16 February 2016

Development Management Committee

Wednesday, 24 February 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 3 February 2016 as a correct record.

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


5. **Planning Appeal Decisions for period between 18 January and 12 February 2016**


5.1 4 Martin Avenue

5.2 137 Kenyon Lane

5.3 Station Approach

5.4 82 Highfield Road

5.5 31 Hillside Road
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
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

23 February 2016

Development Management Committee

Wednesday, 24 February 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

SUPPLEMENTARY AGENDA

In agreement with the Chairman, Councillor T McCarthy, this additional planning application is to be considered at the above meeting.

Reason
In the interests of the livelihood of the applicant, the applicant is aiming to set up business in the premises, and further delay would cause him hardship, as this would effect his likelihood and the establishment of his business. The application was due to be determined by 25th January 2016 – but has been subject to undue delay in the processing of the planning application. The Council is the freeholder owner of the site – and this is the sole reason which requires referral of the matter to DMC for decision, according to the Council’s Constitution.
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.

4. Planning Applications (Main Plans List)

Planning Application No. 10


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

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DEVELOPMENT MANAGEMENT COMMITTEE

3 February 2016

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

DM110 Apologies for Absence

Apologies for absence were received from J Richards, L Murphy and S Wright

DM111 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 D Keane</td>
<td>DM114</td>
<td>Cllr D Keane was a Ward Member and wished to speak against the application.</td>
<td>Cllr D Keane stood down from the committee and spoke against the application, he took no part in the discussions or the vote</td>
</tr>
<tr>
<td>Cllr J Wheeler</td>
<td>DM116</td>
<td>Councillor J Wheeler was a Member of the Parish Council who had objected to the application but she had no involvement with the any discussions or the application.</td>
<td>Councillor J Wheeler remained in the meeting – she took part in the discussion and the vote thereon.</td>
</tr>
</tbody>
</table>

DM112 Minutes

Resolved,

That the minutes of the meeting held on 13 January 2016 were agreed as a correct record and signed by the Chairman.

DM113 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.
Agenda Item 3

DM114 2015/26105 - Former Johnson's Lane Landfill Site, Johnson's Lane, Widnes Full Planning (Major) - Proposed construction and operation of a solar photovoltaic farm and fast response power plant including landfill stabilisation/improvement works, perimeter fencing, inverter and transformer stations, cabling, CCTV, substations, internal access road and landscaping/biodiversity enhancement within Halton Borough and proposed importation of inert materials to facilitate the remediation of the land by land raising/improvement works and associated landscaping with Warrington Borough (Resubmission of 2014/24931)

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

It was noted that this application had been deferred from an earlier meeting to gain additional information.

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 2015/26105 be approved as per the officer recommendation and subject to the extra conditions as set out in the update report.

DM115 2015/26890 - Site of the former, Ship Inn, Chester Road, Walton, Warrington, WA4 6EN - Full Planning - Proposed replacement of the former Ship Inn Building, with a pair of semi-detached dwellings

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

Representations were heard against the Officer recommendation.

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

Resolved,

That application 2015/26890 be approved as per the officer recommendation.

DM116 2015/26954 - Land Adjacent To Sevenoaks, Old Pewterspear Lane, Appleton, Warrington, WA4 5NH - Full Planning - Proposed new detached dwelling and access following Outline consent application 2013/22405, detached carport and detached garage in amended position which has been previously approved under application 2011/19206 and part implemented.
The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation of approval subject to conditions.

This application was site visited on 29 January 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 2015/26954 be refused.

Reason,

Refusal was due to the same reasons given to refused planning application 2015/26202, additionally, due to inadequate highway visibility.

DM117  2015/27019 - Land To The South Of, 1, Elm Cottage, Hobb Lane, Walton, Warrington, WA4 5LS - Full Planning - Proposed construction of a stable building and tack room (Re-submission of planning application 2015/26450)

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 and against the Officer recommendation.

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

Resolved,

That application 2015/27019 be approved as per the officer recommendation, and subject to an additional condition requiring removal of building if stable use should cease.

DM118  2015/27081 - 24, Holes Lane, Woolston, Warrington, WA1 4NE - Householders Development - Proposed Detached Garage

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

Resolved,

That application 2015/27081 be approved as per the officer recommendation.
Agenda Item 3

DM119 2015/27131 - 1, Arnold Street, Fairfield And Howley, Warrington, WA1 3BB - Full Planning - Retrospective change of use from Offices as Financial Services to a Beauty Salon

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

This application was site visited on 29 January 2016.

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

Resolved,

That application 2015/27131 be approved as per the officer recommendation.

DM120 2016/27194 - 1, 22, Calderfield Close, Stockton Heath, Warrington, WA4 6PJ - Householder - Proposed double storey kitchen and bedroom extension to rear elevation

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation of refusal.

This application was site visited on 29 January 2016.

Representations were heard against the Officer recommendation.

Resolved,

That application 2015/27194 be approved contrary to the officer recommendation and subject to conditions.

DM121 2016/26849 – 3 Tanning Court, Warrington, WA1 2HF – Proposed change of use from B1 or B8 to D2 to use the building as a Yoga and Martial Arts Studio

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

Resolved,

That application 2015/26849 be approved as per the officer recommendation.

DM122 Planning Appeal Decisions for period 5 January and 18 January 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
### Agenda Item 3

<table>
<thead>
<tr>
<th>Application Appeal Reference</th>
<th>Location and Description</th>
<th>Committee / Delegated Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>APP/M0655/W/15/3132020</td>
<td>17 Broseley Lane, Culcheth, Warrington, WA3 5HP</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APP/TPO/M0655/D/15/4705</td>
<td>19 High Knutsford Rd, Stockton Heath, Warrington, WA4 2JS</td>
<td>Refused</td>
<td>Allowed</td>
</tr>
<tr>
<td>APP/M0655/W/15/3135699</td>
<td>Land at 58/64 Warrington Road, Glazebury, Warrington</td>
<td>Refused</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APP/M0655/W/15/3132020</td>
<td>17 Broseley Lane, Culcheth, Warrington, WA3 5HP</td>
<td>Costs</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

Resolved,

That the report be noted.

Signed………………………

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

**Wednesday 24th February 2016**

**Start 18:30**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| 1    | 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    | 27   | 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)                                                                                                                                                                                                               | Approve         |
| 3    | 36   | 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.                                                                                                                  | Approve         |
4 72 2015/27040 Warrington St Barnabas C E Primary School, Collin Street, Bewsey And Whitecross, Warrington, WA5 1TG  
Full Planning - Proposed New Entrance Extension  
Approve

5 80 2015/27121 Warrington Golf Club, London Road, Warrington, WA4 5HR  
Full Planning - Proposed part retrospective new safety fence to rear of golf club  
Approve

6 92 2015/27149 Land Adjacent To Dallam Playing Fields, And St Marys 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.  
Approve

7 119 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  
Approve

8 135 2016/27199 50, West Avenue, Stockton Heath, Warrington, WA4 6HX  
Full Planning - Proposed Change of use of existing outbuilding into detached dwelling & associated Parking  
Approve

9 147 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  
Approve
DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

ITEM 1

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2016/27340</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Cuerdon Cottage, Cuerdon Drive, Grappenhall And Thelwall, Warrington, WA4 3JU</td>
</tr>
<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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</table>

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
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

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 feet 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.

Consultation Responses

Environmental Health –
No objection subject to the imposition of informative regarding ground disturbance/gas 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 Curedon Cottage with bins taken to the adopted highway.

Flood Risk –
No comments received at the time of writing the report
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 Curedon Cottage, is relatively modest in size and is surrounding 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 in a less dominant built 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 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 was 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 etc. 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 un-adopted 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. However 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 “cycle pod” is shown adjacent to the cycle parking area and accessed via a pathway. The applicant has stated that he will provide an electric vehicle charging point 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 and as such no highways objections are offered.
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.

Recommendation
Approve

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, SN1, SN2, QE7 & QE6 and the National Planning Policy Framework. This is by reason of being an appropriate location for residential development with appropriate design, with no perceived detrimental impact upon surrounding neighbours, the character of the street scene, landscape features or existing off-street parking.

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 {5thOctober2015}
   (b) Submitted drawing No's Location Plan P20091-PP-14 B, Proposed elevations and site sections P20091-PP-12, Proposed plans P20091-
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 (eg. 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

**Informatives**

1. Historical mapping indicates a former potentially contaminative land use that may affect the (re)development of the site. The land directly adjacent to the site was formerly used as a Tannery (CL0379) The Applicant/Developer should ensure that the appointed Contractors and Building Control Officers are made aware of the above, so that adequate precautions can be taken to protect Construction Workers, future Site Users and the wider public from land contamination and/or ground gas issues associated with the site and vicinity. Contamination encountered during works must be reported immediately to the LPA and works halted within the affected area.

2. 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.
3. 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.

4. 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 – Previously refused plans
Green hatching indicates Right of Way for Cuerdon Cottage from Weaste Lane and Cuerdon Drive

Location Plan 1:1250
Proposed elevations and 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 Curedon Drive

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

Photograph showing the shared un-adopted road access
DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

ITEM 2

<table>
<thead>
<tr>
<th><strong>Application Number:</strong></th>
<th>2015/26747</th>
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<tbody>
<tr>
<td><strong>Location:</strong></td>
<td>Agricultural Building Off Spring Lane, Croft, Warrington, WA3 7AS</td>
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<td><strong>Ward:</strong></td>
<td>Culcheth, Glazebury And Croft</td>
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<td><strong>Development</strong></td>
<td>Full Planning - Change of use from Ancillary Office Accommodation for Horticultural Business (B1a) to Residential dwelling (C3)</td>
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<td><strong>Date Registered:</strong></td>
<td>26-Oct-2015</td>
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<tr>
<td><strong>Applicant:</strong></td>
<td>Mr Allen</td>
</tr>
<tr>
<td><strong>8/13/16 Week Expiry Date:</strong></td>
<td>20-Dec-2015</td>
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**Reason for Referral**

Objection from the 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**

The Application Site lies north east of Warrington, in Croft close to the intersection of the M60 with M62. The wider site extends to 2.38 hectares in area, is accessed from Spring Lane to the east and consists of agricultural fields and the building the subject of the application.

The building has been vacant since 2008 but was last in use as an office and storage building associated with Ramswood Nursery. The building has a footprint of 11.3m x 10.9m, measuring 3.1m to the eaves and 7.2m to the ridge. The building is constructed in clay facing bricks, the roof in concrete interlocking tiles and external openings are UPVC double glazing to windows.
and roller shutter doors.

The proposal seeks to change the use of the building from B (1a) office use to use as a residential dwelling (C3).

The proposed change of use requires amendments to the existing fenestration and openings and additional openings to provide a principal point of entrance and two modest windows to the southern elevation and two roof lights. It is also proposed that a small cantilevered porch be constructed to the southern elevation.

The means of access will remain as existing and a residential curtilage created and demarcated by a post and rail fence to the domestic garden which will be created.

The agent has set out that the proprietor of the site used to supply landscaping for golf courses – but this business has significantly declined. The land and facility is surplus to requirements and has suffered from vandalism. Most recently the land has been leased to the equestrian centre adjacent on a short term licence for grazing. The remainder of the land would be retained by the equestrian centre.

**Relevant Planning History**

96/35627 – Proposed agricultural storage and workers amenity building – Granted 09 April 1997
2006/08014 – Change of use from existing agricultural storage and employee amenity building (B8) to ancillary office accommodation for horticultural business (B1a) – Granted 14 June 2006

**Relevant Policies**

*National Planning Policy Framework (2012)*
The Framework sets out Core Planning Principles including achieving high quality and good standards of amenity.

*Warrington Borough Council Local Plan Core Strategy (2014)*
CS5 Green Belt
QE5 Biodiversity and Geodiversity
QE6 Environment and Amenity Protection
QE7 Ensuring a High Quality Place

*Other Material Considerations*
Planning Practice Guidance (PPG March 2014)

**Consultation Responses**

Highways – no objection subject to conditions

Environmental Protection – no objection subject to conditions.
Parish Council – objection on the grounds that the proposed change of use would be detrimental to the Green Belt.

Third Party Comments
None received

Assessment and Reasons for Decision

The Application Site lies in the Green Belt as defined by the Proposals Map and in accordance with the Framework and Core Strategy Policy CS5 inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 90 of the Framework identifies that certain forms of development are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within the Green Belt. One such form of development is ‘the re-use of buildings provided that the buildings are of permanent and substantial construction’.

The existing building is constructed as set out above and appears to be in good state of repair such that it satisfies the permanent and substantial policy test. To be fully compliant with policy however the proposal must also preserve the openness of the Green Belt and not conflict with the purposes of including land within the Green Belt.

The construction of the building has already resulted in a loss of openness as a matter of fact and the proposed change of use does not require significant further development to facilitate a residential use. In order to ensure this remains the case however it is considered that a grant of planning permission would necessitate the removal of Permitted Development Rights by condition to ensure that the Local Planning Authority can adequately control impact on openness in future..

The proposal does not require significant further development to facilitate the change of use and therefore would not conflict with the purposes of including land within the Green Belt as no significant new operational development is proposed.

For these reasons the proposed development is not contrary to Green Belt policy.

The Framework also states at paragraph 56 that ‘the Government attached great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people’.

It is considered that the proposed development represents a viable use of the existing asset in a manner that doesn’t require significant alteration to facilitate the use. Pre-application advice was sought by the Applicant and comments received have guided the submission and the application proposal
is considered acceptable in respect of design where there were presently concerns over the previous scheme including a reduction in the number of domesticating features.

The proposed development is complaint with Core Strategy Policy QE7 which requires that proposals are locally distinctive. QE7 also however requires that development be accessible and safe. Highways have confirmed in their consultation response that they raise no objection to the proposal subject to conditions.

The proposed development is also compliant with Policy QE6 which requires development does not have an adverse impact on the environment or the amenity of future occupiers or the surrounding area. As has been established the building and means of access are established and the proposed change of use would not have unacceptable impacts on the environment, nor on neighbouring properties in the surrounding area given the proximity. There have however been concerns raised by the Environmental Protection Officer in relation to impacts on the occupiers of the dwelling proposed.

The dwelling lies approximately 120m from the M62 motorway. The Environmental Protection team have no objections subject to conditions - to secure acoustically uprated ventilation and glazing. Subject to imposing these conditions the proposed development is compliant with Policy QE6.

The applicant has submitted an ecological appraisal and a tree survey. Subject to the implementation of the recommendations by condition, it is considered that the proposal is not contrary to Core Strategy Policy QE5

For the reasons set out in this report is considered that the proposal is not an inappropriate form of development in the Green Belt and is compliant with the other relevant policies of the development plan subject to the imposition of appropriate conditions.

**Summary and Recommendation**

Approval subject to conditions is recommended, for this change of use which is appropriate in green belt.

**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 strict accordance with the submitted details.

   Reason: For the avoidance of doubt and to define the permission.
3. 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 external alterations shall be carried out to the dwelling(s) (ii) no extensions shall be carried out to the dwelling(s) (iii) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (iv) no vehicle standing space or hardstanding shall be provided within the curtilage of the dwelling(s) (v) no gates, walls, fences or other structures shall be erected along any boundary to the curtilage of the dwelling(s) (vi) no means of vehicular access shall be constructed to the curtilage of the dwelling(s) (vii) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

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

4. Prior to the first use of the dwelling, a plan show the construction details of the proposed access shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of highway safety

5. Prior to the first use of the access the 2.4m x 60m visibility splays shown on the approved plans shall be provided on site and retained thereafter unless otherwise approved in writing with the Local Planning Authority.

Reason: In the interests of highway safety.

6. Habitable room trickle vents shall be uprated acoustically to a specification of at least 42 Dn,e,w dB.

Reason – to protect the amenity of future occupiers from the effects of noise from the nearby road network.

7. Habitable room windows and glazed doors shall be uprated acoustically to glass with a specification of at least 10/12/6 (glass/air/glass) achieving in excess of 32 RTra dB(A).

Reason – to protect the amenity of future occupiers from the effect of noise from the nearby road network.

8. The development shall be carried in accordance with the recommendations specified in the following submission documents:

Ecological Appraisal produced by Ascerta dated September 2015
Tree Survey produced by Ascerta dated October 2015
Reasons: To ensure compliance with Core Strategy Policy QE5

**Informatives**

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in paragraphs 186-187 of 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
Photo of Building
The Building in the Context of Its Site

Site Area - 2.38 Ha
DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

ITEM 3

<table>
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<tr>
<th>Application Number:</th>
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<tbody>
<tr>
<td>Location:</td>
<td>The Market Multi Storey Car Park, Moulders Lane, Bewsey And Whitecross, Warrington, WA1 2FA</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 (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.</td>
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<tr>
<td>Date Registered:</td>
<td>01-Dec-2015</td>
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<tr>
<td>Applicant:</td>
<td>Warrington Borough Council and Muse Developments</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>29-Feb-2016</td>
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Reason for Referral to Committee

It is considered expedient to refer this application to development Management Committee due to the scale and nature of the proposal and the Council has an interest in the scheme.

Human Rights

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

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

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

Site and Proposals

The application site is bounded by major roads including Academy Way to the north, Bridge Street to the east and Mersey Street, leading to Bridgefoot, to the south.
Full Planning permission is sought for the demolition of all existing on site buildings and structures, including the principal building – Multi-storey car park [MSCP], and the construction of a new multi-storey car park. Together with associated public realm works and access improvements.

The proposed car park would be 8 storeys in height and would comprise 1,169 parking spaces. The existing MSCP provides 533 spaces. The proposed scheme would also match the provision of the existing disability spaces and cycle spaces available in the existing MSCP.

The height of the existing MSCP is approximately 13 metres.

The height of the proposed MSCP is between 25 and 26 metres.

The existing internal gross floor space is 12,750 square metres.

The proposed internal gross floor space is 31,280 square metres.

The scheme would result in an additional 636 car parking spaces and an increase of 18,530 gross floor space.

The development will include the provision of 59 accessible car parking bays and 12 parent and child bays. A total of 60 electric vehicle charging point bays will be provided, 56 of which will be dedicated to standard bays and 4 will be dedicated to accessible bays.

The scheme will include the provision of two substations which shall support the use of the vehicle charging points.

The building will also incorporate the following:

- an enquiries office
- general office and mess room / kitchen/wc/shower
- Store rooms
- Cycle storage area
- Cash collection area

The redevelopment of the MSCP will be supported by highway improvement works on Academy Way and Mersey Street. A new access point will be provided to the new MSCP from Academy Way / Bank Street. The vehicle direction on Moulder's Lane would be reversed to provide traffic flow in one direction from Moulder's Lane onto Academy Way.

The submitted scheme for the multi-storey should be considered in the context of the wider developments within the Bridge Street Quarter, the principles of which were established at the Outline stage.

The Masterplan identifies the following phases of development;

**Phase 1 – Demolition**

This phase does not include the existing market building, but does include; Properties on Bank Street, including the public house, the vacant former B&M building, the pods at the side of the market, 35 Bridge Street and the building to the rear.

This phase will also include the remediation of contaminated material; the removal of remnants of infrastructure; installation of a clean cover system; reinstatement works to the retained buildings and sites following demolition.

**Phase 2a – Construction of temporary Market Hall, retail / commercial units, public realm [Bank Street to Dolmans lane], enhancements to the multi-storey car park, including a change in the access arrangements for pedestrians, a re-
cladding of the north and east elevations and the redevelopment of Union Street.

**Phase 2b** – Construction of Time Square leisure element including a cinema, restaurant, surface car park and public realm – connect Buttermarket Street with Academy way. Construction of the Energy Centre.

**Phase 2c** – Demolition and remediation of existing Market Hall.

**Phase 3a** - Partial demolition and remediation of former ‘Boots’ building [numbers 39-43, 45, 37, 47-49 and 51 Bridge Street. [Separate Listed Building consent will be required for this part of the development].

**Phase 3b**- Construction of new Council offices, new Market Hall and adjacent public realm, including Academy Way improvements. Temporary Market Hall to be sub-divided to create a series of units including A1, A2, A3, D1 [Library] and D2 Leisure.

The implementation of the first phase of the scheme has already commenced on site, and includes the demolition of Times Square, remediation of the contaminants within the site and works associated with the erection of the building to house, on a temporary basis, the Market.

