy Framework document states that “Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.” The traffic impact of the proposed car park is considered to be acceptable and not severe.

In view of the above, no new or severe highway issues should arise from the development and on this basis there is no highway objection to the proposals subject to the imposition of a condition regarding the layout of car parking and turning areas.

**Conclusion**

To summarise there are no major concerns regarding residential amenity, nor from a highway safety perspective. The previous reasons for refusal relating to the previous car park proposal on this site are considered to have been adequately addressed, because a
Travel Plan for the hospital has been produced to deal with the first reason, and it is clear that the proposed car park would help to address the problem of overspill car parking from the hospital site as outlined in the second reason for refusal.

Recommendation

Approve subject to Conditions

Conditions & Reasons

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

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

2. The development hereby permitted shall not be carried out otherwise than in accordance with the planning application, drawings and details received by the Council on the 22nd December 2015.

Reason: For the avoidance of doubt and to define the permission.

3. Prior to the commencement of use hereby approved, the car parking spaces shown on the approved site plan shall be marked out in accordance with the approved plan and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate parking to meet the requirements of the use. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

4. The use hereby permitted shall be discontinued and the land restored in accordance with details to be submitted to and agreed in writing with the Local Planning Authority within a period of 5 years from the date of this planning permission, unless planning permission is granted for the continuation of the use.

Reason: To allow the Local Planning Authority to review the acceptability of the proposal after a suitable period of time having regard to the appropriateness and availability of parking for Warrington Hospital elsewhere. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

5. The landscaping scheme shall be carried out no later than in the first planting season or seeding seasons following the completion
of the development. Within the 5 year period of the consent, any such planting that dies, is removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To soften the visual impact of the car park in the interests of visual amenity. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

6. The car parking area hereby approved shall be used/occupied until details of external lighting have been submitted to the Local Planning Authority for approval. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy QE6 of the Warrington Core Strategy and the Warrington SPD: Environmental Protection.

Informatives

1. The Local Planning Authority has worked positively and proactively with the applicant to ensure that the proposal is an acceptable form of development. The proposal was the subject of negotiations and amendments and as a result the proposal accords with the development plan. The Local Planning Authority has therefore implemented the requirements in Paragraphs 186-187 of the National Planning Policy Framework.

2. In many cases your proposal would also require consent under the Building Regulations 2010, for advice and guidance on the requirements of the Building Regulations, please contact our Building Control section on 01925 442554 or email building.control@warrington.gov.uk
Appendix 1
ITEM 4

<table>
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<th>2016/27228</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Vacant land just North of Briar Cottage, Warrington Road, Hatton, WA4 5NX</td>
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<tr>
<td>Ward:</td>
<td>Hatton, Stretton And Walton</td>
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<tr>
<td>Development</td>
<td>Full Planning - Proposed construction of a detached 2 storey dwelling and detached garage.</td>
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<td>Date Registered:</td>
<td>14-Jan-2016</td>
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<tr>
<td>Applicant:</td>
<td>Andrew Bradbury</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>09-Mar-2016</td>
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Reason for Referral

This application is the subject of an objection by Hatton Parish Council and it is considered expedient to refer the application to DMC having regard to the merits of the proposal.

Human Rights

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

Site and Proposal

This application is a re-submission, following the refusal of an earlier scheme considered by Members in November 2014. (Application Ref: 2014/24609) The applicant has revised their proposal and seeks to overcome the reason for refusal.
The application site is an undeveloped parcel of land to the north of the adjacent dwelling house Briar Cottage, which is an end dwelling in a short block of ribbon development fronting Warrington Road. The site lies within the adopted Green Belt and north of the settlement of Hatton.

The site has been cleared of vegetation within the central part of the site, and a number of trees and shrubs remain to the site periphery. Of particular note is a mature oak tree situated close to the site frontage with Warrington Road.

To the opposite side of Warrington Road to the west is open agricultural land. Similarly to the east there is a large expanse of open agricultural land, separated from the application site by a strip of land associated with Factory Cottage. To the north is an area of woodland and trees.

The application seeks consent for the erection of a dwellinghouse, with associated garden, vehicular access from Warrington Road and a detached garage. The proposed scheme is referred to as ‘Orchard House’. The applicant has made the following changes:

- Re-position of the dwelling further back and behind the established building line of adjacent cottages;
- Provision of an orchard surrounding the dwelling comprising of apple, pear and damson;
- Revised vehicular access position away from existing trees;
- Provision of mixed native hedgerows on each boundary;
- Provision of larch post and rail fence along Warrington Road frontage;
- Reduced log wall and screen adjacent to detached garage.

Relevant Planning History

Application Site
Ref: 2014/24609 – permission sought for a detached dwelling on the site together with vehicular access and a car port/garden store. The application was refused in line with Officer recommendation for the following reason:

‘The proposal causes harm to the Green Belt in terms of inappropriateness, loss of openness and encroachment onto previously undeveloped land. This harm is not clearly outweighed by the suggested very special circumstances. The planning application is not therefore in accordance with the National Planning Policy Framework (para 87 & 88) and the following policies of the Warrington Core Strategy:

Policy CS1 Overall Spatial Strategy–Delivering Sustainable Development
Policy CS5 Overall Spatial Strategy–Green Belt
Policy SN1 Distribution and Nature of New Housing’

Ref: 2012/20945 - proposed construction of a detached dwelling with attached garage to side and new vehicular access – Withdrawn 01.02.13
Ref: 86/18297 - outline application for one detached house & garage – Refused 04.04.86 – site within green belt with no very special circumstances – undesirable ribbon development along Warrington Road

Ref: 75/1742 - outline application for proposed semi-detached cottages – Refused 24.07.75 – not an agricultural dwelling – land should remain undisturbed

Adjacent Land at Factory Cottage
2012/20974 Proposed new dwelling and garage and removal of garage, shed and stables – Approved 03.02.13

Planning Policy

Core Strategy (CS)
Policy CS1 Overall Spatial Strategy-Delivering Sustainable Development
Policy CS2 Overall Spatial Strategy-Quantity and Distribution of Development
Policy CS5 Overall Spatial Strategy-Green Belt
Policy SN1 Distribution and Nature of New Housing
Policy QE1 Decentralised Energy Networks and Low Carbon Development
Policy QE4 Flood Risk
Policy QE5 Biodiversity and Geodiversity
Policy QE6 Environment and Amenity Protection
Policy QE7 Ensuring a High Quality Place
Policy CC2 Protecting the Countryside
Policy MP1 General Transport Principles

Car Parking SPD

Notification Responses

Parish Council
This is the response of Hatton Parish Council to your letter dated 14th January requesting comments on Planning Application 2016/27228.

The application was considered at the Parish Council meeting held on Monday 18th January 2016 and the following points were discussed and agreed.

1. As indicated in our response to previous applications for the development of this site the Parish Council is not opposed in principle to the construction of a new house. Indeed the view was expressed that the site whilst being green belt has more the character of an infill site similar to ones which have been developed for houses in the village in recent years.

2. It is pleasing to note that the applicant has taken account of suggestions made by the Parish Council to set the proposed house further back on the site and to increase the amount of landscaping at the front of the site in order to make the house less dominant with regard to the street scene and adjacent houses. It is considered that a number of residents who
were previously opposed to the proposal will no longer be so as a result of these modifications.