The Reserved Matters applications for the erection of the new Council building, the cinema leisure building and the new permanent market building are currently with the Council’s Planning Department for determination. It is important to consider the proposal for the new MSCP in the context of these pending proposals particularly in terms of height, massing and materials of construction.

**Planning History**

Planning permission [2014/24473] was granted in 2014 for the redevelopment of the Bridge Street Quarter site.

Consent was granted for the following;

“Outline permission with details of access [all other details reserved for future applications] – Proposed demolition of existing on-site buildings and structures and the construction of mixed use development, comprising of a new market hall and other Class A1 retail uses; Class A2 financial and professional services uses; Class a3 restaurants and cafes; Class B1 office uses including a new council office building; Class D1 non-residential uses including a library; Class D2 leisure uses including a cinema; **Refurbishment of the Academy Way Multi-Storey Car Park**; new landscaping and public realm; new vehicular access roads and servicing area; accommodation and reinstatement works to retained buildings; site remediation and other associated works.”

Following the receipt of outline consent work commenced on Reserved Matters applications for the regeneration of the Bridge Street area. This included discussions with the proposed cinema operator which has necessitated the construction of a larger MSCP in order to meet the operational needs of the undertaking and also the broader needs of the revitalised town centre.
Planning Policies

National Planning Policy Framework
The main thrust of the NPPF is the presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved without delay.
Para 7 – identifies the three dimensions to sustainable development, they are economic, social and environmental.
The economic role – the planning system should contribute to building a strong, responsive and competitive economy.
The social role – by creating a high quality built environment with accessible local services and reflect the communities’ needs and support its health, social and cultural well-being.
The environmental role – protecting and enhancing the natural, built and historic environment.
The roles are mutually dependent.
Para 9 – promotes the creation of jobs in towns; replacing poor design with better design; improve the conditions in which people live, work, travel and take leisure.
Para 17 – establishes a set of core use planning principles including the need to proactively support sustainable economic development. In so doing it is important to secure high quality design, take account of the character of different areas, take full account of flood risk, encourage the effective use of previously developed land; promote mixed use developments; manage patterns of growth to sustain public transport, walking and cycling; conserve heritage assets in a manner appropriate to their significance and to deliver community and cultural facilities.
Para 23 supports the promotion and growth of competitive town centres including the retention and enhancements of existing markets. It is also important to ensure the provision of a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.

Local Plan Core Strategy
CS1 – Overall Spatial Strategy- Delivering Sustainable
CS2 – Overall Spatial Strategy – Quantity and Distribution of Development
CS7 – Strategic Location- The Town Centre.
PV3 – Strengthening the Borough’s Workforce
PV4 – Retail development within the Town Centre and Primary Shopping Area.
PV5 – Enhancing the Town Centre Economy.
QE6 – Environment and Amenity Protection.
QE7 – Ensuring a High Quality Place
QE8 – Historic Environment
MP1 – General Transport Principles
MP4 – Public Transport
MP7 – Transport Assessments and Travel Plans.
TC1 – Key Development Sites in the Town Centre
Supplementary Planning Documents

Construction and Design
Environmental Protection
Bridge Street Conservation Area Appraisal
Sustainable Community Strategy
Regeneration Framework for Warrington.
Bridge Street SPD.

Notification Responses

Neighbours – No comments to date
Parish Council – Unparished
MP’s – no comments to date

Consultation Responses

Design Review
The scheme has been the subject of two external design reviews, two public exhibitions, one at outline stage and one prior to the submission of this application. Meetings have also been undertaken with stakeholders.

The design review has made comment on the application;
“We welcome the principle of wrapping the MSCP in a bold architectural treatment, celebrating its scale and massing as a landmark instead of being a drab, apologetic structure as so many of these buildings are.”

“The connection of the repeating hexagonal motif derived from the Warrington Wire is likely to be lost on most but it is a useful device to create an interesting, layered façade that screens the structure and car parking behind whilst allowing adequate natural ventilation.”

“Each element of the building has been carefully considered from different viewpoints to break down the massing of the building, celebrate the circulation cores and avoid the structure being revealed.”

In addition,
“The ground floor level fronting onto Academy Way is perhaps the least successful element of the building. The metal grills could give a somewhat negative appearance akin to security shutters and does not appear to adopt the design language [Warrington Wire] of the upper floors.”

In response to this criticism, the design has been adjusted to change the louvres to aerofoil fins constructed from anodised aluminium. This modification is intended to upgrade the quality of this part of the façade.
Highways

Existing car park and usage

The existing car park has 533 car parking spaces and the existing car park is open Monday to Saturday 7am to 9pm and of the 533 spaces available there are 251 WBC staff spaces allocated and 22 contract parking spaces.

Surveys have demonstrated that the peak occupancy of the car park on a weekday is between 11.30am and 1.30pm where there are 370 vehicles parked in the car park which a large number of these WBC staff.

The weekend peak occupancy is on a Saturday results in about 370 spaces occupied but staff and contract parking are minimal on a Saturday.

Proposed car park and usage

The proposed car park will operate 24/7 and the design and access statement details that there will be access automation for ticket refunding when using the cinema. No detail has been supplied in regards to the ticketing and payment of parking within the car park, however, the plans indicate pay stations on two floors and therefore it is likely that drivers will pay for their parking before returning to their vehicle and will insert the ticket at the exit barrier.

It is envisaged that the 251 existing WBC staff using the multi storey will require parking within the proposed car park and a further 220 relocated staff from Orford St, 46 from New Town House, 42 from Halliwell Jones and 6 spaces for the retail market parking. Therefore the WBC parking requirements will be 565 spaces within the new multi-storey car park.

The proposed car park has 1169 car parking spaces, an increase of 636 car parking spaces overall. 54 disabled spaces are proposed in the car park layout, an additional 12 car parking spaces could be used for parent and child parking or disabled parking, a further 4 spaces can be used for disabled parking or electric vehicle charging and an additional 52 spaces are marked out for electric vehicle charging.

A car parking accumulation assessment has been undertaken for the proposed car park has been derived which indicates that there are two distinct peaks associated with the adjacent Bridge Street developments office and leisure / retail developments. The office peaks on weekdays during the traditional weekday AM/ PM peak periods, similar to the existing peak traffic periods on the surrounding highway network. The retail uses peak at weekends, primarily on a Saturday and the leisure use (cinema) use peaks in the early evening on weekdays and weekends. To ensure that special events (festival outdoor market stalls and performance events) arranged within the redeveloped Bridge Street Quarter can be accommodated within the new MSCP further analysis was undertaken including an assessment of the impact on the local highway network. The surveys demonstrated that the weekday peak was 229 vehicles into the car park between 8am and 9am and 286
vehicles out of the car park between 5pm and 6pm with a peak car parking accumulation of 58.5% between noon and 1pm. The weekend peak was 494 vehicles in and 488 vehicles out between 1pm and 2pm and a peak car park accumulation of 27.5%.

Car park layout and design

The Council’s car parking standards state that car parking spaces should be 2.5m x 5m with 6m aisle widths are required. The car park layout meets these dimension standards. A swept path has been provided for an estate car which shows that the circulatory carriageway and ramps are spacious enough for large cars to pass around safely.

The applicant has stated there will be a height restriction of 2.1m within the car and has stated that this will generally cater for all MPV’s and 4 x 4’s without roof boxes as well as small vans such as Renault Kangos. Commercial vehicles such as Ford Transit vans would be too tall at approximately 2.6m height. Swept paths have been provided for large cars and estate cars and the applicant has confirmed that these swept paths are representative for the largest vehicle that would be accessing the car park.

The submitted TA states that the car park has been designed in co-ordination with Hill Cannon who have specific expertise in the design of MSCP layouts. The design has been undertaken for a worse case traffic scenario with two entry barriers with dedicated entry lanes off Bank Street and three exit barriers.

Design Recommendations for Multi Storey and Underground Car Parks indicate that a typical single entry lane with automatic ticket issue and lifting barrier has a capacity of circa 360 vehicles per hour, as such the two proposed barriers will have a capacity of circa 720 vehicles per hour which is acceptable to support the predicted flows into the car park at peak times. Swept paths for a large car submitted with the proposals indicate that vehicles can access from the north and south simultaneously without conflict.

A typical exit barrier has a capacity of between 215 and 320 vehicles per hour, as such the three proposed barriers have a capacity of between 645 and 960 vehicles per hour which is in excess of the predicted demand detailed above. It is envisaged that with payment being made prior to a driver returning to their vehicle that the capacity is likely to operate at the higher end of the range 215 – 320 vehicles per hour and therefore all three lanes are unlikely to be required at off peak times. The swept paths submitted with the proposals show a large car passing through the lane acceptably. The LHA would recommend that the build out on approach to this lane is reduced in size to improve the ease of access to this lane. It is the LHA’s view that this lane should only be made available at peak times or in the case of mechanical failure of another exit barrier.

There are no details submitted within the TA of the proposed management plans in times of mechanical failure of the entrance lanes. At peak times this
could potentially cause blocking back onto the public highway on Bank Street, although it is envisaged that this could be adequately addressed with a suitable maintenance agreement. It is essential that this is addressed to ensure that congestion does not result from the proposals.

A total of 1169 car parking spaces are proposed within the MSCP. Section 3.5 of the TA details that this parking meets the requirements of the Bridge Street development. However, the floor spaces included in the report are Gross Indoor Area when the Councils car parking standards are based on Gross Floor Area (External). However, it is considered that there will be a considerable number of linked trips from those using the MSCP and that the car parking accumulation data indicates that the car parking proposed will be sufficient for the development.

The proposals include two areas of cycle parking, one area adjacent to the access barriers to the car park which provides ‘FalcoCam-Plus’ cycle stands which have an integrated chain and that would be suitable for long stay parking for staff. The design and access statement details that the staff area provides an accessible shower, WC and changing facilities.

A further 5 Sheffield stands that will provide 10 short stay cycle parking spaces are located on Academy Way alongside proposed motorcycle parking underneath a cantilevered section of the car park which will provide cover. Whilst acceptable in principle some minor amendments are required to the proposed areas of cycle parking. The short stay Sheffield stands need to be relocated away from the wall of the MSCP to leave a gap of 0.65mm to ensure that the spaces are useable. A condition should therefore be attached in relation to the cycle parking.

The motorcycle parking proposed is 10 motorcycle locking stands along the Academy Way frontage. Whilst this is acceptable in principle, detail in relation to the locking points is required and therefore a condition should be attached in relation to the motorcycle parking.

The design and access statement details that there will be CCTV at the site, the LHA would request that this CCTV covers both cycle parking areas and the motorcycle parking.

In terms of servicing and refuge at the site, it is proposed that servicing of the administration functions will take place along Bank Street which provides direct access into the reuse store at ground floor level. No bins will be available for public use within the car park.

The fuel delivery requirements will be delivered and refilled by a road towable fuel vehicle via Moulders Lane at off peak times. Moulders Lane is proposed to be 6m wide and it is considered that this is wide enough to allow a large vehicle to pass a vehicle that is servicing on Moulders Lane.

The visibility requirements required to meet Manual for Streets standards for a 30mph road for highway visibility requires 43min from a point 2.4m back from
the stop lines from the car park. The LHA has measured the visibility splays off the submitted plans for each lane and accepts the required visibility splays can be provided within the applicants land and the public highway.

On Highway Works

Within the submitted TA a number of proposed highway changes are detailed as part of the Bridge Street scheme, of which the MSCP is one element. The proposals look to reverse the existing one way stretch at the south of Bank Street that connects to Mersey Street and to install a mini roundabout at the junction with Moulders Lane, furthermore the existing one way operation of Moulders Lane is proposed to be reversed to allow access from Mersey Street up to Academy Way to the east of the MSCP and for the accesses to the existing car parks accessed off this road to remain as is.

A new public realm scheme with revised traffic management is proposed on the Academy Way frontage which restricts access to buses only westbound but allows general traffic and buses to pass in front of the MSCP east bound to allow vehicles to exit from the car parks accessed off Moulders Lane.

The existing bus lanes northbound on Academy Street from Academy Way are proposed to be maintained.

It is proposed that Academy Street between Academy Way and Mersey Street will remain two-way but there will be two lanes approaching a new signalised junction at the junction with Mersey Street. The plans originally submitted for the signalised junction indicated a controlled pedestrian facility across the southbound side of the junction but this has been amended to run along the northern side of the junction to fit with the existing pedestrian desire line. The TA states that the signals at Mersey Street / Academy Street will reduce delay at the Dial Street roundabout and the Buttermarket Street and Academy Street junction.

The submitted TA states that in addition to the new signalised junction on Mersey Street consideration has been given to other improvements on the A49, particularly the approach to the Bridgefoot Gyratory. Further consultation with officers at WBC concluded that the modelling should consider widening the existing A49 from two lanes to three lanes on the approach to the gyratory and this work has been included in the list of mitigation measures proposed.

The proposed MSCP access is located on Bank Street opposite the DW Fitness Centre access. The proposals include a right turn lane into the MSCP from the north on Bank Street which is approximately 13m length and therefore will accommodate two vehicles waiting to turn right into the MSCP. The proposals also include a right turn lane for vehicles intending northbound who wish to turn into the DW site, the LHA is concerned that the right turn pocket is just 5m long and that vehicles accessing this turning pocket will need to drive across the turning pocket for the MSCP and therefore amendments should be made to the turning pocket markings to ensure that
conflicts do not remain.

The markings on the exit lanes of the MSCP indicate that vehicles should turn left out of the site only onto Bank Street to pass around Academy Way and Academy Street to join Mersey Street through the proposed signalised junction for all movements north and southbound. The LHA is concerned that there will be some non-compliance due to Bank Street being two way at the MSCP exit point. The provision of a central reservation at this point would enforce the left out only and therefore the LHA would recommend the relocation of the DW fitness access to reduce the highway conflicts and to allow the provision of a centre island to enforce the left turn out onto Bank Street.

The LHA understands that the Council is in discussions with DW to look to relocate the access onto Academy Way which would remove the conflict at the Council’s cost; however, as this access is on third party land, it cannot be conditioned as part of the Planning process.

It is the LHA’s understanding that the Centre Park Link works are committed by WBC and are due to be completed prior to the opening of the MSCP.

It is the LHA’s view that the provision of localised direction signage for the MSCP should be delivered in the vicinity of the site.

Highway Modelling

Previous highway modelling undertaken by WSP on behalf of Warrington Borough Council developed the Warrington Multi-Modal Transport Model which was used to assess the impact of the Omega 7 development. The modelling that has been undertaken for the proposed scheme makes use of the modelled flows provided by this Visum model alongside LinSig modelling and covers the Fennel Street / Church Street / Mersey Street / Dial Street roundabout, Mersey Street / Academy Street junction, Mersey Street / Bank Street Junction and Bridgefoot Gyratory.

The traffic flow scenarios modelled were the 2016 base (comprising network surveys from 2014 with TEMPRO growth factors applied up to 2016), 2016 with development (incorporating the improved highway network and the enlarged MSCP) and finally a future scenario in 2026 with development (incorporating the improved highway network and the enlarged MSCP).

The submitted TA also details a sensitivity test provided which models the potential effect of the Centre Park Link which is being brought forward by WBC separately of the development and therefore has modelled 2016 with development, a third lane on Mersey Street on approach to the Bridgefoot Gyratory AND Centre Park Link and also 2026 with development AND Warrington Western Link works.

The modelling undertaken was on weekdays during the AM and PM peak hours which were considered to be the periods where the developments
impact coincides with peak traffic conditions on the existing network.

The traffic modelling submitted within the application has been reviewed by the Council’s Network Manager who has confirmed that the submitted modelling represents a reasonable representation of current traffic conditions and behaviour in the vicinity of the site.

**AM Peak**

The AM peak modelling indicates that there is significant pre-existing congestion in particular at the Bridgefoot Gyratory and at the Dial Street roundabout. The overall effect of the development proposals incorporating the proposed highway improvements and Centre Park Link works are mainly positive across the network for 2016. There are some slight increases in degree of saturation that would result from the proposals at the Bridgefoot Gyratory on the Wilson Pattern Street exit ahead which would increase from 93.5% to 94.4% (no proposed increase in queue length) and the Mersey Street Internal Ahead Right which would increase degree of saturation from 84.3% to 95.6% (increasing queue length from 12.5 to 13.8) and finally within the Dial Street roundabout the Church Street ahead arm would increase from 105.3% to 117.4% increasing the queue from 63 vehicles to 106 vehicles.

The proposed 2026 modelling shows a worsening over the 2016 modelling as expected, but the Warrington Western Link works are shown to alleviate some of the congestion significantly.

**PM Peak**

The PM peak modelling indicates that there is also significant pre-existing congestion in the afternoons in particular at the Bridgefoot Gyratory and at the Dial street roundabout although not to the same extent as in the AM period. Several arms on the Bridgefoot Gyratory are predicted to experience increased flows, of those that do increase only two are approaching or exceeding capacity: Mersey Street Internal Ahead Right at 82% which is only marginally higher than the base of 81.4% but would not lead to increased queuing and the Wharf Street ahead movement which would increase from 50.1% to over capacity with a 105% degree of saturation, in effect increasing queue length from 3 vehicles to 16 vehicles. A future engineering solution or signal timing amendment may be required to address this particular arm of the junction.

The other junctions all work within capacity except the junction of Dial Street where there is again an increase in degree of saturation on the Church street ahead arm from 117.6% to 123.2% which would increase queues from 113 vehicles to 137 vehicles.

It is clear from the modelling that there is a beneficial effect from the Centre Park Link scheme which is committed development. The 2026 scenario illustrates the traffic flows increasing further and indicates the significant benefits of the Warrington Western Link scheme.
Subject to the highway works proposed being delivered prior to opening and the issues raised above being addressed fully there are no objections to the proposals on highways grounds subject to the imposition of conditions.

Ecology
No objection on nature conservation grounds.

Warrington Civic Society
Support the provision of car parking as being critical to the viability of Bridge Street and the vitality of the town centre.
We would have preferred to see the integration of the parking into the rest of the proposals. It is accepted that the design quality of the existing structure is limited but we feel that a building of this size and prominence in the town centre deserves a more complex structural form with viable activities at ground floor level. It is hoped that there is scope for more distinctive qualities to be incorporated into the design before approval, as was achieved with the temporary market building, which was the work of the same architects.

Environmental Protection
No objections subject to conditions relating to the following;

- Contaminated Land – Preparatory Works
- Contaminated Land – Completion
- Insulation of External Plant
- Wind Noise Assessment
- Floodlights - Illumination
- Construction Environmental Management Plan

In respect of the Wind Noise assessment, the applicant has been asked to carry out a noise modelling exercise to determine whether the proposed finish to the building may give rise to intermittent tonal, whistling or other noise disturbance caused by the passage of air through the multi-storey car park. The aim of the assessment is to ensure that a rated noise level from the passage of wind through the structure does not exceed the background noise levels at any nearby noise sensitive property. The results of the exercise [which will be undertaken prior to the erection of any external mesh] and any mitigation measures that may be required shall be implemented. Further periodic verification shall be undertaken over a two year period, in differing wind conditions in order to validate the modelling exercise outcomes.

Street Lighting
Comments to be contained in the update report

Flood Risk
No objection in principle subject to compliance with the recommendations in the Flood Risk Assessment and the submission of a detailed design for the drainage layout and attenuation being submitted agreed and implemented.
Environment Agency
No objection in principle.
The Agency have received and reviewed the submission of a Factual Ground Investigation report by Ian Farmers Associates Ltd., dated October 2015, for the proposed replacement of the current Multi Storey Car Park facility off Academy Way, Warrington.
Detailed comments have been provided to the developer’s environmental consultant’s regarding the findings of the ground investigation and our assessment of the environmental risks which may be present.

The NPPF paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at an unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
On the basis of the report received a number of planning conditions are recommended;
- Contaminated Land - Remediation Strategy
- Contaminated Land – Verification Report
- Restriction on piling

Archaeology
It should be noted that the ground investigation report submitted in support of this application confirms the picture of extensive and recent below ground disturbance with many of the borehole and test pits reporting the presence of deep accumulation of made ground containing modern material. On this basis, further archaeological mitigation is not required.

United Utilities
No objection subject to conditions relating to drainage of the site.

No comments have been received from the following consultees;
Trees and Landscaping
Health and Wellbeing
Building Control
Estates and Valuation
Planning Policy
Public Realm
Social Regeneration
Town Centre Manager
Fire Officer
Cheshire Police
Historic England
Howley Residents Association
Amenity Societies
Warrington Disability Partnership
Warrington Chamber of Commerce and Industry
Warrington Arts Council
Warrington Cycle Campaign
Warrington Community Transport
Observations

Principle of Development

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

The National Planning Policy Framework (NPPF) and policies of relevance within the LPCS are considered to constitute the most appropriate framework against which to assess this proposal. The Core Strategy [CS] embodies a strategic objective to strengthen the role of the town centre as an employment, retail, leisure and cultural destination. This echo’s para. 17 and 23 of the NPPF which advocates the promotion and growth of the existing town centre. Policies CS2 and PV5 of the CS identifies the town centre as being the focus for further retail and leisure development. Office development will also be promoted in order to re-establish the area as an employment location.

The current use of the site is car parking in a multi-storey building. The principle of its replacement with another multi-storey is therefore consistent with its current use.

The car park will support the regeneration of the town center. The new MSCP will operate 24 hours a day, 7 days a week. The proposed associated highway works will allow its integration into the wider development of the Bridge Street Quarter, providing a physical and visual link to the properties on the south side of Academy Way. This reinforces Council policy CS7 which seeks to encourage appropriate development in the town centre, promote the
vitality and viability of the town center and support job growth, including retail and high value jobs, increase the diversity of uses and contribute to the day or night time economy.

**Highways**

It is evident from the traffic modelling work undertaken that the proposed highway works including the additional third lane on Mersey Street on approach to the Bridgefoot Gyratory on the whole offer increased capacity and provide adequate mitigation for the traffic flows proposed. The modelling does indicate some localised issues at the Bridgefoot Gyratory at the Wharf Street access and on the Church Street arm of the Dial Street roundabout that would benefit from further investigation and action in order to increase capacity and reduce the predicted queues. It is envisaged that amendments to signal timings or increasing the flare length or lane amendments could address these issues acceptably.

Whilst the highway improvements do not fall within the red line boundary of the application site the LHA understands that WBC has committed to deliver these works as part of the Bridge Street scheme. It is the LHA’s view that these highway works in co-ordination with the already committed Bridgefoot Phase 1 works are acceptable to mitigate the proposals.

The LHA recommends that the DW Fitness access is relocated to ensure that conflicts on Bank Street are reduced to a minimum, but should this not be possible it is essential that amendments are undertaken to the right turn pockets to ensure that a car can fit into each of the right turn pockets without having to drive through the other right turn pocket.

The applicant should confirm that the swept paths provided are representative of the largest vehicle that would access the car park.

Further swept paths or amendments are required to the pedestrian kerb line adjacent to the southernmost exit barrier to ensure that swept paths do not show cars swinging over the footway.

A car parking management plan is required to address operation of the car park and management of the barriers to ensure that mechanical failure does not cause queuing back onto the public highway.

Minor amendments are required to the proposed cycle parking on Academy Way and further detail is required in relation to the motorcycle parking locking points. CCTV is required to cover both of these provisions within the car park.

In view of the above and subject to conditions relating to the outstanding matters, it is considered that the proposed scheme is acceptable in highway terms.

**Design**

The built form in this part of the town centre is of little or no architectural or historic merit. The existing MSCP is of its period, a utilitarian concrete
structure, partially faced with brick and linked to the town centre via a lightweight footbridge that spans Academy Way. Neither the MSCP nor the footbridge has any aesthetic merit; the latter will be replaced by a new super pedestrian crossing on Academy Way, linking the NSCP with the Bridge Street Quarter.

The existing MSCP has undergone intrusive investigations and it is now apparent that the structure would require significant upgrading if it is to be retained. The building would not meet the functional needs of the revitalised Bridge Street Quarter or the wider town centre and does not meet the Council's current standards for car parking provision as set out in the SPD.

The MSCP is one element in the Bridge Street Regeneration Scheme. Each building has been designed to reflect its use, location and in the case of the MSCP, “The façade design is intended to create a striking statement that has an iconic appearance both in the daytime, as well as the night time.”

The designs for each new building within the masterplan area do share some commonalities, with each other and with the existing built form, principally through the use of materials and colours.

Particular design features of the new car park include;

- A prominent entrance to provide a key landmark feature. The entrance will be adjacent to the new pedestrian crossing point creating a link between the MSCP and the Bridge Street Quarter. The pedestrian access, including lifts will be contained within a fully glazed cantilevered 6 storey tower on the north east side of the building.
- The upper levels of the car park are designed to cantilever outwards over the footpath on Academy Way. This maximises the amount of car parking that can be accommodated on the site and also allows for pedestrian cover and the provision of covered cycle and motorbike parking.
- At ground level the design introduces light stone material which is used to frame the aero foiled fin sections which allow ventilation to the car park. This reflects the treatment of the framed colonnaded pavilions which are a feature of the new temporary market building and leisure block. The use of the upright stone columns would break up the frontage, with a regularity which is synonymous with the traditional shop front bays found in the town centre. The stone plinth is also a traditional architectural device to ground the building and to provide a link, in terms of the use of materials to the existing and proposed town centre buildings.
- The use of different materials in the construction of the car park is designed to break down the mass of the building. This is also achieved by the introduction of circulation cores on three corners of the building, the fourth being indented to create a step change in the use of materials. The use of stone and terracotta link with the existing materials in the town centre, whilst the use of metalwork reflects Warrington’s industrial heritage.
- At the upper levels, on the north and south facades, a twin wall mesh
panel modular system is proposed. Each panel consists of a perforated sheet which includes a hexagonal frame which varies in size. The larger hexagonal holes which are on the outer face of the building are based on a wire rope analogy, that is, they are designed to resemble a cross section molecular structure of wire rope, reflecting Warrington’s metalworking industry. The larger hexagons will project slightly from the mesh and will be coloured differently to create an overall 3D effect, whilst smaller hexagons remain flush with the mesh.

The double layered design of the metalwork also gives the building texture which helps to break up the potentially repetitive nature of the façade which is usually associated with these types of structures. The double layering also helps to obscure details of the internal structure and vehicles contained therein and permits ventilation of the car park. It also allows for the introduction of dimmable lighting between the two layers, to allow the building to 'glow' at night and to animate the facade.

- The east and west elevations use large two storey panels which are staggered to create an undulating face to the building which will break up the overall mass of the walls whilst at the same time allowing ventilation. Within each of the panels there are smaller elements comprising of a blend of terracotta tiles. The different tones and colours of terracotta would result in a more visually textured façade which would again break up the mass of the elevation. The use of terracotta again reflects its use on existing buildings in the town centre. The colour of the terracotta is partially intended to compliment the colour of the metal hexagon on the principal elevation but will also include a more random colour palette. The precise colour pallet to be used would be controlled by condition.

- The proposed external signage for the building has been considered as an integral part of the design of the building, although will be subject to detailed approval. The signs will be LED halo illuminated.

The design of the building has been criticised by Warrington Civic Society on the basis that it lacks complex structural form and viable activities at ground floor level.

It should be noted that the building has been designed on a regular grid system in order to provide maximum efficiency and to minimise the building’s footprint. Its structural form is made more complex by cantilevering upper floors out over the footway, the introduction of raised towers at three of the corners and by the use of innovative design that adds movement and texture to the different facades of the building.

It is important to maximise the floor space of the building for parking purposes in order to support the needs of the users of the revitalised town centre, this restricts the ability to introduce other uses at ground floor level without displacing car parking spaces. Many of the spaces at this level are designed for disabled and parent and child parking for ease of access.
Sustainability
The following provisions have been incorporated into the design process in order to improve the sustainability credentials of the building:

- Secure cycle locking stands and CCTV coverage of these areas.
- Electric vehicle charging points – 5% of overall car parking bays.
- Use of a car park design specialist to maximise the efficient use of the space.
- Low energy user – lighting controlled by local movement detector with master override from the attendant’s office.
- Car park is naturally ventilated thereby reducing the need for automatic ventilation which would have energy implications.

The scheme has been designed to be energy efficient and to encourage more sustainable modes of transport.

Security
The proposed scheme will incorporate the following design features for the safety and security of its employees and users;

- roller shutters, in the event that the building has to be closed [normally 24/7 operation]
- Installation of cctv on stairwells, landings, on each floor of the car park and at the perimeter – to be monitored on site.
- Barrier controls for access / egress of vehicles.
- Windows overlooking entry and exit points.
- Limited access to ancillary rooms.
- Increase in parapet on top floor to deter suicides.
- External vehicle impact barriers
- Wire mesh panels aligned to restrict access / egress.

The proposed replacement car park includes design features which result in a more secure environment for its users and in this regard represents an improvement on the existing.

Public Realm
A separate application relating to Public Realm works has been submitted and is currently being considered by the LPA and will be reported to the Development Management Committee for consideration, at the appropriate time. An outline of such works in the vicinity of Academy way is provided below in order to give Members an indication as to how the works would help in the assimilation of the MSCP into the street scene.

Public realm improvements in Academy Way are designed to create a 'more civilised street with human scale, a street that is greener, less traffic dominated, more comfortable to use as a pedestrian and improved linkages north and south across Academy Way to link to future phases of the Bridge Street masterplan.' This is to be achieved by:

- Street Furniture including cycle stands, litter bins and bollards etc. will all be co-ordinated to reflect the branding of the Bridge Street Quarter.
- Standard street lighting will be provided as part of the highway lighting specification and will be used to provide amenity lighting to reinforce the avenue of trees which form part of the new street scape in Academy way.
• The planting of a central verge of trees to create an avenue that will segregate vehicular and pedestrian domains. The tree avenue will provide 'vertical green elements' that will break down the visual dominance of the road but will also soften the character and appearance of the street and help to integrate the new built form into the street scape.

In addition to the above, it is intended to carry out hard and soft landscaping works in the immediate vicinity of the site. This will include;
• The retention of existing trees on Moulders Lane
• The provision of landscaping at the pedestrian and vehicular access points into the site. This will comprise ornamental planting including evergreen and herbaceous perennials.
• The use of granite paving to the pedestrian entrance point and concrete paving to other frontages.

**Heritage**

The application site is not located in a conservation area, however the Bridge Street conservation area is close to the western boundary of the site, the Buttermarket Street conservation area is located to the north. The nearest listed and locally listed structures are located on Bridge Street. The site and immediately surrounding area, contains no buildings of architectural or historic merit. The buildings of architectural merit are primarily confined to Bridge Street. The historic street plan in the vicinity of Academy Way has been obliterated although some of the historic thoroughfares do remain in the Bridge Street area, albeit truncated as a result of previous redevelopments.

The proposed car park will be visible from the junction of Academy Way with Bridge Street. This view of Academy Way will change significantly following the regeneration of the Bridge Street Quarter. The demolition of the market hall and footbridge, the construction of the new Council Offices and park area [which replaces the existing Crown Chambers building], will result in a more open, uncluttered view of the street. The new multi-storey would be significantly larger than the existing and would provide a foil to the more traditional buildings which are part of the existing street scape at the western end of Academy Way. The existing MSCP is located at a point where Academy Way curves northwards, which places the building in a prominent location in the street scene. The new MSCP is considerably larger; however the materials of construction and design details would help the building to assimilate into the street scene, more satisfactorily than the existing. The architectural detailing adds interest to the façade, so that the building will appear less like a large lump of masonry and will instead add interest and variety to the street scene. It is considered that the new MSCP and associated regeneration projects would collectively improve the view eastwards down Academy Way, that is, the principal view of the MSCP from the Bridge Street Conservation Area.

Due to the phasing of the scheme, the MSCP is likely to be visible, from
Bridge Street during the construction of the new market hall. As is common to most redevelopment schemes, phasing of works is, in the short term, likely to open up views of buildings, some of which were never intended. This will have a temporary impact on the setting of the listed / locally listed buildings in Bridge Street. The holistic approach to redevelopment of the Bridge Street Quarter will ensure that, following completion of all phases of development, any short term adverse impact on the setting of listed buildings and the Bridge Street Conservation Area, will be negated.

The proposed replacement MSCP does not permit the reintroduction of historic street patterns in the vicinity of the site. The MSCP will be partially visible, at the end of the newly created vista looking south from the Buttermarket Street Conservation Area, down Bank Street. At outline planning stage, Historic England raised concerns that the MSCP would become a disappointing focal point of the newly created vista. These comments were based on the retention and refurbishment of the existing MSCP. The current scheme would result in the construction of a contemporary building which would be slightly offset from the main axis of Bank Street, predominantly allowing views of the glazed and illuminated circulation tower of the MSCP. The new structure would be viewed in the context of the new Council Offices block and an oblique view of the cinema, which would be comparative in scale and massing. It is considered that the MSCP would make a positive contribution to the views into the redevelopment area, from the Buttermarket Street Conservation Area.

The scale of the MSCP will be substantially greater than that of the existing; this will have an impact on the skyline of Warrington, which will be most noticeable when entering the town from the south. At the present time the skyline is dominated by four spires/ towers; St.Elphins, Holy Trinity, St Mary's and the Cabinet Works all of which are either listed or locally listed, in addition, the BT building has a notable presence due to its scale, massing and materials of construction.

The Bridgefoot gyratory system provides a physical barrier to built form on the south side of the town centre. The relatively open expanse of the highway network at this point, allows views northwards up Bridge Street and along Mersey Street. The urban area is predominantly characterised by low rise buildings with the exception of the aforementioned buildings. The combination of low rise buildings and open aspect from the south means the new MSCP will have a significant presence on the skyline. This visual prominence has the potential to enhance, harm or have a neutral effect on the significance of the heritage assets.

It is considered that the proposed development would have a neutral impact on the significance of the existing historic buildings as a result of its design and placement relative to the heritage assets. The building would not be located in close proximity to any of the aforementioned assets and it would not interrupt key views of these assets from within the town centre or outside the town centre. The building would not compete with or distract from the assets as a result of its architectural design or materials of construction. Whilst the existing MSCP is not a dominant skyline feature, its removal and replacement with a more harmonious structure and associated development,
would have a positive impact on the setting of the Bridge Street Conservation Area. It is considered that the benefits that would accrue from the development would outweigh any potential short term harm resulting from the phased development of the regeneration scheme.

**Impact – Scale and Massing**

The new MSCP would be of substantial scale and massing. It would be considered a ‘landmark’ building which would be visible from a number of vantage points around the town, but principally in long distance views on the southern approaches to the town and from the surrounding streets immediately adjacent to the site.

The building would form a focal point at the end of the vista from Buttermarket Street. It would also be visible from Mersey Street however; the bulk of the building will be screened by existing properties. Open views of the building would be visible across the DW Sports Centre car park from Academy Street in the east.

Notwithstanding the existing MSCP, the surrounding development is varied in terms of its height and appearance. To the north of the site, on the opposite side of Academy Way, was the former Times square development that has been demolished and the market building which is also to be demolished. The market building is a substantial C20th building of no particular architectural merit. It is intended that this building would be replaced by the new Council Office building which is 4 storeys, approximately 21 metres in height and of contemporary design. The new leisure building would also be a substantial structure at approximately 30 metres at its highest point.

To the south of the site there are 2 and 3 storey C20th commercial buildings which front Mersey Street and are separated from the site by a car park a distance of between 35 and 40 metres. This will be reduced to approximately 28 metres following the increase in footprint of the building.

To the east of the site is the DW sports building which is a low rise, system built building of no architectural merit. To the west there are a number of modern brick two storey buildings of more traditional design but of no great architectural quality. Any merit is derived from their scale, materials of construction and continuity of frontage which provides a physical link to Bridge Street.

If considered in isolation the proposed MSCP would appear disproportionate when compared to the existing scale of development in the area. However, it would be located in an area which is in transition and where the scale and massing of the proposal is commensurate with the wider scheme of regeneration. The scale and massing of the new buildings take into account the existing topography of the area which minimises their impact on the streetscape and key views both within and from outside the town centre.

The location of the new MSCP will be on the same site as the existing MSCP albeit a larger structure. The building will have the greatest impact in terms of access to daylight and sunlight, on the proposed new Council building which is to be located on the northern side of the building, The properties on Mersey Street which are all commercial, are located to the south of the building and should not be affected unduly by the building in terms of daylight and sunlight. The closest buildings to the west of the site are also commercial in nature with
no windows in the side elevation adjacent to the site, the closest rear window is in the rear of a property located on Lower Bridge Street being approximately 30 metres from the side of the MSCP. It should be noted that the MSCP is located in an urban area where larger scale buildings are the norm. The adjacent buildings are commercial in character. The lack of residential accommodation immediately adjacent to the site; the design of the building and its location relative to surrounding buildings, and the interface distance means that there would be no loss of light or privacy to habitable rooms in the immediate vicinity of the new MSCP. The scheme would therefore accord with policy QE6 of the Core Strategy which relates only to the need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking / loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

The introduction of tree planting in the newly created pedestrian refuge on Academy Way will also help to break up the mass of the building when viewed from the Bridge Street/Academy way junction.

Summary
The erection of a new MSCP with enlarged capacity will support the future vitality and viability of the town centre. The operational requirements of future commercial occupiers necessitate an increase in car parking capacity within the town centre, which can best be achieved on this site. Its development on the edge of the Bridge Street Quarter will encourage pedestrian movement through the newly created public square whilst providing good access to an upgraded road network.

The design of the building takes into account the scale and massing of existing and future development in the area and has regard to historic context. The proposed development would accord with the development plan and the presumption in the NPPF for sustainable development. The scheme would result in development that would achieve economic, social and environmental benefits for the town. The proposal would accord with the relevant policies of the NPPF and the Warrington Core Strategy.

Recommendation
This application is recommended for approval with 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 1/12/2016
(b) Submitted drawing No's:
L[00]74 Rev E - Multi-Storey Car Park Option 1a Contextual Elevations
L[00]75 Rev E - Multi-Storey Car Park Option 1a Contextual Elevations
L[00]75 Rev E - Multi-Storey Car Park Proposed section A and B [Illustrative Purposes Only]
L[00]10 Rev G - Multi-Storey Car Park Roof Level
L[00]08 Rev Q - Multi-Storey Car Park Seventh Floor
L[00]07 Rev Q - Multi-Storey Car Park Sixth Floor
L[00]06 Rev Q - Multi-Storey Car Park Fifth Floor
L[00]05 Rev Q - Multi-Storey Car Park Fourth Floor
L[00]04 Rev Q - Multi-Storey Car Park Third Floor
L[00]03 Rev U - Multi-Storey Car Park Second Floor
L[00]02 Rev W - Multi-Storey Car Park First Floor
L[00]01 Rev Z - Multi-Storey Car Park Ground Floor
L[00]114B - Coloured Elevation Academy Way
L[00]115B - Coloured Elevation Bank Street
L[00]116B - Coloured Elevation Moulders Lane Rear
L[00]117B - Coloured Elevation Moulders Lane
L[00]111 Rev F - Multi-Storey Car Park Option 1A - Building Elevation Bank Street
L[00]110 Rev F - Multi-Storey Car Park Option 1a - Building Elevation Academy Way
L[00]112 Rev F - Multi-Storey Car Park Option 1a - Proposed Elevation Moulders Lane Rear
L[00]113 Rev F - Multi-Storey Car Park Option 1a - Proposed Elevation Moulders Lane
L[00]63 Rev D - Extent of Highways and Public Realm Works to be Delivered with the MSCP
L[00]101 Rev C - Multi-Storey Car Park - Site Edged Red
L[00]146 Rev D - Site Edged Red - Existing Site Plan Identifying Red Line Application Boundary.
L[00]171 - Demolition Plan received on 1/12/2016.
M4864-121 Rev P01 - Context Plan MSCP received 7/12/2016
Transport Assessment December 2015 received 14/12/2015
M1327-018-MSCP-Photomontage[Gyratory]-8598 -TF
M1327-017-MSCP-Photomontage [Gyratory]-8594 -TF

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. Foul and surface water shall be drained on separate systems.
Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 10l/s.

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

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

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

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

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: If required (as determined by the findings of Section A above) a remediation and verification (validation) strategy shall be 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 site shall not be taken into use until the investigations, remediation and verification are completed. 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 REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

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

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

A: REMEDIATION & VERIFICATION: Remediation 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 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 REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); Paragraph 121 of the National Planning Policy
Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

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

6. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The development shall be carried out in accordance with the approved details.