3. Although credit should be given to attempts by the applicant to build an eco type house with zero carbon emissions the fact remains that the Parish Council would prefer see the site developed for a style of house which is more in keeping with other properties in the village and in particular those which are in the immediate vicinity of the site and therefore, on balance, the Parish Council wishes to oppose the application.

Councillor Kennedy
Councillor Kennedy has written to support this application and ask that it be approved. He is aware that the applicant has had, numerous discussions since the previous application and have taken on board the comments made. Councillor Kennedy considers the new dwelling to be very innovative and would utilise overgrown land leading to an enhancement to the local area.

Neighbours
1. Three letters of support have been received stating:
   - Personally heartened by the proposal and should be most encouraged given the recent trend has been to implant opulent but tasteless and non-eco properties.
   - The changes mean that it will not be obvious in the street and it is a similar size to our cottage and the traditional orchard will really improve this plot.
   - Having students learning about building should be encouraged by the Council.
   - It will be great for Warrington and for our village.
   - In order to foster sustainability and vitality of Hatton it needs to grow and attract new residents in a controlled way.
   - The proposal provides such an opportunity on a vacant site.
   - The applicant has devised an innovative and ground breaking scheme which will enhance the diversity of development bringing cutting edge modernity to our long established settlement.

2. One objection received:

   Having looked at the trees on the vacant land next to Briar Cottage and just over the fence.

   The large Ash tree is in good condition and is not suffering from any sign of ash die back, as such it should be considered for protection, i.e. no footing with 10 metres of the tree.

   The Beech tree over the fence is in sound condition and needs no work.

   The Horse chestnut over the fence appears to be in reasonable health but has
approx 45 degrees lean towards the power line that is running under the canopy of these trees and if it suffers root disturbance it could cause it to fall taking branches of other trees and the power line with it and possibly hitting the proposed building

3. One comment raised an interest in the proposals regarding potential development on an adjacent piece of land.

Officer comment – this does not raise a material planning consideration as part of this application.

Consultation Responses

Arboriculturalist
Comments to be reported prior to the meeting.

Ecologist
No objections – conditions recommended relating to ecological mitigation and clearance during bird breeding season.

Environmental Protection
No objections – conditions recommended relating to land quality investigation

Highways
No objections as the proposal includes, provision for 4 - 5 vehicles off the highway. In addition there is a layby opposite the site, which has available car parking spaces. The proposed access is acceptable subject to a condition securing the visibility splay. A further condition recommended to secure, surfacing of access and driveway.

Observations

Housing
National and local policies emphasise and prioritise the re-use of previously developed land (PDL) as a priority. Policy CS2 sets a target of 80% for new homes on PDL. The site is a greenfield site in accordance with the definition of PDL in the NPPF. Thus, the scheme will not positively contribute towards the PDL target. Nonetheless the LPA acknowledges there is some lee-way for greenfield sites in sustainable locations. However the site lies in the green belt.

The Council currently has no 5 year supply of housing. Therefore paragraph 14 of the NPPF is engaged, in terms of decision making. This sets out that the adverse impacts of granting consent that would to be significant and demonstrably outweigh the benefits when assessed against the framework as a whole.

The proposal will provide a net gain in the borough’s housing provision. It is a limited contribution, but nonetheless a benefit in its own right.
Impact on Residents Living Conditions
Policy QE6 seeks to preserve neighbouring resident’s privacy, amenity and outlook. This consideration also includes the proposals effect on future occupiers living conditions.

There are no immediate dwellings adjacent to the north, east or western boundaries, and the only adjacent building with an immediate relationship with the site is Briar Cottage to the south. No windows are in the northern elevation facing the site. A rear outlook is noted into the rear garden, nonetheless the dwelling is sited at a 90 degree angle to the proposal.

An interface distance in excess of 18 metres is noted. This is considered to be an appropriate interface to ensure that neither occupier will suffer a loss of privacy or outlook, especially as both will retain garden vistas.

Two covered balconies are proposed, but neither would give rise to direct overlooking of adjacent land. The building is situated close to the northern boundary, but there are no first floor windows that would result in direct overlooking of the land in that direction.

Policy QE6 is considered to be complied with.

Land Quality
Having regard to the sensitive end use of the site, investigation of ground quality is required to ensure that the site is suitable for residential use. This should be conditioned as per advice from Environmental Health. The application complies with policy QE6.

Highways / Sustainable Travel
Policies MP1 and CS1 seeks to secure sustainable development, through reductions in private car use by way of the location, travel planning and other measures to change travel behaviour. Proposals should adhere to locally determined car parking standards set out in the SPD. Policy QE7 requires proposals to function well in relation to existing movement/activity patterns. Policy QE6 considers the effect and timing of traffic movements to and from the site including parking provision.

The site lies outside of the Hatton settlement, however is approx 126m to the south. Hatton offers a public house (452m away) and there is a bus stop (542m away) providing connections to Warrington Town Centre via London Road, Appleton Thorn, Stockton Heath and Latchford via the no.’s 8, 8a and 9. Services are intermittent throughout the day, but do run at peak times as well as lunchtime and before/after school. Nonetheless the services do exist and provide connections to defined centres offering a variety of services and sources of employment within 30 minute travel time.

The bus stop is within walking distance of the site. Hatton itself does not offer wide ranging services and amenities for the local community, however Stretton is 1.6 miles away and Daresbury 2.2 miles away. The latter offers employment opportunities. Both supplement links to the town centre and
Stockton Heath.

Off-street car parking is sufficient for the number of bedrooms. Vehicles will be able to enter and leave the site in forward gear. Amendments have been made to re-position the access away from existing trees. Warrington Road is not a particularly busy highway and Highways Officers consider this is acceptable subject to conditions securing a visibility splay and hardsurfacing for the driveway.

Having regard to the above, it is considered the proposal complies with policies MP1, QE7 and CS1.

**Trees and Ecology**
The site contains mature trees in the north western corner adjacent to Warrington Road and there are trees on land to the north which oversail onto the application site. A tree survey has been provided considering the health and wellbeing of each tree, together with their root protection area, to ensure the proposed development does not adversely affect each specimen.

Proposals should protect and enhance the natural and local environment whilst minimising impacts on biodiversity and providing net biodiversity gains. (para 109, NPPF and Policy QE3) Policy QE7 aims to maintain and respect the landscape character as well as reinforce local distinctiveness and the street scenes function.

The applicant seeks to incorporate the mature trees into their garden should permission be granted. Although none are protected, they do contribute to the sites character, appearance and distinctiveness. Their retention will ensure reference points are retained to the surrounding landscape. Amendments to the access location have responded to the root protection areas of existing trees. Although the access would be constructed within the RPA, a method statement is recommended to ensure the driveway and utilities do not adversely affect the trees.

12 no. trees will be lost as a consequence of the development, however these fall into categories B and C in terms of quality, with 10 no. in category C. Mitigation in the form of an orchard is proposed, together with native hedgerows and a wildflower meadow. All of which are considered to be acceptable and can be secured via planning conditions.

The application is accompanied by an Ecology Report (Solum Environmental Ltd, 11th April 2014). The report indicates that the site is of low ecological value, though this is in part due to it having been cleared prior to the assessment.

The only potential residual ecological constraints are nesting birds and the remaining trees and hedgerow. A mature oak tree has been assessed as having bat roosting potential. The Ecology Report notes that further vegetation clearance will be required and that there is potential bird nesting habitat within this vegetation. Furthermore mitigation will be required in the
form of nest and bat boxes as well as an insect hotel. Conditions are recommended by GMEU to address these.

The proposals are considered to adhere to policies QE3, QE7 and the NPPF.

**Green Belt and Very Special Circumstances**

Paragraphs 79 and 80 of the NPPF outline the principles behind the Green Belt and *great importance* to them. The essential characteristics of Green Belts are their openness and their permanence.

The NPPF states that inappropriate development within the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (para 87). Substantial weight should be given to any harm to the green belt. Very special circumstances (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is *clearly outweighed* by other considerations. (para 88)

Case law sets out that development not listed in either paragraph 89 or 90 are inappropriate development. The proposal does not fit into list of exceptions and is therefore inappropriate development. Conflict exists with paragraphs 87 and 88 of the NPPF as well as Policy CS5 of the Core Strategy.

**Openness**

Various appeal decisions have held that openness in terms of the green belt means freedom from development and is only partially concerned with visibility. The dwelling through its scale and massing will have a greater impact on openness compared to the undeveloped site. This is therefore a further harm to the green belt.

**Green Belt Purposes**

Paragraph 80 of the NPPF sets out the five purposes. LPCS Policy CS5 highlights that four of these. No conflict is considered to arise in terms of unrestricted sprawl of large built up areas, merging of neighbouring towns, the setting and special character of historic towns or by encouraging the recycling of derelict and other urban land. (purposes 1, 2, 4 and 5)

Issue is however found in respect of encroachment into the countryside. (purpose 3) As a consequence of the new dwelling, hardstanding and detached garage, additional built form will be formed. Green belt policy seeks to prevent development cumulatively chipping away at the countryside. Although the site is an infill development, it would add development in the countryside. The proposal is partially off-set in visibility terms, by the proposed orchard planting and proposed cladding for each elevation.

Given the development will introduce built form creating harms by definition as well as to openness and via encroachment, it is considered appropriate to restrict permitted development rights in the event of this application being approved, to ensure further harms do not arise without careful consideration.
Very Special Circumstances

The application is accompanied by supplementary information with the intention of demonstrating that there are very special circumstances (VSC) to outweigh the harm caused by the proposal. In summary, this consists of the following:

- Sustainability benefits
- Aesthetic design quality
- Ecological gain
- Rural economic objectives
- Use of locally sourced materials

Prior to exploring the VSC, it is appropriate to set out that submissions have been made regarding the proposal satisfying paragraph 55 of the NPPF. There are two aspects of this paragraph. The first is whether the dwelling will enhance or maintain the vitality of the rural community and whether it will be an isolated home in the countryside. The second is a series of special circumstances whereby consent may be granted if the site is isolated.

It is considered a dwelling in this location will enhance the vitality of the rural community, in that it would support the villages of Hatton and Stretton economically, socially and environmentally, albeit the scale of enhancement is proportionate to a single dwelling. The site, as per the analysis in the Highways/Sustainable Travel section considered to be reasonably connected. The site in addition is an infill development a short walk away from the established settlement boundary. In addition the dwelling would infill between established dwellings. Officers therefore conclude this site is not isolated.

Members will be aware VSC are required to outweigh the inappropriate development which is harmful by definition and harms arising due to the loss of openness and encroachment. Multiple appeal decisions have held the tests applied via paragraph 55(4) can amount to VSC to outweigh such harms:

*the exceptional quality or innovative nature of the design of the dwelling. Such a design should:*

- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
- reflect the highest standards in architecture;
- significantly enhance its immediate setting; and
- be sensitive to the defining characteristics of the local area.

*be truly outstanding or innovative, helping to raise standards of design more generally in rural areas*

The applicant submits that in **innovative terms**, the proposal will be the first true zero carbon building in Warrington and neighbouring authorities; the first
UK grown and manufactured CLT timber frame house which is hoped to achieve a ‘Grown in Britain License’; use of locally sourced larch cladding; partnership with local educational establishments including Warrington Collegiate and Manchester College who provide educational opportunities for offenders at Thorn Cross HMP. Furthermore a low technology approach is proposed yet still achieving self-sufficiency in terms of heating, hot water and power.

The proposal includes a unique Passive Heating and Cooling Core (PHCC) to reduce energy demand by up to 40%, with living spaces arranged to allow for manual thermal control throughout the year; the first application in the UK of Cemfree slab and stair component to comprise the PHCC and one of the lowest impact low energy buildings in the country.

With regards to truly outstanding, it is submitted that the design is cost conscious accessible architecture particularly through its bio based construction using natural fibres, which will allow the building to breathe. The internal layout is upside-down and left-to-right living, helping capture the best outlook, minimising overlooking whilst maximising the potential of solar gains, aided by high performance glazing. The cladding aids its transparency in the rural setting and the orchard reflects local distinctiveness and the philosophy of the eco building, enhanced by the re-use of top soil for the green roof. Furthermore, the design minimises surface:volume ratio and provides a costs effective shell whilst the PHCC provides an architectural centre piece connecting the habitable space of the dwelling.

Officer comment – all of these are to be commended as positive aspects of the proposal. However, only initial discussions have been held with educational establishments and it is not an uncommon linkup. The use of technology is widely available and not innovative. The use of locally sourced gladding is also more practical rather than innovative, albeit local sourcing of materials is to be advocated.

The concept of solar heating and conservation has been around for a long time; other solar house designs have been around even longer. There is little that is innovative about its principles. But the PHCC is innovative in terms of its design and help raise standards of design in general. There are few examples of such designs being built and whilst public access to the house is not envisaged, passers-by would be able to view the house and it might help inspire others to raise design standards.

The house will be an exemplar zero carbon building, achieving zero net emissions of carbon dioxide (CO2) from all energy use in the home and it is predicted to surpass level 6 in the Codes for Sustainable Homes (CfSH). This far exceeds current Building Regulations standards, however the gap in Building Regulations is narrowing towards zero carbon requirements. A condition is recommended to secure one of the most sustainable forms of development within Warrington.

The collaborative holistic approach undertaken to this design is exemplar and
ought to set a new benchmark for Warrington. It is considered the proposal in particularly represents a truly outstanding design through its construction techniques which far exceed the normal standards. Externally, the architecture may split opinion, but changes have been made to set the dwelling behind the established building line and enhance the sites setting through the replacement of the former orchard. Reflect the highest standards in architecture

Officers agree that the applicants have undertaken a rigorous design process including engagement with the local community and parish council. Pre-application discussions have also been held with Officers. By proactively communicating, the scheme has been revised and documentation produced in a variety of formats.

Additionally the applicant has provided responses from architectural peers:

David Levitt OBE, Founder of Levitt Bernstein and author of (among others) ‘The Housing Design Handbook: A Guide to Good Practice’, also Member of the Mayors London Design Advisory Group, Past Chair RIBA Housing Group, RIBA Assessor Annual National Housing Design Awards, Director Design for Homes Ltd

“Designs of the quality and architectural and environmental merit of Orchard House are unfortunately rare. We need more of them to inspire our neighbourhoods that low impact living is possible without sacrificing our culture, history, comfort and local landscape.

I believe Orchard House is exemplar in setting that pace of change and a scheme the Local Authority and the parish Council will be proud of and will be upholding in the future as exemplar for other buildings and renovations to aspire to.”