Reason
To prevent pollution of controlled waters from potential contamination on site.

7. Any external plant shall be acoustically insulated to a scheme submitted to and approved by the LPA before the development commences. The scheme shall ensure that the background noise level at the boundary of the site or the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 10dBA below the existing background level.

Reason: To prevent an increase in background noise levels and protect the amenity of any residents and to accord with policy Qe6 of the Warrington Core Strategy.

8. Prior to the erection of any external mesh work or building envelope involved in the historic wireworks theme, the applicant shall undertake a noise modelling exercise to determine whether the proposed finish to the building may give rise to intermittent tonal, whistling or other noise disturbance caused by the passage of air through the multistorey car park. The assessment shall cover differing wind directions and differing wind speeds including steady state wind speed as well as gusting wind speeds. The aim of the assessment is to ensure that a rated noise level from the passage of wind through the structure does not exceed the background noise level at any nearby noise sensitive property. Once the results of the exercise and any mitigation measures or alterations to the structure have been submitted to the Local Planning Authority for approval.

Reason: To ensure compliance with noise level regulations and protect the amenity of the local community.
Authority and implemented, then further periodic verification shall be undertaken over the next 2 years during differing wind situations in agreement with the Local Planning Authority to validate the modelling exercise outcomes.

Reason: Complex surface treatments to the car park walls and the elevated height can cause noise disturbance due to unexpected airflow around the surface treatments which will be capable of impacting on amenity. Modelling followed by validation will minimise the chances of this with the aim of not having to perform modifications to the structure subsequently to mitigate nuisance noise. In order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy.

9. Prior to the erection of any external lighting on site, the applicant shall submit a comprehensive assessment of lighting details for the entire site. The scheme shall show levels of illumination around the site (isolux drawings) and shall show any overspill beyond the site boundary. Mitigation measures or installation requirements shall be clearly identified within the scheme as shall control measures such as time clocks/light sensors or other control methods. Once approved, the agreed scheme shall be implemented fully on a phase by phase basis prior to the use of that lighting being used and shall be retained as approved thereafter.

Reason: - In the interest of protecting residential amenity.

10. Prior to the commencement of any works on site, the applicant shall provide in writing a Construction Environmental Management Plan (CEMP) to the LPA for written approval. The CEMP shall review all construction operations proposed on site and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary: Proposed locations of Site Compound Areas, Proposed Routing of deliveries to Site Compounds or deliveries direct to site, Proposed delivery hours to site, Proposed Construction Hours, Acoustic mitigation measures, Control of Dust and Air Quality on site and consideration for joining a Considerate Contractors Scheme. The CEMP shall consider in each case issues relating to noise, dust, odour, control of waste materials and vibration. Once approved in writing, All identified measures within the CEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint.

Any changes to the identified CEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented.
Reason: To protect residential amenity from adverse impacts on amenity through noise, dust, air quality and general disturbance over a prolonged build and demolition process.

11. Prior to the occupation of the development the car parking area shall be hard surfaced and marked out as indicated on the approved plans: The car park shall be made available at all times and shall be retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, in order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to accord with Policy QE6 and of the Warrington Core Strategy.

12. Prior to the first use of the MSCP, a scheme of directional signage, to be installed on the local highway network and within the application site, shall be submitted to and approved in writing by the Local Planning Authority. The signage shall be implemented in accordance with the approved details prior to the first use of the development and retained as such thereafter.

Reason: In the interests of highway and pedestrian safety, in order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to accord with Policy QE6 and of the Warrington Core Strategy.

13. Prior to the occupation of the development, details of a scheme of bicycle parking, motorcycle parking and CCTV to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be occupied until the cycle and motorcycle parking facilities have been provided in accordance with the approved details and shall be retained as such thereafter.

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

14. Prior to the occupation of the development, details of a scheme of electric vehicle charging points and internal signing and lining inside the car park shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be occupied until the facilities have been provided in accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure that the development is sustainable and makes efficient use of energy, to comply with the NPPF, Policy QE1 of the Warrington Core Strategy and the Warrington SPD: Design and
Prior to the occupation of the development, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The MSCP shall not be occupied until the car park management plan has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure that the final details of the management of the car park are acceptable before work commences on site and to accord with Policy QE6 and of the Warrington Core Strategy.

The building hereby approved shall not be constructed until written and photographic details (including manufacturer’s details) of external facing materials shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples.

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

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, willfully 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.

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.
19. Prior to the first use of the building, all the highway works submitted in the revised Transport Assessment must be completed in accordance with the approved details, to the satisfaction of the Local Planning Authority, and thereafter retained.

Reason: In the interests of highway and pedestrian safety, in order to ensure that the final details of the highway scheme/works are acceptable before work commences on site and to accord with Policy QE6 and of the Warrington Core Strategy.

**Informatives**

1. 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 planning application be approved, the applicant should contact United Utilities on 03456 723 723 regarding connection to the water mains/public sewers.

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.

2. Due to the former land use(s), soil and/or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

- Following the risk management framework provide in CLR11, Model procedures for the management of land contamination
- Further information may be found on the land contamination technical guidance pages on the direct.gov website
  https://www.gov.uk/government/collections/land-contamination-technical-guidance

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of
practice for the investigation of potentially contaminated sites. The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites. The Specialist in Land Condition (SilC) qualification administered by the Institution of Environmental Management provides an accredited status for those responsible for signing off LCR’s. For further information see - www.silc.org.uk

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on site:
The CLAIRE definition of waste: development code of practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and /or land development works are waste or have ceased to be waste. The code of practice is available at: http://www.claire.co.uk

Under the Code of practice:
• Excavated materials that are recovered via a treatment operation can be re-used on site providing they are treated to a standard such they are fit for purpose and unlikely to cause pollution
• Treated materials can be transferred between sites as part of a hub andclusterproject
•Some naturally occurring clean material can be directly transferred between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically and that the permitting status off any proposed operations are clear. If in doubt we should be contacted on 03708 506 506 or at enquiries@environment-agency.gov.uk for advice at an early stage to avoid any delays.

Waste to be taken off site:
Contaminated soil that is, or must be, disposed of is waste. Therefore it’s handling, transport and disposal is subject to waste management legislation which includes:
• Duty of Care Regulations 1991
• Hazardous Waste (England and Wales) Regulations 2005
• Environmental permitting (England and Wales) Regulations 2010
• The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 characterisation of waste – sampling of waste materials – framework for the preparation and application of a sampling plan and the permitting status of any
proposed treatment or disposal activity is clear.

You should be aware that any permit may not be granted. Additional Environmental Permitting Guidance can be accessed via the government website at: https://www.gov.uk/environmental-permit-check-if-you-need-one

If the total quantity of waste material to be produced or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

3. For further advice concerning Contaminated Land Assessments, Air Quality Assessments, Odour Assessments, Noise or Lighting requirements, please refer to the Environmental Protection Supplementary Planning Document for further detail (http://www.warrington.gov.uk/downloads/download/1212/spd environmentalprotection)
   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.

4. 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.

5. 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 – Drawings
Site Location Plan

Development in the context of the Masterplan – MSCP coloured Green
Appendix 2 – Photographs of Site
Aerial View of the Site
Reason for Referral to Committee

Council school and land

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

- Proposed single storey entrance extension to the north west elevation
- Sited in a predominantly residential area with residential properties to the north south and west but with commercial premise to the east
- Nearest residential property is sited 14m to the north-west (37-35 Collin Street)
- Extension measures 6m by 5.4m and 3.9m high with flat pitch roof design. Finish material would be brown facing brick and felt roof covering.
- The area to be developed currently serves as an unused tarmac area to the front of the main building
• No significant variation in land levels noted
• No significant trees in close proximity of the extensions
• Boundary treatment consists of 2m high palisade fencing
• The site is shown as being sited within the Inner Warrington Boundary, Open Space Audit and Environment Agency Intermediate Risk Surface Water Area

**Relevant Planning History**

• Various alterations and extensions between 1974-2014, however none are relevant to the current proposal

**Planning Policies**

**National Planning Policy Framework (NPPF)**

**Local Plan Core Strategy (LPCS)**

• Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
• Policy CS2 Quality and Distribution of Development
• Policy QE3 Green Infrastructure
• 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

**Notification Responses**

**Neighbouring properties**
No comments received

**Consultation Responses**

**Ward Councillors**
No comments received

**Parish Council**
No comments received

**Observations**

**Principle of extending the school**

The proposed extension will provide a larger main entrance lobby and allow for a reception and admin office. Therefore it is clear that the extension will assist the function of the existing school.

Given that the proposal seeks to extend the existing school premise the proposal is consistent with the presumption in favour of sustainable development as advocated by the NPPF.
Design/Appearance/Conservation Area
The proposed extension would sit within an existing void to the front elevation. It would be set back from the road by 30m and would be partially screened from view given the siting behind existing residential properties. The extension would also have a limited projection and flat roof design. As a result it would not be overly prominent in the street scene and the scale and proportions would harmonise with the appearance of the existing building.

The proposed materials of brown facing brick and felt roof covering would also match that of the existing building and would therefore retain the character/appearance of the existing building.

Therefore no material harm to the overall character/appearance of the area or the existing building.

Residential Amenity
The extension would be sited 14m away nearest residential property to the north-west. Given the flat roof design, the retention of the existing front build line and the partial screening provided by the intervening boundary treatment it is not considered that the proposal would cause significant harm to living conditions through loss of outlook, overshadowing, oppressive impact or loss of privacy.

It is not expected that the use of the extension would result in any increased noise disturbance over and above that associated with the existing school as it is not aimed at increasing pupil or staff numbers.

Therefore the proposal would not cause material harm to living conditions.

Highways
The proposal seeks to improve the function of the building and is not therefore considered to result in an increase in pupil numbers or staff numbers.

Therefore the proposal would not cause material harm to highway safety.

Trees
No significant trees within close proximity of the proposal.

Therefore the proposal would not cause harm to important landscape features.

Playing Fields/Open Space
The tarmac area to be developed would not involve the loss of land designated as playing field/open space as this land relates to the playing fields to the east and south. As a result the proposal would not result in any loss of land capable of forming playing field/open space.

Flood Risk
The area to be developed is an impermeable tarmac surface. Therefore the proposed extension would not result in any significant increase in flood risk.
and is likely to provide additional drainage to this area of the site.

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, QE3, QE6, QE4, SN6 & QE7 and the National Planning Policy Framework. This is by reason of appropriate design, with no perceived detrimental impact upon landscape features, flood risk, surrounding neighbours, the character of the street scene, playing fields 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 6th January 2016

   (b) Submitted drawing No's 01 dated November 2015.

   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 extension hereby approved written and photographic details of the external roofing and facing materials (including manufacturer’s details) shall be submitted to the local planning authority for approval. The development shall be constructed in accordance with the approved details/samples

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

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 – Drawings/Plans

Proposed plans and existing plans
Photograph showing the existing front elevation
DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

ITEM 5

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<th>Application Number:</th>
<th>2015/27121</th>
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<td>Location:</td>
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<tr>
<td>Ward:</td>
<td>Appleton</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Proposed part retrospective new safety fence to rear of golf club</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>18-Dec-2015</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Warrington Golf Club</td>
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<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>11-Feb-2016</td>
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</table>

**Reason for Referral**

Objection from Appleton 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**

- Part retrospective consent for the erection of new safety fencing to the rear of the golf club
- Existing golf club with large grounds
- Sited in a predominantly residential setting
- Nearest residential properties sited to the north of the 1st hole
- Footpath separates residential properties and the golf course
- Situated within the Green Belt as per the Local Plan Core Strategy
Relevant Planning History

Applications for alterations/extensions to the golf club but none relevant to the current proposal

Planning Policies

National Planning Policy Framework (NPPF)
- Paragraphs 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 SN6 Sustaining the Local Economy and Services
- Policy SN7 Enhancing Health and Wellbeing
- Policy QE6 Environment and Amenity Protection
- Policy QE7 Ensuring a High Quality Place

Notification Responses

X3 objection letters have been received regarding the following:
1) Posts and netting would overshadow rear garden areas
2) Overbearing impact and loss of outlook
3) Out of character
4) Fencing has not been justified and risk is considered minimal
5) No other mesh fencing on site
6) Request the application is deferred to planning committee
7) Unclear is mesh will be see through
8) Higher than existing fence
9) Loss of house value
10) Loss of outlook/view

Consultation Responses

Ward Councillors
No comments received

Appleton Parish Council
Objection
- 6m height is considered excessive
- Loss of amenity for residential properties Hill House and Heritage due to overshadowing and overbearing impact.
- Breach of the 45-degree code
- Request deferral to planning committee and a site visit

Highways
No objection
The proposal would not obstruct the public right of way as it is located within
the boundary of the Warrington Golf Club and does not encroach onto the public right of way.

The Public Right of Way Officer has been consulted on the matter and has no objections to the proposals.

**Observations**

**Principle of development in the Green Belt**

The NPPF advises that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this is provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Therefore it is necessary to consider firstly whether or not the fencing constitutes a building for the purposes of the NPPF, secondly to consider whether or not the proposal would provide appropriate facilities for outdoor sport/recreation and thirdly whether or not it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

- **Definition of a building**

Section 336 of the Town and Country Planning Act considers a building to include any structure or erection. Therefore the proposed fencing is considered to constitute a building for the purpose of the NPPF.

- **Appropriate facilities for outdoor sport and recreation**

The proposal involves the erection of safety fencing to prevent golf balls leaving the site boundary. The applicant has also submitted an event log detailing how many occasions golf balls have cleared the site boundary, this indicates over the monitoring period (2007-2016) a total of 99 balls have cleared the boundary at this location on site. As a result the proposal is considered both an appropriate facility and clearly connected to outdoor sport/recreation use.

- **Conflict with the purpose of including land within Green Belt**

The NPPF lists the 5 purposes of including land within the Green Belt and they are as follows:

1) To check the unrestricted sprawl of large built-up areas – the proposed fencing would be contained within the boundary of the golf course and would not result in urban sprawl

2) To prevent neighbouring towns merging into one another – the proposed fencing would be contained within the boundary of the golf course and would not result in merging of towns
3) To assist in safeguarding the countryside from encroachment – the proposed fencing would be contained within the boundary of the golf course and would not result in countryside encroachment, nor is the location considered to constitute the countryside.

4) To preserve the setting and special character of historic towns – not sited in a historic town.

5) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land – the proposal would have a neutral impact as it would not use or impact on derelict land.

- Impact on openness

Openness is defined by the absence of built form. Therefore, based on this definition, the proposal would not preserve openness.

However, it is not considered that the wording “preserves openness” should be applied literally otherwise this would be in direct conflict with paragraph 89 which considers certain new buildings to be appropriate. If the NPPF was applied literally even the smallest structure would not preserve openness given the occupation of space which was previously free of built form. Clearly this is not the intention of the NPPF given the concession made for buildings for outdoor sport and recreation. It is therefore considered that the ability of a building/structure to preserve openness should be taken on a case by case basis.

In this instance, openness is already considered to be compromised by the residential buildings directly behind the northern boundary. Therefore open views beyond this site boundary are limited. The additional amount of openness to be reduced by the proposal is considered to be limited as the proposed netting material would retain open views through the gaps as the material has the thickness of a ball of wool. The supporting posts, despite their height, would also be viewed against the backdrop of the dwellings to the north and the boundary trees/planting.

As a result, given that views would remain through the netting and the posts would be viewed against the backdrop of existing built form, it is considered that the proposal would preserve the existing level of openness. Similarly, the existing fence would also have resulted in a loss of openness.

In conclusion, the proposal is considered to constitute an appropriate form of new development within the Green Belt which preserves openness and does not conflict with the purposes of including land within the Green Belt. The proposal is therefore considered to comply with paragraphs 72-92 of the NPPF.

Design/Appearance

Historically, there has been a 5m high (25m long) safety fence to the rear of the green to stop golf balls from leaving the golf course and entering the rear
gardens or the public footpath.

The fence became unfit for purpose due to the posts becoming unstable and needing to be replaced and also the fence developing holes and gaps which could potentially allow golf balls to pass through.

The proposed fencing measures 6m high and 30.5m long. The fencing would be sited on the northern boundary and would be viewed against the back drop of residential properties and boundary planting to the north. As a result the fencing would be read in the context of existing features rather than standalone development.

Despite the height at 6m, the posts would be slim in profile (between 0.100m-0.050m) and the in-filling netting would allow views through the fencing. Therefore the fencing would not be overly prominent.

As a result the proposal is not considered to cause significant harm to the character/appearance of the area.

Residential Amenity
The site is divided to residential properties to the north by the adjacent public footpath. The nearest residential properties (Heritage and Hill House) are sited 4m to the boundaries and 10m to nearest windows.

The neighbouring properties have their own boundary treatment to the footpath which consists of 1.8m high fencing, beyond this on the side of the public right of way but immediately in front of this boundary fencing to the neighbouring properties is staggered planting up to 7m high. The golf course also contains staggered trees and hedging on/close to the northern boundary ranging from 2-8m high. As a result the proposed fencing would be read in the context of existing features rather than standalone development. Therefore outlook to rear facing windows and garden areas is already impaired to a certain degree by the existing planting.

Despite the height of the proposed fencing at 6m, the posts would be slim in profile (between 0.100m-0.050m) and the in-filling netting would allow views through the fencing. Therefore the fencing is not considered to be overly prominent or result in a significant loss of outlook. There may be some loss of sunlight during the afternoons, however this would be limited to the profile of the posts and is not considered to be significant. The netting would allow light to pass through.

Weight also has to be attached to the safety benefits of the proposal given the need to provide additional netting to prevent balls leaving the site and falling onto neighbouring properties.

The golf club operates a policy where by any golfer who hits a ball over a boundary fence must report and record this in the incident book. Since the 25th August 2007 there have been 99 reported incidents of balls leaving the course boundary beyond the 1st green. As a result it is accepted that there is
a need to provide some form of protection to the neighbouring properties.

On balance, given the slim profile of the posts, the ability to see through the in-fill netting and the safety benefits of the fencing, it is considered that the proposal would not cause material harm to living conditions of the neighbouring properties.

**Highways**

It is proposed to replace the existing safety fence to the rear of the green with a 6m high and 30.5 wide see through mesh fence adjacent to an existing public right of way.

The applicant has stated that the existing fence is longer fit for purpose and therefore proposes a new fence that is higher and of a different construction. The applicant has stated that their proposal would prevent damage to surrounding properties and injury to people accessing the public right of way.

It is the LHA’s view that the proposal would not obstruct the public right of way as it is located within the boundary of the Warrington Golf Club and does not encroach onto the public right of way. The Public Right of Way Officer has been consulted on the matter and has no objections to the proposals.

In view of the above, there are no objections to the proposals on highways grounds.

**Sustaining the Local Economy and Services**

The proposed fencing is aimed at improving the security of the operations of the golf club and is therefore considered to assist the growth of the existing business of supported by Policy SN6.

**Summary**

The proposal is considered to be acceptable, subject to appropriate conditions, as it accords with Warrington Borough Council Local Plan Core Strategy Policies QE7, CS2, CS5, SN6, SN7, QE6 & CS1 and the National Planning Policy Framework. This is by reason of the proposal being considered an appropriate form of development in the Green Belt along with appropriate design, with no perceived detrimental impact upon surrounding neighbours, the character of the street scene 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 {18/12/15 & 09/02/16}
   (b) Submitted drawing No's {130/15/BP, 130/15/LP &130/15/1} dated December 2015.

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.