Sofie Pelsmakers, author of the RIBA’s ‘Environmental Design Pocket Book’ and Founder of ‘Architecture for Change’

“Architecturally, the positioning and scale of two ‘jagged’ cubes are reminiscent of the random placement of nearby rural structures, thereby responding and aiming to fit in well with the existing rural structures and organic patterns. It offers a convincing ‘bookend’ to the row of other existing jagged structures. Its chosen angles maximise environmental benefit to the occupants, while simultaneously reducing its visual impact and obstruction for users of existing structures and the landscape”.

The environmental architecture, focussing on low tech, low cost and high performance design is a positive of the proposal.
**significantly enhance its immediate setting**

The site is currently an open area of undeveloped land, which has diminished in quality. It was once fairly heavily vegetated, however this has deteriorated. Views of the site are obtainable from Warrington Road.

The extent to which the building enhances its setting and is sensitive to the defining characteristics of the local area are largely a subjective matter, and the comments of the Parish Council identify why setting the house further back into the site and increasing the amount of landscaping will make the dwelling less dominant in the street scene. Resident objections in the Parish Council’s view will not be as strong as a consequence.

In terms of the sites immediate setting which is necessarily the same as curtilage, it is considered in overall terms that the proposal will result in an enhancement.

**be sensitive to the defining characteristics of the local area**

The proposed dwelling would sit adjacent to a row of cottages. It will as referred to in comments from peers appear as two jagged cubes. It is a departure from the traditional character of the nearby properties, however the dwellings scale and massing is consistent.

Paragraph 60 of the NPPF states decision makers should not attempt to impose architectural styles or particular tastes and they should not stifle innovation or originality. It is however, proper to seek to promote or reinforce local distinctiveness.

Hatton and Warrington Road contain a variety of architectural styles and property types ranging from farmhouses to cottages, 1960’s ex-council housing, 1970’s housing, Victorian terraces and modern detached dwellings. Within this range, variety exists in the age of properties and also the application of materials. Locally there is a wide use of brick, render, slate and clay tile. A distinctly different approach is proposed, but application of larch cladding is considered to take reference from the nearby tree’s both on and off site.

The parish would wish to see a design comparable to the adjacent cottages. Whilst this point has merit, the NPPF specifically advises against imposing styles or tastes. The proposal does intend to enhance the architectural and design standard in the borough and has responded to community raised concerns. Furthermore, adjoining the site, particularly to the east there is an array of buildings randomly laid out. Peer comments remark the proposal is reminiscent of the random placement of such buildings. Officers consider this point has merit.

The proposal would domesticate the site with the associated residential paraphernalia, but not any more so than other dwellings in or around Hatton.
Changes have also been made to locate the dwelling behind the established building line, creating a sensitive break between the respective properties.

On balance, the proposal is considered to be sensitive to the defining characteristics of the local area.

**Sustainability Benefits**
The application is accompanied by a Sustainability Appraisal, which states:

“Using basic environmental principles, Orchard House will be one of the lowest impact builds in the country, paving the way for truly environmental designs of the future.

From the offset Orchard House has used its ‘environmental context’ to drive design decisions and sustainable principles. For example, calculated sun angles have been used as a tool for the passive heating and cooling core. Locations of overhangs and window reveal depths have all derived from knowledge of the sun’s path and its respective angles. Window locations derive from the direction of the prevailing wind and their ability to maximise the potential of natural cross and stack effect ventilation.

The design of Orchard House is aiming to achieve and surpass level 6 of the stringent criteria of the Codes for Sustainable Homes. This will require the scheme to achieve a minimum of 90 credits in total, whilst also satisfying a number of the mandatory requirements.

Additional thought will also go into this building’s overall thermal performance, utilising PHPP (Passive House Planning Package) to provide an in depth analysis throughout the design and build stages.

Further thought will also go into material sourcing, life cycle analysis, detailed cold bridging analysis and condensation calculations.”

Within Warrington like the UK this standard of construction is rare. The standards will provide for a complete package i.e. energy/CO2, pollution, water, health and well-being, materials, management, surface water run-off, ecology and waste. Level 6 means the home will be completely zero carbon - i.e. zero net emissions of carbon dioxide (CO2) from all energy use in the home. In turn demand placed on the environment will diminish, making a contribution to the borough’s aim to achieve sustainable development through prudently using resources and delivering high standards of design and construction. (Policy CS1)

**Green Belt Conclusion**
The proposal does represent inappropriate development and substantial weight should be given to the harm created by definition. There are also further harms arising from the loss of the sites openness and due to encroachment in the green belt. Nonetheless, the planning system should do everything it can to support sustainable development and LPA’s should not
refuse consent for buildings which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. (Paragraph 65, NPPF)

Officers therefore consider the VSC put forward in favour of the scheme do attract significant weight, in particularly to the truly outstanding standard of design that will raise the bar in Warrington and the sustainability benefits of the scheme arising from its well thought through design. Taken together, these VSC are considered to outweigh the substantial weight that has to be given to Green Belt harm.

Summary and Recommendation
The external appearance of the dwelling in some quarters may be viewed negatively by some. However with regards to paragraphs 14 and 60 of the NPPF, Officers do not consider any perceived harm exists and is sufficient to warrant a refusal of this application, especially given the numerous other clear positive aspects of the proposal which include a sustainable form of development, biodiversity enhancements and provision of a dwelling to the borough’s housing supply.

It is considered the proposal fulfils core planning principles 2, 4, 5, 6 and 7 of the NPPF.

It is considered in this instance very special circumstances have been demonstrated to outweigh the inappropriate form of development and the harms arising by definition, loss of openness and encroachment into the green belt.

This application is therefore recommended for approval subject to conditions.

Conditions & Reasons

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

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

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

(a) The planning application forms received by Warrington Borough Council on 14TH January 2016.
(b) Drawing and Supporting Document Refs: L-001 Rev H; L-110 Rev I; L-104 Rev I; L-101 Rev I; TEP.5627.001 (March 2016); L-108 Rev H; L-102 Rev H; L-105 Rev H; L-106 Rev H; L-107 Rev H; L-109 Rev HL-201 Rev H; L-202 Rev H; L-300 Rev H; L-400 Rev H; L-500 Rev H; Planning Statement (December 2015); Ecology Report SE566/H/01a/LH; Sustainability Appraisal (September 2014); L-401-PHCC; Design and Access Statement (December
2015) and Supplementary Note (January 2016).

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

3. Prior to the commencement of the development hereby approved, samples of the external roofing and facing materials for all buildings (including colour or render, paintwork and colourwash), and driveway materials, shall be submitted to the Local Planning Authority for approval. The materials shall be in accordance with the following submitted drawings:

a) L-104 Rev H  
b) L-105 Rev H  
c) L-106 Rev H  
d) L-107 Rev H  

The development shall be constructed in accordance with the approved details/samples.

Reason: In the interests of visual amenity. This is in accordance with the following policies of the Warrington Local Plan Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with our without modification) details of the position, type and height of all fences and walls to be erected on the site shall be submitted to the local planning authority for approval. The development shall thereafter accord with approved details.

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

5. Prior to first occupation of any building(s) hereby approved a satisfactory programmed landscaping scheme which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

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

6. All trees to be retained on site shall be protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall continue until the development has been completed.

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

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

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) (i) no extensions shall be carried out to the dwelling (ii) no garage or outbuilding shall be erected within the curtilage of the dwelling, other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: Having regard to the distinctive character of the building and the sensitive location of the site. This is in accordance with the following policies of the Warrington Local Plan Core Strategy Policies QE6 and QE7.