**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 – Proposed plans
Proposed site plan
Proposed elevations

Photograph of the proposed netting
Appendix 2 – Photograph of the site

Photograph of the fence when viewed from the public footpath

Photograph of the fence when viewed from Quarry Lane
Photograph of the facing neighbouring properties

Photograph looking through the fence towards the golf course
### DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

#### ITEM 6

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<thead>
<tr>
<th>Application Number:</th>
<th>2015/27149</th>
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<tr>
<td>Location:</td>
<td>Land Adjacent To Dallam Playing Fields, And St Marys Church, Longshaw Street, Bewsey And Whitecross, Warrington, WA5 0DY</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 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.</td>
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<td>Date Registered:</td>
<td>21-Dec-2015</td>
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<tr>
<td>Applicant:</td>
<td>Livewire CIC</td>
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<td>8/13/16 Week Expiry Date:</td>
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**Reason for Referral**  
Council land ownership

**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**

- Proposed Bewsey and Dallam hub compromising a new three storey building to provide fitness, leisure, community welfare facilities including a learner and therapy pool and smart library services, car park and associated lighting and landscaping
- The land is Council owned and the proposal aims to provide integral health and wellbeing facilities for the community, along with the
provision of accessible facilities such as ramps, passenger lifts, changing room and WC’s and dementia friendly features

- The proposal will provide 42 car parking spaces, 4 motorcycle spaces, 5 cycle spaces and 1 bus space
- Currently a vacant plot compromising part of a hard surface area and natural vegetation. Site area totals 0.30 hectares and the floor area of the leisure space totals 998sqm
- Situated to the north of the Dallam Brook in a predominantly residential area with residential properties, play area and church building to the north, residential to the south and open space to the east and west
- Nearest residential properties to the north sited 100m away and 44m away to the south
- No significant variation in land levels noted
- Low quality planting noted to the site boundaries along with 2m high concrete fencing to the side boundaries

**Relevant Planning History**

- 88/22128 – Fencing and bowling green (approved)
- 96/35665 – Snooker room (approved)
- 97/36711 – Boiler room and store (planning permission not required)
- 2010/17000 – Play area (approved)

**Planning Policies**

**National Planning Policy Framework (NPPF)**

- Sustainable Development
- Promoting Healthy Communities

**Local Plan Core Strategy (LPCS)**

- Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
- Policy CS2 Overall Spatial Strategy – Quality and Distribution of Development
- Policy CS6 Overall Spatial Strategy – Strategic Green Links
- Policy SN5 New Retail and Leisure Development within Defined Centres
- Policy SN6 Sustaining the Local Economy and Services
- Policy SN7 Enhancing Health and Wellbeing
- Policy QE4 Flood Risk
- Policy QE5 Geodiversity and Biodiversity
- Policy QE6 Environment and Amenity Protection
- Policy QE7 Ensuring a High Quality Place
- Policy MP10 Infrastructure

**Notification Responses**

No comments received
Consultation Responses

Ward Councillors
No comments received

WBC Environmental Protection
No objection subject to the imposition of the following conditions/informatives
  1) Contaminated land
  2) External plant/equipment
  3) Lighting
  4) Dust control
  5) Food safety

WBC Highways
Concerns are raised regarding the movability of vehicles within the site; however it is considered that these concerns can be overcome by conditions. As a result no objection subject to the imposition of conditions requiring the following:
  1) Car, cycle and motorcycle parking spaces to be provided and retained
  2) Servicing management strategy to be provided
  3) Details of site access & construction details to be provided

WBC Flood Risk
No objection subject to the imposition of a condition requiring submission of a detailed design for the drainage layout and attenuation

WBC Parks and Landscapes
WBC is currently in the process of improving the meadows with the installation of pedestrian routes to link up with the wider greenspace network, refurbishment of the bridge structure and new tree planting. The land is not extensively managed but is presented as informal green space. Looking at the development proposal; it is apparent that the majority of the land take will be landscaped for public amenity use so I would not have any issue with the proposal

WBC Arborist
No comments received

WBC Ecology
No objection subject to the imposition of conditions regarding the following:
  1) Invasive species
  2) Lighting
  3) Protection of Dallam Brook
  4) Biodiversity Enhancement

WBC Street Lighting
No objection
**Sport England**
Do not wish to comment on this type of application

**National Grid**
No objection provided the buildings are sited 8m away from the pipeline

**Environment Agency**
To be reported

**United Utilities**
No objection subject to the imposition of conditions regarding foul and surface water drainage

**Observations**

**Neighbourhood Hubs**
Policy SN4 advises that neighbourhood hubs should be sited in defined centres in the first instance. Where they cannot be provided in the centres they should be in sustainable locations where the development would support the accessible co-location of facilities and services.

The current site is sited just outside of the Longshaw Street Local Centre. Therefore the applicant has prepared a business case which seeks to justify the location outside of the centre.

- **Existing Provision**
The report has looked at the availability community/leisure uses within the locality and advises that the current Community House facility in Bewsey and Dallam is not fit for purpose and is therefore due for demolition. It also advises that Bewsey and Dallam has gradually lost many of the original community features it did have, including churches, shops, community centres and local community offices.

The report has also assessed the availability of leisure/community uses within the Local Centre and concludes that not only is there a shortfall of provision, the existing uses are not suitable large enough in size to accommodate the proposed use.

As a result the report suggests that to achieve the scale of the step change required in Bewsey & Dallam a community hub is required to address the wellbeing and health inequalities within the area.

- **Need and benefit for new provision**
In order to act as a guide for the regeneration of Bewsey and Dallam a Master Plan was developed in March 2014 which considered the creation of a community hub as one of the most important objectives, to co-exist with and complement other community facilities in the locality.

The locality does not have a single location where all residents from both areas can meet up and this has reinforced the sense that there are two distinct areas separated by a gap between the two housing areas. The hub
will also serve as a base for a range of much needed community activities already identified in both the Central Neighbourhood Plan and the Activator Programme. It is also anticipated that the hub may accommodate a number of co-located services delivered by a range of partners.

- The chosen site

The site is located adjacent to existing play provision to the north and green space to the west. As a result it would provide a clear link to these existing community features.

This site has also been derelict and unused for a number of years. By redeveloping this land it will bring a derelict and unused site back into productive use contributing to other programmes that are aiming to improve the local environment.

Finally the Local Centre currently has just one D2 use and no D2 uses. Therefore the proposal will add to the overall diversity of uses in close proximity to the Local Centre.

As a result it is considered that the location outside of the Local Centre has been justified given the need for community/leisure provision in this locality and the inability of other sites within the locality to accommodate the proposal. The hub would allow the co-location of services/facilities and has obvious benefits to health and well-being and other wider benefits to the local community. The location is also considered sustainable and assessable to the local community given the siting in between residential settlements to the north and south which are also served by bus and cycle routes.

Design/Appearance

The proposed development will be constructed using a steel frame. The building will have a contemporary appearance with curtain walling to the second floor and facing brickwork. The building will be more enclosed and robust to the lower floors. At 3 storeys it will be higher than surrounding residential properties to provide a view of the area from the upper floors and is intended to become a focal point for the community.

The immediate street scene in which the development will be sited is fairly spacious with large gaps between buildings to the north and south and open land to the east and west. Therefore it is considered that the site is capable of accommodating the proposal without appearing over dominant, despite its height and modern appearance.

The modern design and appearance is considered to take advantage of good design as advocated by the NPPF paragraph 58 which advises local authorities to ensure that developments do the following:

1) Function well and add to the overall quality of the area
   The development will provide community facilities that will be accessible to the local community and the modern design is considered
to make a significant contribution to the appearance of this derelict site and the street scene in which it sits

2) Establish a strong sense of place
   The proposed modern design is considered to result in the creation of a landmark feature in its own right which will help to create a focal point and thus create a sense of place

3) Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks

   The development will provide a range of community facilities and associated green space

4) Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation

   Whilst the development would break away from the traditional red brick appearance of the area, it will encourage innovative design to not only function in terms of community need but will also provide a building which will be highly insulated to the walls and roof with an energy efficient double glazing curtain walling system. It will make use of Daylight and natural ventilation where possible. Furthermore, arrays of photovoltaic panels will be installed on the roof

5) Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion are visually attractive as a result of good architecture and appropriate landscaping

   The development will provide good natural surveillance given the use of large floor to ceiling height windows. The architecture will provide a functional building to serve the local community, with a well-designed, attractive exterior and an energy efficient building. The proposal also involves additional landscaping.

   Overall the proposal is considered to take advantage of good design and would result in a building which would function in terms of providing community facilities and also resulting in a landmark building which would help to provide a sense of place.

Residential Amenity
The development would be sited 100m away to nearest properties to the north and 44m away to the properties to the south. These separation distances would prevent any harm to living conditions through loss of outlook, overshadowing, oppressive impact or loss of privacy.

The separation distance to be provided along with the physical separation provided by the church to the north and brook to the south would prevent
harm to living conditions through noise and disturbance. A condition is recommended to control opening/closing hours.
The proposal would not cause material harm to living conditions – especially if controls via other regimes such as premises licencing are available to prevent noise and disturbance at unsociable times.

**Highways**
The proposed floor space overall is 998 sq. m, however this is split between leisure use (225 sq. m) and community / hub facilities (747 sq. m) within the building. To meet the Councils car parking standards for the leisure use 10 car parking spaces are required based on 1 car parking space per 23 sq. m. The hub use proposes a variety of uses including library, café, studio use and wellbeing facilities which a number of different car parking standards could be applied to, however, it is felt a robust assessment would be to employ the leisure standard of 1 car parking space per 23 sq. m. Therefore to meet the Councils car parking standards for the hub facilities, the provision of 32 car parking spaces should be provided, therefore 42 spaces are required overall incorporating 3 disabled parking spaces and 2 enlarged car parking spaces. 3 spaces within the site should be marked out clearly as disabled spaces.

6m aisle widths are provided within the site which is acceptable and the proposed car parking spaces comply with the Councils car parking dimension standard of 2.5m x 5m.

The proposals include 41 parking spaces incorporating a total of 5 enlarged and disabled spaces and an ambulance parking space and drop off / delivery bay is shown, swept paths have been submitted to demonstrate that the ambulance parking space can be accessed and egressed safely. The disabled / enlarged and ambulance spaces are shown closest to the main entrance to the building and a footway is shown around the edge of the building and through the car park from the spaces to access the main entrance. It is considered that with the provision of the drop off bay that the Councils car parking standards have been met across the site.

Motorcycle parking for leisure use is based on the potential number of users of the building and the applicant has suggested on this basis there is a requirement for 4 motorcycle parking spaces and 11 cycle parking spaces. The motorcycle parking should be provided with secure lockable points. The proposed motorcycle parking is located within the car park to the rear and in principle this is acceptable subject to the provision of secure lockable points which should be secured by condition.

Cycle parking should be provided for both short stay and long stay visitors to the site. Three Sheffield stands are shown adjacent to the entrance square which are acceptable for short stay use; 1m spacing is shown between the stands to allow them to be used on both sides, which meets the Councils standards.

A cycle shelter is indicated within the rear car park for long stay (staff) use, the LHA would request that this facility is provided in a secure and covered
facility in order to be acceptable which should be secured by condition.

The proposed access road is 4.8m wide which is wide enough for a large vehicle and a car to pass each other which is acceptable.

The developer has demonstrated that there is adequate space within the site for parking, manoeuvring, loading and unloading to meet the operational requirements of the development. The proposals include an ambulance / drop off and delivery bay will allow vehicles to turn within the site and has confirmed that large vehicles will not pass beyond this point into the site.

The submitted Transportation Statement does not detail the servicing requirements of the site and therefore this should be included within a service management strategy.

The Councils car parking standards state that a coach parking space should be provided for this type of use, it is considered that the facilities on Longshaw Street will meet this requirement.

An adequate visibility splay is required to meet the requirements of Manual for Streets for highway visibility (25m in either direction for a 20mph road) and 2m x 2m pedestrian visibility with nothing higher than 0.6m in the visibility splay which must be within land under the control of the applicant.

The applicant would need to engage with WBC Highways through a road opening permit for the revised access point onto the public highway.

The applicant must ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

The proposals are acceptable subject to conditions requiring the parking spaces to be provided, cycle and motor cycle parking spaces to be provided, servicing management strategy and site access & construction details.

Trees
There are no significant trees or areas of planting on the site and so the proposed landscaping scheme would significantly increase the quality of landscaping here.

Pond Buffer
Dallam Brook is sited 8m away to the south of the site is separated from the development site by planting/fencing. The majority of the site is currently laid to hardcore. Subject to conditions suggested by the Council Ecologist it is not considered that the proposal would cause material harm from an Ecology point of view.

Flood Risk
The majority of the site is currently laid to an impermeable hardcore surface. Subject to the conditions suggested by United Utilities and the Councils Flood
Risk Team it is not considered that the re-development of the site would pose any concerns from a Flood Risk point of view.

**Public Open Space**
The site is shown in the Open Space Audit 2012 as “Natural/ Semi natural green space”. It is also shown as a “green link” as part of policy CS6

The Council are currently in the process of improving the meadows to the rear with the installation of pedestrian routes to link up with the wider greenspace network, refurbishment of the bridge structure and new tree planting. Therefore the development of the site and the associated outdoor areas and landscaping will improve the overall attractiveness of the site and is likely to result in a visual green link between the site and the land to the rear.

As a result it is considered that the proposal will support the aims of Policy CS6 by maximising the environmental and socio-environmental benefits of the site and its links to the existing Green infrastructure.

**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, CS6, SN5, SN6, SN7, QE4, QE5, QE6, MP10 & QE7 and the National Planning Policy Framework. This is by reason of the out of centre location being justified by the shortfall of community leisure facilities in the location and the wider community benefits of the proposal and the ability to co-locate services/facilities with appropriate design, with no perceived detrimental impact upon the character/appearance of the area, landscape features, ecology, flood risk, 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 {21st December 2014}
   (b) Submitted drawing No’s {WSA/0329.P1.01.P2 Location plan, WSA.0329.P1.02.P2 Existing site plan, WSA.0329.P1.03.P4 Proposed site plan, WSA.0329.P1.04.P1 Proposed ground and first floor plans,
Proposed second floor and roof plans, Proposed elevations, Proposed sections AA, BB, CC, Proposed sections DD, EE, Proposed sections DD, EE

Annotated site plan 1 of 2, Annotated site plan 2 of 2, Proposed site entrance showing visibility splays, Proposed site entrance - traffic analysis 1 of 3, Proposed site entrance - traffic analysis 2 of 3, Proposed site entrance with dropped kerbs and tactile paving & Proposed site entrance with dropped kerbs and tactile paving &

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 use hereby permitted shall not be open to customers except between the hours of [7am-10pm] on Mondays to Fridays and 8am-6pm] on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interests of amenity and to comply with Policy QE6 of the Warrington Core Strategy, Warrington SPD: Environmental Protection and Warrington SPD: Design and Construction.

4. None of the building(s) hereby approved shall be constructed until written and photographic details of the external roofing and facing materials (including manufacturer’s details) shall be submitted to the local planning authority for approval. The development shall be constructed in accordance with the approved details/samples

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

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, willfully 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. Prior to the commencement of the development hereby approved details
shall be submitted to the LPA in writing for approval showing existing and proposed levels across the site and including finished slab levels of all proposed buildings. Proposed plans shall include a level (eg. highway or footpath) adjacent to the site that will remain fixed/unchanged. The development shall then only be carried out in accordance with the approved details.

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).

7. Prior to commencement of development hereby approved Japanese knotweed (Fallopia japonica), Himalayan Balsam (Impatiens glandulifera) and Rhododendron shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species in accordance with details that have first been approved in writing by the Local Planning Authority.

Reason: To prevent the spread of species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)

8. A habitat management plan shall be submitted to the local planning authority for approval prior to the occupation of the development. The plan shall include:
   (i) Details of how the Brook will be protected during the construction period
   (ii) How surface water run-off or building materials will be prevented from entering the water course

The plan shall be fully implemented as approved during the construction period

Reason: In the interests of nature conservation and to accord with the NPPF.

9. Prior to the erection of any building(s) hereby approved the applicant shall submit for the approval by the Local Planning Authority detailed proposals for the incorporation of features into the scheme suitable for use by roosting bats and birds. The approved proposals shall be permanently installed in accordance with approved details.

Reason: To protect species of conservation concern and to accord with the NPPF.

10. 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:

103
• 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 be 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 site shall not be taken into use until the investigations, remediation and verification are completed. 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 REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); 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.

11. 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 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 REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); 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.

12. Any externally mounted plant or equipment shall not cause an increase in the ambient background noise level at the boundary of the nearest residential property.
   Any equipment not able to meet this requirement shall be acoustically treated prior to the commencement of the use hereby permitted.

   For the avoidance of doubt calculated noise levels from any externally mounted plant or equipment at the boundary of the nearest noise residential property should be at least 10dBA below the existing background level.

   Reason: To prevent an increase in background noise levels and protect the amenity of any residents.
13. Prior to the erection of any external lighting on site, the applicant shall submit a comprehensive assessment of lighting details for the entire site. The scheme shall show levels of illumination around the site (isolux drawings) and shall show any overspill beyond the site boundary. Mitigation measures or installation requirements shall be clearly identified within the scheme as shall control measures such as time clocks/light sensors or other control methods. The lighting details shall also show that lighting during construction and post development be directed away from the brook. Once approved, the agreed scheme shall be implemented fully on a phase by phase basis prior to the use of that lighting being used and shall be retained as approved thereafter.

Reason: - In the interest of protecting residential amenity, nature conservation as per Warrington Development Plan Policies CS1, QE6, QE5 and the NPPF

14. Prior to the commencement of the development hereby approved a detailed design for the drainage layout and attenuation shall be submitted to the LPA in writing for approval. The approved details shall then be implemented in full and retained hereafter unless otherwise agreed in writing with the LPA

Reason - To prevent an increase in Flood Risk in accordance with Warrington Development Plan Policies CS1, QE4 and the NPPF

15. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution in accordance with Warrington Local Plan Core Strategy Policy QE4 and the NPPF

16. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

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

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This
condition is imposed in light of policies within the NPPF and NPPG and Warrington Local Plan Core Strategy Policy QE4

17. Prior to the occupation of the development, the car parking and turning areas to serve the development shall be laid out and surfaced in accordance with approved drawing no WSA.0329.P1.03. Revision P3, and made available for use and retained as such thereafter.

Reason: In the interest of highway safety in accordance with Local Plan Core Strategy Policies CS1M QE6, QE7 and Warrington Parking Standards SPD

18. Prior to the occupation of the development, details of a scheme of bicycle and motorcycle parking to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be occupied until the cycle and motorcycle parking facilities have been provided in accordance with the approved details and shall be retained as such thereafter.

Reason: To provide a range of different transport modes to and from the site to reduce car alliance in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 and the Warrington Parking Standards SPD

19. Prior to the occupation of the development, a servicing management strategy including swept paths shall be submitted to and approved in writing by the Local Planning Authority. The hub shall not be occupied until the servicing management strategy has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Prior to the commencement of the development visibility splays of 2.4 metres by 25m shall be provided at the site access junctions and retained as such thereafter. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

Reason: In the interest of highway safety in accordance with Policies CS1, QE6 and QE7 of the Warrington Local Plan Core Strategy

20. Prior to the first occupation of the development, the site access shall be laid out in accordance with approved drawing no WSA.0329.P1.14 Revision A and highway construction details shall be submitted to and approved in writing by the Local Planning Authority. The access arrangements are to be implemented in accordance with the approved details, and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Policies CS1, QE6 and QE7 of the Warrington Local Plan Core Strategy
**Informatives**

1. The applicant is advised to consider implementing a range of dust suppression measures during the demolition and construction phase. Dusts from demolition and construction projects can easily become wind entrained and affect the amenity of sensitive properties around the periphery of the site. Advice on appropriate mitigation measures can be sought from Environmental Protection Officers who can be contacted on 01925 442589. Typical measures would include dampening down of dry or dusty wastes and limiting the storage of fine aggregates where they can become wind entrained.

2. The applicant is advised to seek further advice and guidance on Food Safety/Health & Safety matters from the Commercial Environmental Health Team. Advice and guidance can be provided with a small charge and may assist the applicant with the smooth operation of the business. Please contact the following number for further advice: 01925 442645.

3. It is essential that access to the pipeline is not restricted, particularly in the event of an emergency. Therefore, there must be no obstructions within the pipeline’s maintenance easement strip, which would limit or inhibit essential maintenance works on the pipeline. The BPD (Building Proximity Distance) for the Ditton Widnes-Warrington Pipeline is 8 metres.

4. 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.