9. The residential curtilage associated with the dwelling hereby approved shall be restricted to and in accordance with the areas shown on Drawing Ref: L-101 Rev I.

Reason: To prevent encroachment and domestication of the adjacent open countryside. This is in accordance with the following policies of the Warrington Local Plan Core Strategy Policies CS5, QE6, CC2 and QE7.

10. Prior to the dwelling being first brought into use, the car parking spaces, access and turning area shown on the approved site plan shall be laid out on site, surfaced in accordance with approved drawing no. L-104 revision I, and made available for use and retained as such thereafter.

Reason: In the interests of highway safety. This is in accordance with the following policies of the Warrington Local Plan Core Strategy Policies QE6 and QE7.
11. Prior to first occupation of the site, visibility splays of 2.4m x 43m as shown on drawing number L-104 revision I shall be provided. Nothing shall be erected or allowed to grow above a height of 0.6m within the splays.

Reason: In order to ensure that there is adequate visibility splays at the junction of the site access onto Warrington Road in the interests of the safety of highway users and in order to comply with Policy QE6 of the Warrington Local Plan Core Strategy and Warrington SPD: Standards for Parking in new Development.

12. An Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development. The content of the plan should include details of trees, shrubs and hedgerows to be lost and elements to mitigate for loss of trees shrubs as well as bat and bird nesting habitat including details of native species to be utilised in the mitigation plan. The approved plans shall be implemented in accordance with the approved details to an agreed timescale and retained thereafter.

Reason: To mitigate the impact of the development upon biodiversity. This is in accordance with the following policies of the Warrington Local Plan Core Strategy Policies CS1, QE5, QE6 and QE7.

13. The development hereby approved shall be constructed to Code for Sustainable Homes Level 6 (or to an agreed level of any subsequent sustainable construction rating system). Certification shall be submitted to the Local Planning Authority prior to the first residential occupation of the dwelling and the measures incorporated in order to achieve such certification retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: The proposed construction of a dwelling within the Green Belt represents inappropriate development, and the proposal is only acceptable as a Code for Sustainable Homes Level 6 development. It is therefore necessary to ensure that the development is constructed to the required standard and retained as such thereafter. This is in accordance with the following policies of the Warrington Local Plan Core Strategy Policies CS1, CS5, QE1, QE3, QE5, QE6, QE7, SN1 and CC2.

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

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in terms of potential risk to sensitive receptors:

- Preliminary Risk Assessment (PRA or Desk Study)
- Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive
Site Investigation

- Detailed Quantitative Risk Assessment (DQRA)
- Remedial Options Appraisal

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

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: If required (as determined by the findings of Section A above) a remediation and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with Policy QE6 of the Warrington Local Plan Core Strategy, Paragraph 121 of the NPPF and Section 4 of the Environmental Protection SPD (May 2013).

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with Policy QE6 of the Warrington Local Plan Core Strategy, Paragraph 121 of the NPPF and Section 4 of the Environmental Protection SPD (May 2013).

Informatives

1. This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
(b) You or your agent or any other person responsible for implementing this permission should inform Development Control immediately of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2. The Local Planning Authority has worked positively and proactively with the applicant to ensure that the proposal is an appropriate form of development. The proposal was the subject of pre-application discussion and as a result the proposal accords with the development plan. The Local Planning Authority has therefore implemented the requirements in paragraphs 186-187 of the National Planning Policy Framework.

3. The applicant should be advised that a Road Opening Permit needs to be obtained to provide the required new vehicular access to Warrington Road. The applicant will need to liaise with John Ansell in the Council’s Public Realm section on 01925 442505 prior to undertaking any works in the highway.

4. This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a condition precedent. The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of
a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

5. The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by the Council’s Building Control Section. You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred.

6. The applicant is reminded that under the Wildlife and Countryside Act 1981 (Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees and scrub are present on the application site and should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present.

7. This is not a condition - In the interests of residential amenity, the applicant/agent/developer is strongly advised to adopt the following recommended construction/demolition hours for all works on site.

Works audible at or beyond the site boundary, should not occur outside of Monday to Friday 08.00hrs to 18.00 hrs, Saturday 08.30hrs to 13.30hrs and at no time on Sundays or Public/Bank Holidays.

Noisy or disruptive works carried on outside of these hours are much more likely to raise objections or complaints by local residents (due to disturbance) to the redevelopment of the site which may, in turn, result in formal action being pursued by Public Protection Services to enforce the recommended hours.

For more advice and guidance on recommended construction/demolition hours or construction/demolition methods, please contact an officer from Public Protection on 01925 442589.

Appendix 1
Appendix 2

Photo 1: Warrington Road frontage facing north

Photo 2: Internal view of the site
Photo 3: Internal view of the site towards Briar Cottage

Photo 4: View towards Warrington Road
Photo 5: Warrington Road and adjoining cottages to the south
## APPLETON.

<table>
<thead>
<tr>
<th>Decision date</th>
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<th>Location</th>
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<th>Decision type</th>
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<tbody>
<tr>
<td>23/02/2016</td>
<td>2015/27005</td>
<td>PRIORY WORKS, Barleycastle Trading Estate, Lyncastle Road, Appleton, Warrington, WA4 4SY</td>
<td>Discharge of condition - Proposed discharge of conditions 5 (contaminated Land) and 7 (Cycle Parking) on approved application 2015 26032</td>
<td>Condition Part Discharged/Part Not Discharged</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27191</td>
<td>67, PEWTERSPEAR GREEN ROAD, APPLETON, WARRINGTON, WA4 5FE</td>
<td>Householder - Proposed Loft conversion with rear dormer.</td>
<td>Withdrawn</td>
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<tr>
<td>02/03/2016</td>
<td>2016/27503</td>
<td>65, BIRCHDALE ROAD, APPLETON, WARRINGTON, WA4 5AW</td>
<td>Section 192 Certificate - Proposed small rear extension</td>
<td>Refused</td>
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<tr>
<td>02/03/2016</td>
<td>2016/27225</td>
<td>17, Warren Road, Appleton, Warrington, WA4 5AG</td>
<td>Householder - First floor extension providing new bedroom and ensuite and conversion of existing bedroom into a walk-in wardrobe.</td>
<td>Approved with Conditions</td>
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<td>03/03/2016</td>
<td>2016/27334</td>
<td>2, SHEPCROFT COTTAGES, SHEPCROFT LANE, APPLETON, WARRINGTON, WA4 5PN</td>
<td>Section 192 Certificate - Proposed single storey side extension &amp; single storey outbuilding &amp; hardstanding extended</td>
<td>Approved</td>
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<tr>
<td>Decision date</td>
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<td>16/02/2016</td>
<td>2016/27242</td>
<td>UNIT H4, COCKHEDGE SHOPPING CENTRE, COCKHEDGE WAY, BEWSEY AND WHITECROSS, WARRINGTON, WA1 2QQ</td>
<td>Advertisement - Proposed 3 Internally illuminated Fascia Signs and 2 Facia Signs</td>
<td>Approved with Conditions</td>
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<tr>
<td>16/02/2016</td>
<td>2016/27179</td>
<td>25, WILSON PATTEN STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1PG</td>
<td>Full Planning - Proposed Change of use of ground floor offices to consulting/therapy rooms and internal alterations</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>24/02/2016</td>
<td>2015/27073</td>
<td>Land within Warrington Town Centre Bounded by, Academy Street, Academy Way, Bank Street, Moulders Lane, Bridge street, Union Street Horrocks Lane, Warrington</td>
<td>Discharge of Condition - Proposed Discharge of Conditions 19 (Local Employment) and 20 (Materials) following previously approved application 2014/24473</td>
<td>Condition Part Discharged/Part Not Discharged</td>
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<tr>
<td>26/02/2016</td>
<td>2015/27075</td>
<td>Land within Warrington Town Centre bounded by, Academy Street, Academy Way, Bank Street, Moulders Lane, Bridge street, Union Street Horrocks Lane, Warrington</td>
<td>Discharge of Condition - Application for approval of details reserved by Condition 2 (External Materials) and Condition 3 (Surfacing Materials) following Planning Approval 2015/26062.</td>
<td>Condition Part Discharged/Part Not Discharged</td>
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<tr>
<td>01/03/2016</td>
<td>2015/27141</td>
<td>ST AUSTINS CHAMBERS, GROUND FLOOR, 1ST AND 2ND FLOORS, ST AUSTINS LANE, WARRINGTON, WA1 1HG</td>
<td>Prior Approval (Class O Prior Approval) - Proposed conversion of ground floor, first floor and second floor from offices to 11 residential units</td>
<td>Refused</td>
</tr>
<tr>
<td>03/03/2016</td>
<td>2016/27237</td>
<td>Pinners Brow Retail Park, Pinners Brow, Bewsey and Whitecross, Warrington, WA2 7XA</td>
<td>Advertisement - Retention of 7 Refurbished Flexface signs with proposals to refurbish them and install new skins and LED internal illumination, 1 non-illuminated welcome sign, retention of 1 no. folded aluminium tray with trough light illumination (refurbished), 1 set of 2 banner frames.</td>
<td>Approved with Conditions</td>
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<tr>
<td>04/03/2016</td>
<td>2016/27207</td>
<td>66, BEWSEY ROAD, BEWSEY AND WHITECROSS, WARRINGTON, WA5 0JS</td>
<td>Full Planning - retrospective conversion of roof space into two, 1 bed flats and erection of dormer window and velux roof lights</td>
<td>Approved</td>
</tr>
<tr>
<td>04/03/2016</td>
<td>2016/27330</td>
<td>90, PRIESTLEY STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA5 1ST</td>
<td>Demolition - Proposed demolition of disused generator house.</td>
<td>Prior Approval Not Required</td>
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### Bewsey and Whitecross

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<tr>
<td>07/03/2016</td>
<td>2016/27487</td>
<td>78, BRIDGE STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 2RF</td>
<td>Full Planning - Proposed change of use form A2 (Financial services) on ground and basement levels to A3/A4 (Food and Drink/ Bar), and From A2 (Offices) on the first and second levels to C3 (6 no self-contained apartments). The grade 2 listed building has been vacant for over 7 years. Our development will have no impact on the historic features of the property and will not increase in size from the existing building.</td>
<td>Withdrawn</td>
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<tr>
<td>07/03/2016</td>
<td>2016/27488</td>
<td>78, BRIDGE STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 2RF</td>
<td>Listed Building - Proposed change of use form A2 (Financial services) on ground and basement levels to A3/A4 (Food and Drink/ Bar), and From A2 (Offices) on the first and second levels to C3 (6 no self-contained apartments). The grade 2 listed building has been vacant for over 7 years. Our development will have no impact on the historic features of the property and will not increase in size from the existing building.</td>
<td>Withdrawn</td>
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<tr>
<td>19/02/2016</td>
<td>2016/27419</td>
<td>The Quadrant, Birchwood Park, Warrington</td>
<td>Discharge of Condition - Proposed Discharge of Condition 4 (The development hereby approved shall incorporate the energy efficiency measures and achieve the carbon savings outlined in the submitted Energy Statement (Crooks Walker Consulting, dated 28th February 2014). Prior to the commencement of the use of the building, a Validation Report evidencing the carbon dioxide minimisation measures shall be submitted to and agreed in writing with the Local Planning Authority.) on previous application 2014/23358</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>26/02/2016</td>
<td>2016/27258</td>
<td>83, RINGWOOD CLOSE, BIRCHWOOD, WARRINGTON, WA3 6TQ</td>
<td>Householder - Proposed two Storey side and rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<td>26/02/2016</td>
<td>2015/26354</td>
<td>Fearnley Wood, Old Alder Lane, Burtonwood, Warrington, Cheshire, WA5</td>
<td>Discharge of Conditions - Proposed discharge of conditions 4 (Hard surfacing details) and 5 (parking &amp; turning area surfacing details) on approved application 2015/25544</td>
<td>Condition Discharged</td>
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### CULCHETH, GLAZEBURY AND CROFT

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<tr>
<td>26/02/2016</td>
<td>2015/27140</td>
<td>5, BOWDEN CLOSE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4LG</td>
<td>Householder-Proposed single storey rear extension with render to external walls and tiled roof</td>
<td>Approved with Conditions</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27205</td>
<td>26, SUTTON AVENUE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4LN</td>
<td>Householder-Proposed single storey rear extension and alterations to front and side elevation</td>
<td>Approved with Conditions</td>
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<tr>
<td>04/03/2016</td>
<td>2015/26940</td>
<td>DIGGLE GREEN FARM, WILTON LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4BD</td>
<td>Full Planning - Proposed extension to existing agricultural storage building for grain drying</td>
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## Fairfield and Howley

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<tr>
<td>02/03/2016</td>
<td>2015/27152</td>
<td>Knox &amp; Son 43, ORFORD ROAD, WARRINGTON, WA1 3TD</td>
<td>Full Planning - Proposed single storey (replacement) building to provide garaging together with an extension to provide an additional two chapels of rest (for Knox &amp; Son Ltd) and new single storey prep-bay garage ancillary to continued car sales</td>
<td>Approved with Conditions</td>
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# Delegated Decisions

## GRAPPENHALL AND THELWALL

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<tr>
<td>16/02/2016</td>
<td>2015/27177</td>
<td>1, WELWYN CLOSE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2HE</td>
<td>Householder - Proposed single storey side, front and rear extension to create new open plan kitchen family dining area with new utility, playroom and WC. Demolition of existing garage.</td>
<td>Approved with Conditions</td>
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<tr>
<td>18/02/2016</td>
<td>2015/27001</td>
<td>THE BRIDGE HOUSE, STOCKPORT ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SZ</td>
<td>Conservation Area - Conservation Area Consent for demolition and erection of a replacement barn at the north barn to create two dwellings and for the conversion of the existing south barn into two dwellings, a small side extension and minor alterations to the farmhouse, and any other work incidental to the application (revised scheme to App Ref:2015/25758)</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>19/02/2016</td>
<td>2016/27227</td>
<td>13, VICTORIA ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2EN</td>
<td>TPO Conservation area - Proposed reduction in height of two holly trees situated on the rear boundary and abutting the garden of 14 Heathfield park.</td>
<td>Approved</td>
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<tr>
<td>23/02/2016</td>
<td>2016/27433</td>
<td>THE BRIDGE HOUSE, STOCKPORT ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SZ</td>
<td>Non Material Amendment - Proposed Non material amendment to the previously approved application 2015/26994. Proposal for new Roof Lights of the North Barn, 4 in total, 3 to the to the north elevation and 1 to southern elevation), access door to require bat roost to the eastern elevation &amp; new roof lights of the South Barn (5 in total, 4 to the Western elevation and 1 to the eastern elevation).</td>
<td>Withdrawn</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27473</td>
<td>28, GEORGES CRESCENT, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2PP</td>
<td>42 Day Householder Prior Approval - Proposed single storey parapet flat roof rear extension to extend by 6m from the rear wall, maximum height of 3m and the height of the extension to the parapet is to be 3 metres.</td>
<td>Withdrawn</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27192</td>
<td>22, CORONATION AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2QW</td>
<td>Householder - Proposed single storey lean to extension</td>
<td>Approved with Conditions</td>
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<td>26/02/2016</td>
<td>2015/27113</td>
<td>7, SHIRLEY DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2PA</td>
<td>Householder - Proposed two storey side extension and rear.</td>
<td>Refused</td>
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## GRAPPENHALL AND THELWALL