5. 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
6. The applicant should be advised that a Road Opening Permit needs to be obtained to provide the required amendments to the existing vehicular access to Longshaw Street and should liaise with John Ansell on 01925 442559.
Appendix 1 – Proposed plans
Existing Site Plan
Proposed Site Plan
Proposed floor plans
Proposed elevations
Appendix 2 – Photographs

View of the site from the road

View of the existing entrance
View of the street scene to the South

View of the street scene to the North
<table>
<thead>
<tr>
<th><strong>Reason for Referral to Committee</strong></th>
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<tbody>
<tr>
<td>The site is owned by the Council.</td>
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**Human Rights**

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

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

**Site and Proposals**

The application is an existing industrial unit within the Sankey Bridges Industrial Estate on Liverpool Road, Great Sankey.

There are no external change proposed to the building itself. Additional car parking spaces and landscaping is proposed as part of the application.

The application changes the use of the current unit to provide two Dance Studios (to the ground and first floors). The floor space of the unit is 211 sq. m.

The opening times of the dance school would be:
16:00 – 20:00 Tuesday
16:00 – 21:00 Thursday
16:00 – 21:00 Friday
09:00 – 17:30 Saturday

The proposed car parking layout proposes 9 car parking spaces for the building. 2 spaces located to the east of the site which will be allocated for staff only use, 4 spaces located accessed from Old Liverpool Road and 3 car parking spaces (and 2 motorcycle parking spaces) accessed via an additional 5 metre wide access point (adjoining number 30 Liverpool Road), west of Old Liverpool Road. The staff car parking spaces should be marked out and controlled as such. A segregated pedestrian route to the public highway is also proposed.

Low-level foliage, shrubs (including a total of 5 existing trees) currently exist in the area proposed to provide additional parking spaces to the east of Old Liverpool Road. The applicants hopes to retain 2 of the existing trees and provide a new laurel hedge would be erected around the perimeter of the wall next to Liverpool Road

The following measures are proposed in order to reduce the leakage of noise from the building:

- An insulated stud wall would be erected in front of the roller shutter door at the rear of the unit.
- An insulated suspended ceiling will be across the ground floor

Planning History
None relevant

Planning Policies

National Planning Policy Framework
The Framework sets out Core Planning Principles including achieving high quality and good standards of amenity. In particular, the following chapters need to be considered:
Chapter 4 – Promoting sustainable transport
Chapter 8 – Promoting healthy communities

Local Plan Core Strategy
CS1 Overall Spatial Strategy - Delivering Sustainable Development
QE6 Environment and Amenity Protection
QE7 Ensuring a High Quality Place
Policy SN 6 Sustaining the Local Economy and Services
Policy SN 7 Enhancing Health and Well-being
MP1 General Transport Principles
MP7 Transport Assessments and Travel Plans

Supplementary Planning Documents
Standards for Parking in new development (2015)

Other Material Considerations
Planning Practice Guidance (PPG March 2014)
Notification Responses
Neighbours – 2 letters of objection received. Grounds of objection;
- lack of parking provision
- increased traffic
- security issues road safety
- noise (especially at night)
- loss of mature trees

Consultation Responses
Warrington BC (Environmental Protection)
No objections subject to informatics.

Warrington BC (Highways)
The floor space of the unit is 211 sq. m and therefore does not meet the floor space requirements for a Transportation Assessment or Transport Statement or Travel Plan.
To meet the Councils car parking standards for the proposed use the provision of 9 car parking spaces should be provided that comply with the Councils dimension standards of 2.5m x 5m with 6m aisle widths.
The proposed car parking layout indicates 9 car parking spaces for the building. 2 spaces located to the east of the site which will be allocated for staff only use, 4 spaces located on Old Liverpool Road and 3 spaces accessed from a separate access west of Old Liverpool Road. The proposed car parking spaces meet the Councils dimension standards and are acceptable in their arrangement subject to the two spaces to the rear of the unit being used for staff parking only. The staff car parking spaces should be signed and controlled as such.
The vehicular access to the east of the site is approximately 5m wide and therefore should be adequate for simultaneous access and egress. A segregated pedestrian route to the public highway should be provided and boundary treatments amended to allow this, the applicant has amended the plans to provide this.
In lieu of information relating to the maximum number of users on site at any one, the D1 ‘hall’ cycle parking standard has been used which demonstrates a requirement for 4 cycle parking spaces for the site, a mixture of short stay for visitors (located in a well overlooked location with multi point locking) and secure and covered long stay spaces for staff. 2 sheffield stands are proposed providing 4 short stay cycle parking spaces, long stay provision for staff should be provided within the building.
2 motorcycle parking spaces are required for the use and should be provided with secure lockable points, the plans have indicated two spaces in an acceptable location and secure locking points will be provided.
Bin storage is not detailed; however, it is not considered that there would be a high level of refuse associated with the proposed use.
Pedestrian routing to the site should be considered and the applicant needs to ensure that there are adequate footways around the site to enable access. The applicant has proposed an unobstructed pedestrian path between the two car parks to improve access to the site.
Whilst no Transport Statement has been submitted a Change Of Use statement has been provided which details that the general opening times of
the dance school will be 4pm to 8pm Tuesday, 4pm to 9pm Thursday, 4pm to 9pm Friday, 9am to 5.30pm Saturday. The busiest day is stated to be Saturday and according to the statement, the estates other tenants do not typically operate their businesses (with the exception of Trade Frame who operate until lunchtime). As a result, the industrial usage of the site will be minimal at the unit’s busiest time.

Whilst this may be the case currently, there is no way to restrict the industrial uses to extend their opening hours to evenings and weekends. Also by the nature of the use, there may be parking pressures at the times of class crossover, when one class ends and another starts and therefore, the LHA would request a car parking management strategy to ensure that the site works effectively at the busiest times and to ensure that safety isn’t compromised within the vicinity of the site. The dance classes are proposed to have a 15 minute staggered start / finish times at the busiest time to ensure that adequate parking is available for each class and to ensure that parents picking up and dropping do not cause obstruction and congestion on Liverpool Road and Old Liverpool Road in the vicinity of the site. This measure should be included within a car parking management plan.

There are no objections on highways grounds subject to satisfactory conditions:

**Observations**

**Land Use Principle**

The NPPF states that there is a presumption in favour of sustainable development. The unit is within an industrial estate, and indeed a wider industrial area. The proposed use is not deemed to be unsuitable for the area and will no create a conflict of interest with surrounding properties.

Policy PV1 of the Core Strategy sets out that development in existing employment areas for purposes other than B1, B2 or B8, or a sui generis employment use will be permitted where it can be demonstrated that:

- the development relates to ancillary services which will support the employment area by making it more sustainable, viable and/or;
- the site is no longer suitable or viable for employment uses and
- the proposal will not undermine the viability of existing employment uses in close proximity of the site

The property is currently unoccupied and has been vacant for 12 months. The property has been advertised; however no offer has been received except from the current applicant. On this basis, it is considered that there appears to be no realistic prospect of letting the unit for employment use in the near future and that it would be preferable for the unit to be occupied and making a positive contribution to the local community.

There are no external changes proposed and the landscaping and revised parking proposed by the applicant is acceptable therefore the proposal is compliant with Core Strategy Policy QE7.

The proposed use offers a facility which contributes towards health and well-being. Policy SN7 of the emerging Core Strategy supports the development of
health facilities (but directs them to defined centres where possible). Paragraph 73 of the NPPF identifies that access to opportunities for recreation can make an important contribution to the health and well-being of communities. The proposal would promote healthy lifestyles in accordance with Policy SN7 and the NPPF which weighs in favour of the proposed development.

In addition Policy SN6 seeks to protect local employment opportunities, community facilities and local services. It is not considered that the proposed change of use would seriously harm the wider availability of employment premises - nor that this would impact adversely impact on the availability of services in the local community.

Core Strategy Policy QE6 seeks to ensure that development will not lead to an adverse impact on the environment and amenity of future occupiers or those currently occupying adjoining or nearby properties, or does not have an unacceptable impact on the surrounding area. The proposal is compliant with QE6.

The applicant has liaised with the Local Highway Authority to provide suitable car parking areas. This has been considered during the decision making process and conditions have been attached to secure this, as suggested by the Local Highways Authority.

The applicant has submitted further amendments to achieve the necessary parking facilities required by the LHA and in support of the application.

Overall, it is considered that the nature of the proposal; its accessible location and its potential contribution to supporting health and well-being objectives all weigh in favour of the proposed use, and would bring its own new employment prospects. The proposal is considered to be acceptable in principle in this instance.

Design Considerations
The proposal does not indicate that there would be any external alterations resulting from the proposed change of use. Overall it is considered that the proposal would not cause harm to the character and appearance of the area.

Flood Risk
The lawful industrial use of the building and the proposed use as a dance studio would not change the vulnerability classification of the building in that both existing and proposed uses would remain in the "less vulnerable" category. A condition requiring surface water drainage details is also proposed.

Highways
The level of parking that can be accommodated by the existing complies with the required level set out by the Council’s parking standards. The applicant has worked closely with the Councils’ Highways team to ensure amended layouts have been submitted and agreed and on this basis it is not considered
that any highways issues will arise as a result of the proposals and therefore no highway objections are offered, subject to suggested conditions

Residential Amenity
Nearest existing dwellings are located to the north side of Liverpool Road (between 15 and 27 metres) and to the east (on the south side of Liverpool Road) at a distance of 45 metres from the building. Existing houses to the north of Liverpool Road currently face the existing industrial estate/existing industrial units to the opposite side of Liverpool Road, (which is a busy road in this location). Bearing in mind the existing industrial activity and traffic noise in the locality and coupled with the applicants proposed noise reduction proposals within the building, it is unlikely that significant noise disturbance will be felt by existing residents nearby. There are also no existing windows/doors in the building which face the existing housing. Subsequently the Councils' Environmental Protection Team raises no objection to the planning application.

Summary
Taking into account the provisions of the development plan in so far as they are material and all other material considerations it is considered that the proposal would not result in detrimental impacts to amenity, highway safety, the character and appearance of the area nor to employment policies. It is considered that - although encouragement is given to locating uses such as that proposed in the most sequentially preferable locations - that the particular operational needs of the proposed dance studios could not reasonably be met by a location within an identified retail centre.

Conditions have been recommended to make the proposal acceptable in terms of highway impact.
For these reasons it is considered that the proposal is compliant with the relevant policies of the Core Strategy and the Framework.

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 27 October 2015
   (b) Submitted drawing No's X018 AL01, X018 AS01 REV A, X018 AP01 REVI and X018 AL02 REV A received on 11 February 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. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without the prior written approval of the Local Planning authority

   Reason: To ensure that the development will be of a satisfactory appearance and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction

4. Prior to the occupation of the development the car parking areas to serve the development shall be laid out and surfaced in accordance with approved drawing no. AP01 Rev I, and made available for use and retained as such thereafter.

   Reason: In the interests of highway safety

5. Prior to the occupation of the development the cycle and motorcycle parking to serve the development shall be laid out and provided in accordance with approved drawing no. AP01 Rev I, and made available for use and retained as such thereafter

   Reason: In the interests of highway safety

6. Prior to the commencement of the development, a scheme for the full highway construction details of the new pedestrian amended pedestrian crossing point including dropped kerbs and tactile paving shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be implemented in accordance with the approved details and made available for use prior to first occupation of the development and retained as such thereafter.
Reason: In the interests of highway safety

7. Prior to the occupation of the development, a car parking management plan that details staggered class start times and the staff only car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. The new building shall not be occupied until the car park management plan has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety

8. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to the local planning authority for approval. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters
ii. include a timetable for its implementation; and
iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: In order to comply with the NPPF and Policy QE6 of the Warrington Core Strategy.

Informatives

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in paragraphs 186-187 of the National Planning Policy Framework.

2. 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.

3. 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

4. Contaminated Land Informative: Ground Disturbance & Gas Risk

Historical mapping indicates a former potentially contaminative land use that may affect the (re)development of the site. The site was formerly used as a Lead Works (CL0180) and the land is located within 250m of ground gas generation sources (CL0183: Refuse Tip, CL0164: Landfill, CL0184: Infilled Ground, CL0198: EA Landfill Site), which may represent a potential ground gas generation source. As such, new buildings and/or confined spaces at the site may potentially be affected by hazardous ground gases. The Applicant/Developer must ensure that the appointed Contractors and Building Control Officer are made aware of the above, so that adequate precautions can be taken to protect Construction Workers, future Site Users and the wider public from land contamination and/or ground gas issues associated with the site and vicinity. Contamination encountered during works must be reported immediately to the LPA and works halted within the affected area.

Contact: Further information regarding the above advisory can be obtained from the Environmental Protection Team at the LPA (Tel: 01925 442581)

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.
Appendix 1 – Drawings
Proposed Internal Layout
Site Plan
Appendix 2 – Photographs of Site
View of Site from Liverpool Road
On Site Car parking adjacent to unit 8 off Old Liverpool Road
Rear Staff Car Parking Area
ITEM 8

Application Number: 2016/27199

Location: 50, West Avenue, Stockton Heath, Warrington, WA4 6HX

Ward: Hatton, Stretton And Walton

Development Full Planning - Proposed Change of use of existing outbuilding into detached dwelling & associated Parking

Date Registered: 08-Jan-2016

Applicant: Mr Johnson

8/13/16 Week Expiry Date: 03-Mar-2016

Reason for Referral

Objection from Walton Parish Council

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

- Proposed change of use of existing outbuilding in the garden of No.50 West Avenue into a separate detached dwelling with associated parking
- Currently serves as an outbuilding in the garden area of No.50 West Avenue in a residential area
- The host property has a larger garden area that other properties in the street scene
- Area of detached and semi-detached properties of varied character and design
- No significant variation in land levels noted
- Boundary treatment consists of 1.8m high fence to the rear garden area
- Access is taken via West Avenue
- Site constraint as per the Local Plan Core Strategy is a site with archaeological importance

Relevant Planning History

- 2015/26426 – Erection of a 2 storey side extension and highway access (approved)
Local Plan Core Strategy
Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
Policy CS2 Overall Spatial Strategy – Quantity and Distribution of Development
Policy SN1 Distribution and Nature of New Housing
Policy QE6 Environment and Amenity Protection
Policy QE7 Ensuring a High Quality Place
Policy QE8 Historic Environment

Supplementary Planning Document
Design and Construction

Notification Responses

Neighbours
No comments received

Ward Councillor
No comments received

Walton Parish Council
Objection
We object to the garage being converted to a residence that is sub-standard for the locality and damages the street scene

Consultation Responses

Highways
No objection subject to the imposition of a condition requiring the parking spaces to be implemented and retained

Environmental Protection
No objection subject to the imposition of informative’s regarding working hours for construction sites and lighting schemes

Cheshire Archaeology
Verbal comments – no objection
Given the siting over 130m away to the school, where the remains have been found, it is unlikely that the proposal to change the use of the building would result in any significant harm to existing remains.

Observations

Principle – 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 allow independent use of an existing outbuilding, 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.

Residential Amenity
As the proposal seeks to use the outbuilding independently to the main dwelling, the impact from the built form already exists. Therefore the use of the dwelling will have a neutral impact on living conditions in terms of impact to outlook, overbearing or overshadowing impact.

No.50 West Avenue
The outbuilding contains a side facing window at first floor level which serves a bathroom, however it is not considered that this will result in any overlooking/loss of privacy as the window is fitted with obscure glazing and the main window is fixed shut with the top section of window top hung.

No.52 West Avenue
The outbuilding contains a side facing window at first floor level which serves the landing, however it is not considered that this will result in any overlooking/loss of privacy as the window is fitted with obscure glazing and the main window is fixed shut with the top section of window top hung.

No.61 West Avenue
The outbuilding is sited 26m to front facing windows of No.61 West Avenue. This separation distance is considered significant to prevent any significant harm through overlooking/loss of privacy.

No.37 Walton Heath Road
The outbuilding is sited 21m to facing windows of No.37 Walton Heath Road. This separation distance is considered significant to prevent any significant harm through overlooking/loss of privacy.

Character/appearance of the area
As the proposal seeks to use the outbuilding independently to the main dwelling, the visual impact from the built form already exists. No external alterations or extensions are proposed. Therefore the use of the outbuilding as an independent dwelling will have a neutral impact on the character/appearance of the area.

Highways
The main dwelling was subject to previous planning application (2015/26426) for a proposed garage extension and change in access arrangements. The application was approved subject to conditions for car parking retention, visibility splays and construction details for the access arrangements. As part of the approved application the existing access and car parking arrangements in the vicinity of the detached outbuilding would be removed with full height kerbs reinstated. A new access would be created to serve the proposed garage extension.
As a result of the proposal the existing outbuilding which the applicant has stated is used for accommodation for the incidental enjoyment of the main house is to be converted into a two bedroom dwelling. For a property with two bedrooms the Councils Parking Standards require two allocated car parking spaces in addition to one visitor parking space.

To serve the two bedroom dwelling it is proposed to reinstate the previous access and car parking arrangements for the main dwelling. It is not considered that the proposed driveway could provide the required two allocated car parking spaces in addition to the visitor parking space. However, there is capacity to provide two car parking spaces in a tandem arrangement. It is envisaged that the visitor parking space could be provided on-street. The previous dropped crossing would need to be reinstated at the applicant’s expense.

Furthermore, for the new access pedestrian intervisibility splays of 2 metres by 2 metres on both sides of the proposed driveway can be achieved within the footway.

Access to the rear garden will be maintained to the side of the property for bins and cycles.

It is also recommended for the development to consider providing infrastructure for electrical vehicles in the form of an external charging point.

In view of the above, there are no objections to the proposals on highways grounds subject to the imposition of a condition requiring the parking spaces to be provided and retained prior to occupation.

**Archaeological importance**

The proposal seeks to change the use of the outbuilding to enable occupation of an independent dwelling with no extension of the existing built form. Therefore it is not considered that the use would cause any material harm/loss of archaeological remains.

**Recommendation**

Approve

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, SN1, QE6, QE8 & QE7 and the National Planning Policy Framework. This is by reason of being an appropriate location for residential development with appropriate design, with no perceived detrimental impact upon surrounding neighbours, the character of the street scene, archaeological remains or existing off-street parking.
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 8th January 2016
(b) Submitted drawing No's {1136} dated 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. 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(s) (ii) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (iii) 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.

4. The 1st floor bathroom window in the south-western elevation and the 1st floor landing window in the north-eastern elevation of the outbuilding 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. 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 currently exists.

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. Notwithstanding the approved drawings, prior to the occupation of the buildings, the car parking spaces to serve the development shall be provided and made available and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is served by adequate off-street parking spaces in the interest of highway safety in accordance with
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 external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:

Institution of Lighting Professionals
Regent House
Regent Place
Rugby
CV21 2PN
https://www.theilp.org.uk/home/

3. 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 proactively 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.

4. 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

5. The applicant should be advised that a Road Opening Permit needs to be obtained to provide the required new vehicular access to 50 West
Avenue. For further information please telephone the Highway Maintenance Team on 01925 442505.
Proposed plans
Appendix 2 – Photographs
Photograph of the front elevation of the outbuilding

Photograph showing the outbuilding in context with the existing dwelling
DEVELOPMENT CONTROL COMMITTEE DATE 24-Feb-2016

ITEM 9

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2015/26544</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>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</td>
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<tr>
<td>Ward:</td>
<td>Latchford East</td>
</tr>
<tr>
<td>Development</td>
<td>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</td>
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<tr>
<td>Date Registered:</td>
<td>15-Sep-2015</td>
</tr>
<tr>
<td>Applicant</td>
<td>Environment Agency</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>14-Dec-2015</td>
</tr>
</tbody>
</table>

Reason for Referral to Committee

Warrington Borough Council is a stakeholder in the overall flood risk management project.

Human Rights

The courts have held that in planning matters - as there are inherent measures to protect an individual’s interests - it is unlikely that a planning decision will result in such an impact that the harm caused is disproportionate to the goal to be achieved. This application should be considered in the light of the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing - and to this end the Committee must give full consideration to their comments. Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person’s home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the adopted Warrington UDP and the emerging Local Plan Core Strategy for Warrington, the Strategic Director for Economic Regeneration, Growth & Environment has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the wider public interest - and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights - posed either by the grant or refusal of the application - would be within
the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Site and Proposal

Planning permission – comprising detailed consent for Phase 1 and outline consent for Phases 2 and 3 – was granted in April 2012 (2011/19262). Phase 1 - along Knutsford Road between Black Bear Park and Bridgefoot roundabout has been completed - and Phase 2 - from the Scottish Power substation to Wharf Street Industrial estate is currently under construction.