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<td>02/03/2016</td>
<td>2015/27172</td>
<td>12, ALL SAINTS DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2JQ</td>
<td>Householder - Proposed single storey breakfast kitchen extension to rear of property.</td>
<td>Approved with Conditions</td>
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<tr>
<td>02/03/2016</td>
<td>2016/27305</td>
<td>11A, HEATHFIELD PARK, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2LA</td>
<td>Section 192 (Lawful Development Certificate) - Proposed single storey kitchen, utility and dining room extensions to side and rear elevations.</td>
<td>Approved</td>
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### GREAT SANKEY NORTH

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<td>02/03/2016</td>
<td>2016/27269</td>
<td>1, VINE CRESCENT, GREAT SANKEY, WARRINGTON, WA5 3BD</td>
<td>Householder - Proposed two storey side extension and single storey rear extension.</td>
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<td>26/02/2016</td>
<td>2016/27246</td>
<td>1, ROZEL CRESCENT, WARRINGTON, WA5 1JJ</td>
<td>Householder-Proposed front and rear dormers</td>
<td>Approved with Conditions</td>
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<td>02/03/2016</td>
<td>2015/27120</td>
<td>33, HIGHFIELD AVENUE, GREAT SANKEY, WARRINGTON, WA5 2TW</td>
<td>Householder - Proposed single storey side and rear extension.</td>
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### HATTON, STRETTON AND WALTON

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<tr>
<td>16/02/2016</td>
<td>2016/27193</td>
<td>The Woodlands, Hobb Lane, Daresbury, Warrington, WA4 5LS</td>
<td>TPO - Proposed thinning out of all trees at front of property overhanging Hobb Lane (Covered by TPO's)</td>
<td>Approved</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27253</td>
<td>HOLLY HEDGE FARM, HOLLY HEDGE LANE, WALTON, WARRINGTON, WA4 5QP</td>
<td>Full Planning - Retrospective application for a covered yard</td>
<td>Approved with Conditions</td>
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<td>16/02/2016</td>
<td>2015/27166</td>
<td>27, ASTLEY CLOSE, LATCHFORD, WARRINGTON, WA4 6RB</td>
<td>Householder - Proposed partial attic conversion with new dormer to front of house and rooflights to rear roof.</td>
<td>Approved with Conditions</td>
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<td>03/01/2016</td>
<td>2016/27263</td>
<td>16, THE CROSS, LYMM, WARRINGTON, WA13 0HU</td>
<td>Prior Approval Class C - Proposed change of use from A1 use to A3/A4</td>
<td>Withdrawn</td>
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<tr>
<td>16/02/2016</td>
<td>2015/26668</td>
<td>23, OUGHTRINGTON LANE, LYMM, WARRINGTON, WA13 0QY</td>
<td>Householder - Proposed conversion of existing double garage with a proposed link to the existing dwelling. Proposed first floor rear bathroom extension together with minor rear elevation alterations to existing dwelling</td>
<td>Approved with Conditions</td>
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<tr>
<td>16/02/2016</td>
<td>2015/27176</td>
<td>42, RECTORY LANE, LYMM, WARRINGTON, WA13 0AL</td>
<td>Full Planning - Proposed Demolition of existing dwelling and construction of new detached dwelling</td>
<td>Withdrawn</td>
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<tr>
<td>17/02/2016</td>
<td>2015/26194</td>
<td>80, RUSHGREEN ROAD, LYMM, WARRINGTON, WA13 9PR</td>
<td>Full Planning - Change of Use of Site 3 Agricultural Storage (Retrospective) and Site 15 to B1-B8 with open car park for use by Sites 3 and 4 with shed storage in Site 15</td>
<td>Withdrawn</td>
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<tr>
<td>17/02/2016</td>
<td>2015/26199</td>
<td>80, RUSHGREEN ROAD, LYMM, WARRINGTON, WA13 9PR</td>
<td>Full Planning - Proposed Change of Use of Site 9 Agricultural Glasshouse to B1 &amp; B8</td>
<td>Withdrawn</td>
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<td>17/02/2016</td>
<td>2016/27197</td>
<td>80, RUSHGREEN ROAD, LYMM, WARRINGTON, WA13 9PR</td>
<td>Outline Planning - Outline Planning Permission to consider access, layout and scale for Replacement Building (Site 1) and all other matters reserved for later approval</td>
<td>Withdrawn</td>
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<tr>
<td>18/02/2016</td>
<td>2016/27300</td>
<td>The Former Sewage Works, Reddish Lane, Lymm, Warrington, Cheshire, WA13 9RP</td>
<td>Non-Material Amendment - Proposed variation of Condition 4 (foul and surface water drainage) &amp; 12 (managers dwelling) attached to application 2012/21055</td>
<td>Part approved/part refused</td>
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<tr>
<td>22/02/2016</td>
<td>2015/27136</td>
<td>33 - 35, Birchbrook Road, Lymm, Warrington, WA13 9SA</td>
<td>Discharge of Condition - Proposed discharge of condition 3 (External Roofing &amp; Facing materials) 7 (Boundary Treatment) and 10 (Vehicle Access) following previously approved application 2015/25290</td>
<td>Condition Part Discharged/Part Not Discharged</td>
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<tr>
<td>22/02/2016</td>
<td>2016/27241</td>
<td>33, BIRCHBROOK ROAD, LYMM, WARRINGTON, WA13 9SA</td>
<td>Non Material Amendment - Proposed minor re sitting of plot 1 and changes to driveway configuration</td>
<td>Approved</td>
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<td>Application number</td>
<td>Location</td>
<td>Development description</td>
<td>Decision type</td>
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<tr>
<td>22/02/2016</td>
<td>2015/26700</td>
<td>Cherry Lane Barns, Cherry Lane, Lymm, Cheshire, WA13 0NU</td>
<td>Variation of Conditions - Proposed variation of following conditions of application 2013/22675: - Condition 4 to allow use of first floor of garage/store building as ancillary bedroom/bathroom space, with ground floor parking retained as already approved - Condition 6 to update approved plans list to refer to revised drawing showing amended first floor layout of garage/store building</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>26/02/2016</td>
<td>2016/27190</td>
<td>64, Mardale Crescent, Lymm, WA13 9PJ</td>
<td>Householder - Proposed Replacement conservatory to side with larger footprint</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>26/02/2016</td>
<td>2016/27201</td>
<td>58, Mill Lane, Lymm, Warrington, WA13 9SQ</td>
<td>Householder - Proposed Replacement of glass conservatory with single storey rear extension and retention of existing decking.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>26/02/2016</td>
<td>2016/27206</td>
<td>149, Higher Lane, Lymm, LYMM, WARRINGTON, Cheshire, WA13 0BU</td>
<td>Householder - Demolition of Garage with room over and construction of extension to form dining room, leisure suite, garage study + 1 bedroom apartment. Demolition of Conservatory and construction of extension to form Bedroom over Children's room. Alterations to existing house including roof alterations over kitchen and additional roof windows Revisions to drive and paving.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>29/02/2016</td>
<td>2016/27393</td>
<td>38, STAR LANE, LYMM, WARRINGTON, WA13 9LN</td>
<td>Full Planning - Proposed change of Use from Existing Hair Salon/ Sun bed centre to take away home made food and sandwiches</td>
<td>Cancelled</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27215</td>
<td>10, MANOR ROAD, LYMM, WARRINGTON, WA13 0AY</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed erection of new front porch extension</td>
<td>Approved</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27231</td>
<td>37, ELM TREE ROAD, LYMM, WARRINGTON, WA13 0NJ</td>
<td>Householder - Proposed ground and first floor side extension and single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27247</td>
<td>40, ALBANY ROAD, LYMM, WARRINGTON, WA13 9LW</td>
<td>Householder-Proposed double storey kitchen, utility and bedroom extension to rear and side elevations</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location</td>
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<td>Decision type</td>
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<tr>
<td>02/03/2016</td>
<td>2016/27272</td>
<td>7A, BROOKFIELD ROAD, LYMM, WARRINGTON, WA13 0QL</td>
<td>Householder - Proposed demolition of existing garage and construction of a two storey side extension to both sides of the property. also, demolish the existing curved stone entrance and replace with a new extended entrance area. To the rear of the property a part 2 store and part single storey extension with second floor conversion into bedroom</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2015/26758</td>
<td>FIELD HOUSE, HIGHER LANE, LYMM, WARRINGTON, WA13 0RL</td>
<td>Full Planning - Proposed barn conversion into a residential unit</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2015/26928</td>
<td>Foxley Lodge, 240, Higher Lane, Lymm, Cheshire, WA13 0RJ</td>
<td>Full Planning - Retrospective change of use of the first floor element of the garage to residential dwelling</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2015/27066</td>
<td>10, BOOThs HILL ROAD, LYMM, WARRINGTON, WA13 0DL</td>
<td>Full Planning - Proposed rear single storey extension</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>16/02/2016</td>
<td>2015/26784</td>
<td>78A, HALLFIELDS ROAD, ORFORD, WARRINGTON, WA2 8DN</td>
<td>Full Planning - Proposed change of use from residential C3 (on first floor) to additional office accommodation (B1a) for 78 Hallfields Road</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27217</td>
<td>14, BRUCE AVENUE, ORFORD, WARRINGTON, WA2 9BB</td>
<td>Householder - Proposed single storey side &amp; rear extension &amp; conversion of existing garage to a bedroom</td>
<td>Approved with Conditions</td>
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## Poulton North