Phase 3B comprises sheet piled flood defence walls extending along the River Mersey from the edge of Westy Park in the east to beyond the western edge of Cardinal Newman High School to the vicinity of Kingsway Bridge. A circa 320 metre length of new wall would be built along the northern edge of Mersey Walk – a residential road and one of the main public vantage points with views of new flood defence wall.

The scheme has been divided into three sections – those sections along Mersey Walk; that which cuts across the neck of the meander north of Cardinal Newman High School – and that which returns along the west side of the school and housing before tying into high ground near Bridge Avenue and Kingsway South.

The two works compounds are shown to be located at the eastern end of Mersey Walk and at Bridge Avenue off Kingsway North.

In general terms, the proposals comprise a combination of new flood walls and embankments. A detailed Design & Access Statement has been
submitted, together with detailed construction and landscaping drawings.

Detailed soft and hard landscape restoration plans for the scheme are also submitted, and include:

- Replacement of 80 native trees including willow, black poplar, oak and birch and replacement native shrub planting
- Replacement of topsoil on completion and reinstatement of grassland along the riverside and bund with species rich wildflower meadow mixes
- Replacement of topsoil on completion and seeding with appropriate seed mix within working and compound areas
- Cladding flood walls to Mersey Walk including concrete coping and five new artwork panels; new walls would be lower than the existing fence allowing views over the wall and across the river to the backdrop of vegetation bordering the riverside edge of Paddington Meadows; and
- The reinstatement and widening of the footpath along Mersey Walk, replacing a narrow pavement of less than 1 metre with one of 2 metres; one ramped pedestrian access point would be provided across the flood defence from Mersey Walk to the linear park

The main construction period would last approximately 30 weeks, excluding advance works and landscape reinstatement.

Pre-Application Consultation

The applicant has consulted with:
- Cardinal Newman Catholic High School
- Manchester Ship Canal Company (Peel)
- United Utilities
- Warrington Anglers Association
- Westy Community Centre
- Wirral & Cheshire Badger Group; and
- Local residents, through a public consultation event

As part of the application, the Council has written to neighbours; placed Notices on and around the edge of the various parts of the site, and advertised the application in the Press – in accordance with the Procedure Order.

Relevant Planning History

Planning permission – comprising detailed consent for Phase 1 and outline consent for Phases 2 and 3 – was granted in April 2012 (2011/19262).

Reserved matters approvals include:-

2012/20993 - for Phase 2 of the Mersey Warrington Flood Risk Management Scheme Phase 2 (excluding Scottish Power substation)

2014/23757 - Proposed Flood defence walls and embankments between Paddington Bank, Kingsway Allotments and the Twiggeries
Planning Policies

National Planning Policy Framework
Matters relating flood defence, sustainability and nature conservation.

Local Plan Core Strategy
CS1 – DELIVERING SUSTAINABLE DEVELOPMENT
CS6 – STRATEGIC GREEN LINKS
QE3 – GREEN INSTRUCTURE
QE4 – FLOOD RISK
QE5 – BIODIVERSITY AND GEODIVERSITY
QE6 – ENVIRONMENT AND AMENITY PROTECTION
QE7 – ENSURING A HIGH QUALITY PLACE
SN7 – ENHANCING HEALTH AND WELL BEING

Supplementary Planning Documents
Design and Construction
Environmental Protection
Landscape Design Guide

Notification Responses
Ward Councillor (s) – No response.

Neighbours – No response.

Consultation Responses
WBC Highways –
The applicant submitted additional information on 11th, 26th and 27th January 2016.

Bridgewater Avenue
Revised drawing no. 971-01-071 revision B shows a separate access to the construction site and to a temporary resident’s car park. The temporary white lining junction at the proposed access has been removed as previously requested and the existing car park metal fencing would be retained which is acceptable in terms of highway visibility. The access construction details could be dealt with via a planning condition. The first 5m of the construction access from the adopted highway would need to be suitably hard surfaced to prevent the transfer of any gravel/loose material onto Bridgewater Avenue. The new temporary pedestrian route from the temporary resident’s car park to Mersey Walk has been removed as the applicant has stated that the consultation exercise undertaken with local residents identified that residents would prefer to access it via Mort Avenue. There is no highway issue with this.

Bridge Avenue
Drawing nos. 971-01-ATR201 revision B, 971-01-ATR202 revision B and 971-
01-SK101 revision A showing the vehicle swept path analysis of HGV movements into and out of the Bridge Avenue/Kingsway South junction and the highway visibility splays are acceptable. Planning conditions would be required to deal with the detailed design work, for which a S278 Highway Agreement would be needed, and for the junction to be reinstated to its current layout at the end of the works at the full expense of the applicant. The applicant has confirmed their acceptance for a planning condition to prevent any abnormal loads by restricting vehicles to a maximum of 16.5m in length as shown on the plans.

**Future Maintenance Access**
The applicant has confirmed that future maintenance vehicles would be no larger than a large car which would park at a safe and appropriate location on the public highway during the maintenance/inspection period. This is acceptable.

**Public Rights of Way**
The applicant refers to discussions with the Council’s Public Rights of Way (PROW) officer in relation to the existing/diverted footpaths towards Bridge Avenue that form part of the development. The affected sections of the PROW are shown on drawing nos. 971-01-054 revision A and 971-01-055 revision A. The Council’s PROW officer is in support of the proposals subject to a planning condition for the construction details of the proposed PROW alterations to be agreed with the Council in advance of the works.

**Mersey Walk**
**Drawing nos. 971-01-054 revision A and 971-01-058 revision A**
The new ramps to the Westy pumping station and EA access should have a maximum gradient of 1:12, and preferably 1:20, to facilitate appropriate access and be suitably hard surfaced to ensure that no loose material would be illegally transferred onto the adjacent highway. The applicant would need to ensure that the ramps would not illegally drain onto the adopted highway and full details of the proposed fencing/gates in this area would also need to be provided. The applicant has shown the extent of the dropped kerbs needed to facilitate access to/from the ramps on drawing no. 971-01-058 revision A. These issues can all be dealt with at detailed design stage via a planning condition. A S278 Highway Agreement would be required for the works that would affect the adopted highway.

The applicant has previously agreed for the existing motorcycle barrier to be reinstated at the end of the works as per the amended specification provided by the Council. This can be secured via a planning condition.

**Drawing no. 971-01-057 revision A**
The pedestrian access ramp over the flood defence has been widened to 1.8m wide between the stone setts as previously requested. The existing 1m wide footway on the North side of Mersey Walk would be replaced with a 2m wide footway (as shown on original drawing no. 971-01-053 revision A) which is required irrespective of whether the footway would remain private or be proposed for adoption. It is up to the applicant whether to offer it for adoption. If it is to be adopted then a S38 Highway Agreement would be needed. No
future maintenance costs would be applicable but to enter into a S38 Highway Agreement the applicant would need to pay the fees of 9.5% of the construction cost (to be agreed with WBC Highways) or a minimum fee of £5,500.

The material specification for the pedestrian ramp and widened footway on Mersey Walk has been amended as requested. These works, including the re-bedding and releveling of the existing kerbs, would need to form part of the S278 Highway Agreement unless the applicant was to enter into a S38 Highway Agreement. A planning condition would also be required.

Drawing nos. 971-01-053 rev A, 971-01-ATR205, 971-01-ATR206 and 971-01-ATR207

Original drawing no. 971-01-053 revision A stated that a single carriageway width would be kept open on Mersey Walk during the works. The applicant proposes to erect temporary fencing along the centre of the carriageway to define and maintain the construction area for the works which would require the temporary closure of the northern half of Mersey Walk. The applicant has submitted revised drawing no. 971-01-ATR205 to show a swept path plot for a 12m length rigid vehicle to represent a large refuse vehicle which is slightly smaller at 11.5m in length. The swept path plot shows that a large refuse vehicle could access and egress Mersey Walk with the partial road closure in place. The width of the closure would have to be slightly reduced on Mersey Walk in the vicinity of its junctions with Mort Avenue and Brook Avenue to facilitate vehicle turning movements as shown. Drawing nos. 971-01-ATR206 and 971-01-ATR207 show swept path plots for a fire engine and a hydraulic inspection platform which are both smaller than the 12m rigid vehicle. The drawings show slight vehicle overrunning of the kerbline on Mort Avenue. The Contractor would be responsible for ensuring these temporary movements can be undertaken safely using a banksmen to supervise such movements if necessary. A planning condition is required for a joint condition survey to be undertaken by the applicant and WBC Highways prior to the commencement of any works. The applicant will be responsible for making good any damage done to the adopted highway at their own expense as instructed by WBC Highways.

The applicant has discussed and agreed the temporary traffic management proposals with the Council’s Waste Management Team, in view of maintaining refuse collection to properties in the vicinity, who are in support of the scheme. A Temporary Traffic Regulation Order (TTRO) would be required to facilitate the temporary closure of the northern part of Mersey Walk. It would need to include temporary ‘No Waiting At Any Time’ restrictions and a temporary loading ban to prevent vehicles parking or stopping on Mersey Walk and blocking it to through traffic. This would ensure access for emergency vehicles would be maintained and can be secured via a planning condition.

Some of the properties along Mersey Walk have driveways which residents would not be able to manoeuvre in and out of during the works due to the half road closure. The consultation exercise undertaken by the applicant with residents along Mersey Walk identified that some residents would use the temporary car park and others would prefer to park on-street in the surrounding roads. A few residents indicated that they have particular access
requirements to their properties, i.e. for loading/unloading purposes, and would want to discuss making suitable arrangements with the Contractor once appointed. Passing places at regular intervals are therefore required to ensure a vehicle could pass a car stopped on Mersey Walk, which the applicant has agreed to provide along the length of the partial road closure. Planning conditions are needed for WBC to agree the passing places, and for the temporary fencing demarking the closure area to be reviewed and altered as instructed by WBC during the full construction period. It should be noted that the applicant (not the Local Highway Authority) would be responsible for any additional payments that may be required by resident’s insurance companies due to any temporary changes in the location of resident’s parking. The proposed site access arrangements are considered acceptable on this basis.

**Highways - Summary and Conclusions**
In view of the above, there is no highway objection to the proposals subject to the conditions at the end of this report.

**WBC Environmental Protection** – No objection, subject to conditions.

**WBC Flood Risk** – No objection in terms of surface water management.

**WBC Trees** - The proposed site contains a significant amount of tree stock that will be affected by the scheme. No trees affected are currently subject to an active tree preservation order. The tree stock consists of self-sown and mature specimens which are predominantly of Populus species. The proposal requires the removal of the majority of the vegetation held within its linear path which borders the river Mersey.

It is noted that the nature of the works takes precedence over the retention of trees, however in part the proposal should aim to retain the more significant specimens where possible. I would not oppose the removal of the majority of the stock from a tree perspective as they are of little individual merit, however the linear group of poplars bordering the Mersey adjacent to Cardinal Newman High School are substantial specimens and are a prominent feature of views afforded from the A50 and contribute to the surrounding character of the area in that they are the only substantial trees within the locale. The linear group of Poplar trees adjacent to Mersey Walk are a dominant feature of the street scene and should be retained where possible. Although it is understood that it would be difficult to accommodate their retention as a part of the proposal.

The reinstatement plantings are satisfactory in their species and location. I would raise the concern over future access for maintenance purposes to the strip of land running parallel with Mersey Walk. The current access appears to be from Westy Park at the eastern end of the plot, the addition of the wall, embankment and new plantings would restrict the access point. The new flood embankment at this point appears to extend into the Root Protection Areas (RPA’s) of a group of three retained trees, any change to levels within the RPA’s of retained trees must be avoided.

**WBC Nature Conservation** – No objection subject to conditions and subject to
the full implementation of the approved Method Statements.

**WBC Archaeology** – Previous advice concerning the limited archaeological potential of the proposals and the consequent recommendation for limited mitigation, with archaeological contractor on call in the event of any unexpected discoveries have been incorporated in Section 4.1.3 of the Design and Access Statement.

This continues to be appropriate in view of the construction technique (sheet piling), the restricted depth of other intrusions into deep alluvial deposits, and the limited results from previous phases of work. The Design and Access Statement mentions that this will be covered in a project design. As long as it is confirmed that the archaeological contractor used for previous phases will be on call for unexpected discoveries, this appears to be adequate.

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

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

**Observations**

**Alleviation of Flood Risk; Need for the Development**
The principle of the need for the defences continues to be accepted – as it was as part of previous outline applications – and as identified by the Environment Agency themselves - who’s over-riding objective is to reduce the risk of flooding to people, property and the environment. The overall scheme provides a 1:100 year standard of protection to ‘at risk’ areas of Warrington. The proposed development supports the sustainability of existing residential and business communities by reducing flood risk and the damage/disruption to community life that flooding can cause. The reduction in flood risk improves social and economic equality forming a basis for regeneration, attracting investment and reducing constraints to development.

The proposed scheme is supported by general policies on sustainable communities and responding to climate change as referred to in the NPPF and the Local Plan Core Strategy Warrington.

**Visual Impact/Street scene**
As with previous Phases, there is the potential for dramatic visual change in some locations – as a result of the removal of bankside tree and other planting, the construction of new walls, fences and embankments. The photomontages below give examples of the extent of some of the proposed changes. Overall – and based on the street scene impacts of earlier completed phases – the detailed proposals are considered acceptable, and will be of a high standard of construction and finish.

**Impact on Living Conditions**
The main likely impact of the proposals on living conditions is likely to be that of construction – including piling operations, access for construction traffic, works compounds etc.
The application sets out the anticipated impacts of construction traffic on the local road network and the consequences of any temporary road closures and diversions. The main works compound for this phase will be off Bridgewater Avenue, with a smaller one off Bridge Avenue – on an area of open land to the west of the school grounds.

Given the nature of the development, the majority of traffic movements will be during the construction phase, when the surrounding network will experience some abnormal loads and increased numbers of HGVs and other construction traffic.

Conditions are needed to cover matters such as land remediation, the hours and days of work and the agreement of a detail Construction Management Plan. In general terms, work would be confined to the following:- Monday to Friday: 0700 to 1900; Saturday: 0800 to 1600; Not at all on Sundays or Bank Holidays. The movement of plant and machinery or noisy working should not normally start until one hour after the start times set out above.

It is recognised that the proposed works would have a long term benefit to living conditions – by reason of increased flood protection – and the prevention of damage.

Trees, Landscaping and Nature Conservation
As with previous phases, it is recognised that where works are proposed along the river bank there is the potential for harm and disruption to existing planting and to wildlife.

It is acknowledged, as a matter of practice that the Environment Agency seek to retain mature trees in the vicinity of proposed flood defence works – bearing in mind safety considerations. It is recognised however that the trees on the west side of Cardinal Newman School cannot be retained due to the proposed pile alignment which respects the approved plans for the UU/WBC development at Westy Point. We are also restricted by the proximity of the adjacent Peel owned Feeder channel and a nearby sewer alignment.

With regard to the mature trees at Mersey Walk, the applicant had initially intended to retain a number – however the public consultation exercise demonstrated an enthusiasm for these to be removed as part of scheme proposals, given their advanced state of maturity and the risk that large branches have collapsed from these trees in recent years. The Council’s Parks and Woodlands team shares these concerns – in the light of their responsibility for the maintenance of this recreational space - so the proposal is to include their removal and replacement as part of the scheme.

Subject to conditions to include measures to protect trees that can be retained into the long term; nesting birds; wildlife/habitat plans and detailed method statements – there is no objection on these grounds.
Footway, Cycleway and Other Linkages
Detailed advice from the Council’s Highways team is set out above. There is no objection, subject to the detailed conditions set out at the end of this report. It is acknowledged – as with other phases – that the existing footpath access and recreational amenity along the river corridor would be retained and improved as a result of the Phase 3B Latchford East (Westy) works.

Recommendation

These extensive proposals would form part of the overall, much improved (1 in 100 year) flood protection for the foreseeable future - for the Phase 3a area – and have been assessed in detail - via the submitted Environmental Statement (ES), as part of formal EIA attached to the outline permission. The ES addendum submitted with this reserved matters application has allowed further assessment of likely impact.

Some impacts of each phase will undoubtedly result in quite dramatic visual changes. The new embankments and/or walls would replace established, naturalised river bank planting. Change would initially be stark in some locations, where such planting is removed and replaced by new walls. At the same time new views and aspects across the river would be opened up, and this has received positive responses on previous completed phases..

Insofar as impact on habitats and protected species are concerned, the overriding public need for the development has been considered – wherever there may be negative impacts which may not be fully mitigated – with the conclusion that, subject to conditions, such harm would be mitigated over the lifetime of the development. Similarly, where the loss of tree cover cannot be avoided, it is considered that the maturing of new planting and the re-naturalisation of the river corridors would eventually take place without serious permanent harm.

The short term and other impacts of the proposal have been considered with the conclusion that negative impacts such as some visual intrusion, tree loss and significant potential for disruption and disturbance during construction are outweighed by the overriding public benefit of improved long-term flood defences.

Overall, the proposals are considered to be in accordance with policies CS1; QE4; QE5; QE6; QE7; and SN7 of the Local Plan Core Strategy for Warrington.

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

2. This permission shall not be implemented otherwise than in accordance with the following plans/ drawings:-

   1. 971-01-050 Site location
   971-01-051 Statutory Plan
   971-01-052 General Arrangement
   971-01-053 ML1 General Arrangement
   971-01-054 ML2 General Arrangement
   971-01-055 ML3 General Arrangement
   971-01-056 Highways Access
   971-01-057 Rev A Site Sections sheet 1
   971-01-058 Rev A Site Sections sheet 2
   971-01-059 ML1 Wall Elevation dry side
   971-01-060 ML1 Wall Elevation wet side
   971-01-061 Rev A ML1 Landscape Reinstatement
   971-01-062 Rev A ML2 Landscape Reinstatement
   971-01-063 Rev A ML3 Landscape Reinstatement
   971-01-064 Indicative Details
   971-01-065 ML1 Tree Removal, Retention, Protection
   971-01-066 ML2 Tree Removal, Retention, Protection
   971-01-067 ML3 Tree Removal, Retention, Protection
   971-01-071 Rev B Temporary carpark Bridgewater Avenue
   971-01-ATR201 Rev B Bridge Avenue Swept Path – Artic HGV Entry
   971-01-ATR202 Rev B Bridge Avenue Swept Path – Artic HGV Exit
   971-01-ATR205 Mersey Walk Swept Path – 12m Rigid Vehicle Appliance
   971-01-ATR206 Mersey Walk Swept Path – 8.68m Fire Inspection Platform
   971-01-SK101 Rev A Westy Access – Visibility Splay

   Reason - To define this permission.

3. The agreed Method Statement relating to badgers shall be implemented in full. (Implementation of the Method Statement will require a Licence to be obtained from Natural England).

   Reason – Badgers are specially protected under the terms of the Protection of Badgers Act 1992. The scheme will involve the temporary closure of an active badger sett. This condition is required in accordance with policies CS1 and QE5 of the Local Plan Core Strategy for Warrington.

4. A Method Statement be prepared giving details of measures to be taken to control the spread of the invasive plant species Japanese knotweed, Himalayan balsam and Giant hogweed that have been recorded in the planned works area. Once agreed, this Method Statement shall be implemented in full.
Reason – Under the terms of the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause the spread of certain invasive plant species in the wild. The scheme has the potential to cause the spread of some of the plant species concerned. This condition is necessary in order to accord with policies CS1 and QE5 of the Local Plan Core Strategy for Warrington.

5. An Environmental Construction Method Statement (ECMS) shall be prepared giving details of measures to be taken to protect the course of the River Mersey during site clearance and construction works; the ECMS should refer to Pollution Prevention Guidelines prepared by the Environment Agency, particularly PPG note no. 5, and industry Best Practice Guidance for the avoidance of pollution of water courses (CIRIA C648 and C649). The ECMS shall be implemented in full.

Reason – To accord with policies CS1 and QE5 of the Local Plan Core Strategy for Warrington - as the River Mersey is an important ecological receptor situated close to the works area.

6. No tree felling or vegetation clearance required by the scheme shall be undertaken during the optimum period for bird nesting (March to July inclusive) without a suitably qualified ecologist carrying out the necessary breeding bird surveys and the receipt of of approval from the Council's ecologist prior to works proceeding.