<table>
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<tr>
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<tbody>
<tr>
<td>26/02/2016</td>
<td>2016/27223</td>
<td>5, BARNES AVENUE, POULTON-WITH-FEARNHEAD, WARRINGTON, WA2 0BL</td>
<td>Householder - Proposed single storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/03/2016</td>
<td>2016/27261</td>
<td>68, STATION ROAD NORTH, POULTON-WITH-FEARNHEAD, WARRINGTON, WA2 0QG</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed single store kitchen/family room extension to rear elevation</td>
<td>Approved</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
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<tr>
<td>26/02/2016</td>
<td>2016/27230</td>
<td>21, WESTBURY CLOSE, POUlTON-WITH-FEARNHEAD, WARRINGTON, WA1 4JU</td>
<td>Full Planning - Proposed single storey side and rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27260</td>
<td>11, WIlLOW CRESCENT, POUlTON-WITH-FEARNHEAD, WARRINGTON, WA1 4JS</td>
<td>Householder - Proposed demolition of existing store/utility and construction of single storey rear and side extension</td>
<td>Approved with Conditions</td>
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<tr>
<td>Decision date</td>
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<td>22/02/2016</td>
<td>2015/26839</td>
<td>14, Greys Court, Kingsland Grange, Warrington, Cheshire, WA1 4SH</td>
<td>Full Planning - Proposed Change of use with no material alterations from B1 to D2 - fitness facility catering to private clients and small groups</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27226</td>
<td>33, WILTSHIRE CLOSE, WOOLSTON, WARRINGTON, WA1 4DA</td>
<td>Householder - Single storey rear extension to replace conservatory</td>
<td>Approved with Conditions</td>
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### STOCKTON HEATH

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<tr>
<th>Decision date</th>
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<tr>
<td>26/02/2016</td>
<td>2016/27202</td>
<td>13, DENBURY AVENUE, STOCKTON HEATH, WARRINGTON, WA4 2BL</td>
<td>Proposed ground floor rear extension and first floor side extension over existing garage</td>
<td>Refused</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27287</td>
<td>18, MONTCLARE CRESCENT, STOCKTON HEATH, WARRINGTON, WA4 2BN</td>
<td>Householder - Proposed detached garage to replace existing</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27489</td>
<td>10, ALEXANDRA ROAD, STOCKTON HEATH, WARRINGTON, WA4 2UT</td>
<td>Householder Prior Approval - Proposed Extension for dinning room, utility and shower room to extend by 3.9m from the rear wall, maximum height of 3.7m and the height of the extension to the parapet is to be 2.44 metres.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>03/03/2016</td>
<td>2016/27209</td>
<td>Land adjacent to 10 Heath Street, Stockton Heath, Warrington, Cheshire, WA4 6LP</td>
<td>Full Planning - Proposal to develop existing ground level garages to update and make structurally sound and to build 2 bedroom apartment above</td>
<td>Refused</td>
</tr>
<tr>
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<tr>
<td>02/03/2016</td>
<td>2016/27265</td>
<td>24, Colwyn Close, Burtonwood and Westbrook, Warrington, WA5 9SL</td>
<td>Householder - Proposed Single-storey rear extension.</td>
<td>Approved with Conditions</td>
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## Whittle Hall

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<tbody>
<tr>
<td>02/03/2016</td>
<td>2015/27085</td>
<td>1, FARNDALE CLOSE, WARRINGTON, WA5 3FX</td>
<td>Householder - Proposed Detached Hobby Room</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27342</td>
<td>1, BUCHAN CLOSE, GREAT SANKEY, WARRINGTON, WA5 8XX</td>
<td>Section 192 Certificate - Proposed single storey side and single storey rear extension, with conversion of loftspace and associated window and rooflight</td>
<td>Approved</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27214</td>
<td>47, GREGORY CLOSE, GREAT SANKEY, WARRINGTON, WA5 8PP</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed rear dormer</td>
<td>Approved</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27224</td>
<td>1, STOCKDALE DRIVE, WARRINGTON, WA5 3RU</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed garage conversion with the creation of connecting link between main dwelling and existing garage.</td>
<td>Approved</td>
</tr>
<tr>
<td>02/03/2016</td>
<td>2016/27240</td>
<td>Plastic Omnium, 7D, Omega South, Plot 7A/G, Burtonwood, Warrington, WA5 3AX</td>
<td>56 Day Prior Approval - Proposed Installation of Solar Photovoltaics (PV)</td>
<td>Prior Approval is Given</td>
</tr>
</tbody>
</table>