Reason – All nesting birds their eggs and young are specially protected under the terms of the Wildlife and Countryside act 1981 (as amended), to accord with policies CS1 and QE5 of the Local Plan Core Strategy for Warrington.

7. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated, in detail, that there is no resultant unacceptable risk to groundwater. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure a safe form of development that poses no unacceptable risk of water pollution and to accord with policies CS1 and QE5 of the Local Plan Core Strategy for Warrington.
8. Prior to the commencement of the proposed development approved by this planning permission a strategy that includes the following components to deal with the risks associated with possible contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A detailed assessment of the risks to relevant receptors that may be affected, including those off site, from the importation of materials to be used in the construction of the flood risk management scheme.

2. A strategy giving full details of the measures required to mitigate and manage the identified risks in (1) arising from the importation of materials which will be used in the construction of the flood risk management scheme and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason - To prevent the pollution of controlled waters from potential contamination on site and 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; with Paragraph 121 of the National Planning Policy Framework and with Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

9. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved strategy and the effectiveness of the management plan(s) shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site risk management criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason - To ensure a safe form of development that poses no unacceptable risk of water pollution.
10. The site shall be drained on a separate system with only foul drainage connected into the public sewerage system unless otherwise agreed in writing by the Local Planning Authority. Surface water should discharge directly to soakaway and or the adjacent watercourse which may require the consent of the Local Authority beforehand.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and to ensure accordance with policies CS1 and QE4 of the Local Plan Core Strategy for Warrington.

11. Prior to the commencement of any works on site, the applicant shall provide in writing a Construction Environmental Management Plan (CEMP) to the LPA for written approval. The CEMP shall review all construction operations proposed on site and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary: Proposed locations of Site Compound Areas, Proposed Routing of deliveries to Site Compounds or deliveries direct to site as shown on approved drawing no 971-01-056. Proposed delivery hours to site, Proposed Construction Hours, Acoustic mitigation measures, Control of Dust on site, Air Quality implications and consideration for joining a Considerate Contractors Scheme. The CEMP shall consider in each case issues relating to noise, dust, odour, control of waste materials and vibration. Once approved in writing, All identified measures within the CEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint. Any changes to the identified CEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented.

Reason - In the interests of the living conditions of occupiers of nearby residential properties in accordance with policies CS1 and QE6 of the Local Plan Core Strategy for Warrington.

12. Prior to the commencement of development on site, full details of all measures to protect trees and other planting to be retained shall be submitted for approval to the local planning authority. Such measures as are agreed shall be implemented on site.

Reason - To protect trees and other planting which are to be retained in accordance with policies CS1; QE3 and QE6 of the Local Plan Core Strategy.

13. Prior to the commencement of the development, full construction details of the following shall be submitted to and approved in writing by
the Local Planning Authority:

- new access for the development onto Bridgewater Avenue;
- alterations to the Public Rights Of Way;
- new ramps to the Westy pumping station and EA access, with a maximum gradient of 1:12 and preferably 1:20, including dropped kerb accesses, drainage arrangements and full details of the proposed fencing/gates in the area;
- pedestrian ramp and widened footway on Mersey Walk, including the re-bedding and relevelling of the existing kerbs; and
- alterations to the Bridge Avenue/Kingsway South junction, including the permanent reinstatement to its current layout at the end of the works.

The flood defence works shall not be brought into use until the above have been laid out and constructed in accordance with the approved details.

Reason - In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

14. Prior to the commencement of the development, the temporary resident’s car park off Bridgewater Avenue to serve the development shall be laid out and hard surfaced in accordance with approved drawing no. 971-01-071 revision B, and made available for use and retained as such throughout the duration of the works.

Reason - To ensure adequate provision in accordance with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

15. No vehicles longer than 16.5m in length shall access the Bridge Avenue/Kingsway South junction.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

16. Prior to the completion of the works, the existing motorcycle barrier is to be replaced with an amended motorcycle barrier in accordance with the specification provided by the Council.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

17. Prior to the commencement of the development, the applicant is to
undertake a joint condition survey of the affected highway with WBC Highways. Following completion of the works and a further joint condition survey the applicant will be responsible for making good any damage caused by the works to the adopted highway as instructed by WBC Highways.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

18. No construction vehicle shall access or egress the site between the hours of 8:15am to 9:15am, 2:30pm to 3:30pm and 4:30pm to 6pm Mondays to Fridays.

Reason: To avoid school opening / closing times and the loading / unloading hours on Knutsford Road in Latchford Centre which is part of the construction vehicle routing for the site.

19. Prior to the commencement of the development, a construction management plan, including the agreed construction vehicle routing as shown on approved drawing no. 971-01-056, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and shall be retained as such throughout the duration of the works unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

20. Prior to the commencement of the development, the proposed signage designs and locations for all footpath/road closures/diversions and construction/slow vehicle warning signs for the works on the A50 Kingsway North and A50 Kingsway South, shall be submitted to and approved in writing by the Local Planning Authority. The development works shall not commence until the signage has been laid out and constructed in accordance with the approved details, and shall be retained as such throughout the duration of the works.

Reason – In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

**Informatives**

1. The local planning authority has worked positively with the applicant - including at pre-application stage - to deliver sustainable new
development and so is considered to have complied with paragraph 187 of the NPPF.

2. Supplementary Planning Document Advice:-
For further advice concerning Contaminated Land Assessments, Air Quality Assessments, Odour Assessments, Noise or Lighting requirements, please refer to the Environmental Protection Supplementary Planning Document for further detail (http://www.warrington.gov.uk/downloads/download/1212/spd_environmental_protection)
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.

3. A public sewer crosses this site and United Utilities will not permit building over it.

A diversion of the affected public sewer at the applicant's expense, will be necessary. The applicant must discuss this at an early stage with (John Lunt) Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

4. As part of the proposed traffic management measures, the applicant shall undertake a consultation exercise with local residents to discuss and resolve their access and parking requirements, during the construction phase of the approved development. A group with representatives of the applicant and their contractors shall be set up to meet with residents on a regular basis for the duration of the works.

5. An agreement under section 278 of the Highways Act 1980 shall be entered into with the Council to cover works to the adopted highway. To action, the applicant should contact John Drake on 01925 442668.

Full traffic management details, to include but not be limited to the following, shall be submitted to and agreed in writing by WBC Highways:

- A Temporary Traffic Regulation Order for the temporary closure of the northern part of Mersey Walk, to include temporary ‘No Waiting At Any Time’ restrictions and a temporary loading ban to prevent vehicles parking or stopping on Mersey Walk;
- Temporary fencing demarking the Mersey Walk closure area, to be reviewed and altered as instructed by WBC Highways during the full construction period; and
- Passing places at regular intervals along Mersey Walk during the
full construction period as instructed by WBC Highways.
Appendix 1 – Proposed view of a section of the new flood defence wall along part of Mersey Walk

Proposed view following completion of flood defence wall
## APPLICATION NUMBER: 2015/26914

<table>
<thead>
<tr>
<th>Ward:</th>
<th>Bewsey and Whitecross</th>
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</thead>
<tbody>
<tr>
<td>Date Registered:</td>
<td>01-Dec-2015</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Mike Davies</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Phillip Leonard, The Agoge Ltd</td>
</tr>
<tr>
<td>Location:</td>
<td>6, GATEWARTH INDUSTRIAL ESTATE, BARNARD STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA5 1DD</td>
</tr>
<tr>
<td>Proposal:</td>
<td>Full Planning - Proposed change of use from B2/B8 to a gym (D2)</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>Approve subject to Conditions</td>
</tr>
<tr>
<td>8 Week Determination Expiry Date:</td>
<td>25-Jan-2016</td>
</tr>
</tbody>
</table>

### Conditions and/or Reasons

<table>
<thead>
<tr>
<th>Conditions</th>
</tr>
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<tbody>
<tr>
<td>1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.</td>
</tr>
<tr>
<td>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 &amp; Country Planning Act 1990.</td>
</tr>
<tr>
<td>2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details.</td>
</tr>
<tr>
<td>* Location Plan</td>
</tr>
<tr>
<td>* Site Plan</td>
</tr>
<tr>
<td>* Current Floor Plan</td>
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<tr>
<td>* Proposed Floor Plan</td>
</tr>
<tr>
<td>Reason: For the avoidance of doubt and to define the permission.</td>
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<tr>
<td>3. The premises shall only be used as a gymnasium and for no other purpose including any other purposes in Class D2 of the Schedule to the Town &amp; Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).</td>
</tr>
<tr>
<td>Reason: The Local Planning Authority would wish to retain control over any subsequent change of use of these premises in the interests of the impact on the vitality and viability of identified centres and to accord with the objectives of policies SN4, SN5, QE6 in the Warrington Local Plan Core Strategy.</td>
</tr>
<tr>
<td>4. The use hereby permitted shall not be open to customers except between the hours of 1700 to 2200 on Mondays to Fridays and</td>
</tr>
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Warrington Borough Council Planning Department

COMM2
10.00 and 1200 on Saturdays, Sundays, Bank and Public Holidays.

Reason: In the interests of amenity and to comply with Policy QE6 of the Warrington Core Strategy, Warrington SPD: Environmental Protection and Warrington SPD: Design and Construction

5. Prior to the occupation of the development, the car parking and turning areas to serve the development shall be laid out and surfaced in accordance with the approved drawing, and made available for use and retained as such thereafter.

Reason: In order to ensure that there is adequate car parking provision clear of the public highway in the interests of the safety of users of the highway and in order to comply with Policy QE6 of the Warrington Core Strategy and Warrington SPD: Standards for Parking in new Development.

6. All doors and windows to the defined Gym areas shall be kept closed whenever gym or personal training/fitness training activities are ongoing.

Reason: To protect residential amenity from noise from gym activities and from the playing of music when the gym is operating – in accordance with policy QE6 of the Local Plan Core Strategy for Warrington and with the Environmental Protection SPD.

7. There shall be no more than 12 attendees for any class.

Reason: To reduce the site parking demand which is based on the proposed floorspace and so to accord with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

8. There shall be a minimum period of half an hour between classes.

Reason: To reduce the site parking demand which is based on the proposed floorspace and so to accord with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

9. Prior to the occupation of the development, details of a scheme of cycle and motorcycle parking to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle and motorcycle parking spaces have been laid out in accordance with the approved details, and made available for use and retained as such
thereafter.

Reason - To ensure adequate provision in accordance with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

10. Prior to the occupation of the development, details of a new pedestrian route, at least 0.9m wide, between the building entrance and Barnard Street to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the pedestrian route has been laid out in accordance with the approved details, and made available for use and retained as such thereafter.

Reason - To ensure adequate provision in accordance with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

**Informatives**

1. The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in paragraphs 186-187 of 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

3. 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

4. Historical mapping indicates a former potentially contaminative land use that may affect the (re)development of the site. The Applicant/Developer must ensure that the appointed Contractors and Building Control Officer are made aware of the above, so that adequate precautions can be taken to protect Construction Workers, future Site Users and the wider public from land contamination issues. Contamination encountered during works must be reported immediately to the LPA and works halted within the affected area. Further information regarding the above advisory can be obtained from the Environmental Protection Team at the LPA (Tel: 01925 442581). Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

5. The 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 Environment Agency recommends that developers should:
   1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
   2. Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority (Environmental Health) can advise on risk to other receptors such as human health.
   3. Refer to www.environment-agency-gov.uk for more information.

For developments that fall within 250 metres of a landfill site please consult with the Council’s Environmental Health Section in order to obtain comments on landfill gas issues.
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.

Reason for Referral to Committee
The site is owned by the Council.

Site and Proposals
The Application Site is an existing unit within the Gatewarth Industrial Estate on Barnard Street. The site access and parking is shared with the other units on the estate.

The proposal seeks to change the use of Unit 6 from its last known use of B2/B8 Industrial into a Gym that would come under the D2 Use Class. This will involve some internal changes but the external appearance of the building will remain as existing. The site is owned by the Council.

The proposed hours & days of operation would be:- Monday to Friday 08.00 to 21.00

Relevant Planning History
None

Relevant Policies

The Framework sets out Core Planning Principles including achieving high quality and good standards of amenity.

Warrington Borough Council Local Plan Core Strategy (2014)
QE6 Environment and Amenity Protection
QE7 Ensuring a High Quality Place
QE8 Historic Environment
SN 5 – New Retail Leisure Development within Defined Centres
SN 7 - Enhancing Health and Well-being
CS9 - Strategic Location Inner Warrington
PV1- Development in Existing Employment Areas

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

Other Material Considerations
Planning Practice Guidance (PPG March 2014)

Consultation Responses
Environmental Protection – no objection subject to inclusion of informatives

Highways – on the basis of further information provided by the applicant, there is no objection, subject to conditions.

Third Party Comments
None received

Land Use Principle
The proposal is for the change of use of 223m² of floor space to a gym (Use Class D2) in a location that is within Warrington Inner Core, as defined by Policy CS9 in the adopted Local Plan Core Strategy.

The NPPF identifies that this form of leisure/recreation use is a “town centre use”. The site is outside any identified centre.

The NPPF sets out that a sequential test should be applied to all main town centre uses which are not in an existing centre and that an impact assessment should be applied to developments over a locally set threshold (500 sq m in Warrington’s case)

Policy SN5 sets out that such uses will be directed towards District, Neighbourhood and Local Centres where the development is of a scale and nature appropriate to the area served by the centre. Where main town centre uses are proposed outside and on the edge of a defined centre, the applicant will be required to demonstrate that no suitable sites are available within the centre or in edge of centre locations through applying a sequential approach - and if the floor space exceeds a 500sq m threshold, an impact test as well.

Whilst, an impact test is not required, a sequential test approach should be applied. The applicant has set out that he has been unable to find any properties to let within the town centre with D2 use through ‘Focus’, which is a national property search site. It is accepted that there are no suitable and available premises in nearby centres – such as Lovely Lane, Old Hall or Warrington Road (Penketh East).

Policy SN6 seeks to protect local employment opportunities, community facilities and local services. No information has been provided to demonstrate that consideration has been given to avoiding the loss of a viable local employment facility or that if lost it would not adversely impact on the availability of services in the local community.

The application site provides for the requirements of the intended use internally - in terms of the amount of space available - and externally, in terms of off street car parking provision.

The proposed use is a D2 use class which includes cinemas, bingo halls, gyms, ice rinks and other indoor recreational/leisure uses. Unrestricted, the proposal could have an impact on existing town centre uses or the delivery of other uses which are appropriate to the town centre. Therefore, it would be necessary to restrict the use of the premises to those proposed in the application. This could be secured by condition.
Additionally, the proposed use offers a facility which contributes towards health and well-being. Policy SN7 of the emerging Core Strategy supports the development of health facilities (but directs them to defined centres where possible). Paragraph 73 of the NPPF identifies that access to opportunities for recreation can make an important contribution to the health and well-being of communities. The proposal would promote healthy lifestyles in accordance with Policy SN7 and the NPPF which weighs heavily in favour of the proposed development.

Policy PV1 outlines the Council’s policy for development in existing employment areas. The relevant part of Policy PV1 states that the Council will support development, redevelopment and changes of use proposals within existing employment areas as defined on the Policies Map, provided that the proposed use falls within Use Classes B1, B2, or B8, or is a sui-generis employment use. Proposals for development for other purposes will be permitted where it can be demonstrated that:

- the development relates to ancillary services which will support the employment area by making it more sustainable, viable and/or attractive or;
- the site is no longer suitable or viable for employment uses and;
- the proposal will not undermine the viability of existing employment uses in close proximity to the site and;
- the alternative use is in accordance with or does not undermine the Overall Spatial Strategy.

Where possible, the ability to retain an element of employment development within sites is encouraged. The applicant has set out that the proposed use would initially provide one full time and two part time jobs. The property is currently unoccupied and has been vacant since Sept/Oct 2015. The property has been advertised however no offer has been received on the property except for that from the current applicant. There appears to be limited prospect of letting the unit for employment use in the near future - and that it would be preferable for the unit to be occupied and making a positive contribution to the local community.

Overall, it is considered that the nature of the proposal; its accessible location and its potential contribution to supporting health and well-being objectives all weigh in favour of the proposed use. The proposal is considered to be acceptable in principle in this instance.

Design Considerations

The proposal does not indicate that there would be any external alterations resulting from the proposed change of use. Whilst there may be a need for the addition of air conditioning plant and/or additional window or door openings – these would be subject to consideration as part of a fresh planning application. Overall it is considered that the proposal would not cause harm to the character and appearance of the area.

Highways

The site currently benefits from off-street parking in front of the premises off Barnard Street and staff parking to the rear. The parking area is accessed via the main gate to the industrial Estate. The applicant has indicated that the parking area would provide parking for up to
thirteen vehicles. These are already provided for by the existing premises. Storage will be provided inside the building for cycles.

The standard off-street parking bay dimension is 2.5m x 5m. Disabled parking spaces shall measure 3.6m x 6.0m consisting of a 2.4m by 4.8m space with a 1.2m rear and side transfer zone, which can be shared by two adjacent spaces. No scaled plan has been provided to show the dimensions of proposed spaces, or the method of demarcating spaces. However it would appear that the site is capable of accommodating the scale of parking proposed.

Subject to the provision of 13 parking spaces, and the other conditions as set out in this report there is no objection on the grounds of parking or access.

**Recommendation**
Approve subject to conditions.
Appendix 1 – Drawings
Proposed Internal Layout

Appendix 2 – Photographs of Site

Looking into the site from Barnard Street
WARRINGTON BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE 24th February 2016

Report of the: Executive Director Economic Regeneration, Growth & Environment
Report Author: Andrew McGlone
Contact Details: Email Address: amcglone@warrington.gov.uk
Telephone: 01925 442845
Ward Members: All

TITLE OF REPORT: Appeal decisions for period between 18th January & 12th February 2016.

1. PURPOSE OF THE REPORT

1.1 To advise members of the planning appeal decisions at:

- 4 Martin Avenue - appeal dismissed
- 137 Kenyon Lane – appeal dismissed
- Station Approach – appeal dismissed
- 82 Highfield Road – appeal dismissed
- 31 Hillside Road – appeal allowed

1.2 To advise members of appeal performance for quarter 3.

2. REPORT BODY

Dismissed Appeals

4 Martin Avenue

2.1 Consent was sought for a change of use from A3 (restaurant and café) to A5 (hot food takeaway (HFTA)) in a parade of shops on Martin Avenue. The appeal has been dismissed on the same reasons for refusal; impact on residential amenity, harm to the character and appearance of the area and whether the proposal met the sequential test for main town centre uses.

2.2 Although the premise is currently vacant, national and local policy dictates that a sequential test is undertaken for main town centre uses. Siting HFTA’s outside of defined centres is not discounted, however they should only be positioned outside defined centres if there are not premises available within centres. This is to protect the vitality and viability of these centres. The appellant undertook a sequential test, however failed to look at nearby centres at Fearnhead Cross and Orford Lane. The Inspector agreed that these should be assessed prior to allowing consent at Martin Avenue. Our evidence demonstrated there are a number of vacant units available in both centres. The Inspector discounted appeal decisions referenced by the appellants and the notion that the proposal was only replacing an existing town
centre use. Therefore the proposal failed to comply with Policies SN5 and PV5 of the LPCS, the HFTA SPD and paragraph 27 of the NPPF.

2.3 Our case in terms of character and appearance, centred on the proliferation of HFTA’s in the shopping parade. The proliferation of units would lead to an appearance of units being vacant and an unattractive character, due to the shutters being down during daytime hours. An A5 use would continue this trend, whereas an A3 use would generally be open during the daytime. The Inspector agreed that a further A5 unit, would simply exacerbate matters, resulting in a predominately night time use of the shopping parade. The scheme is therefore contrary to policy QE7.

2.4 Finally, the Inspector considered the existing HFTA’s could create noise and disturbance impacts on residents living in first floor flats, particularly with regards to sleep disturbance. However, the Inspector considered the effects of a further A5 unit, could be mitigated by a condition restricting the hours of opening. A different view was taken in respect of odours and noise from cooking/preparation of food. The Inspector considered the information provided with the application was insufficient to enable a conclusive assessment of whether these impacts would not impact on the resident living immediately above the premise, who would be highly sensitive to these effects. Notwithstanding no prior issues have been experienced by this resident, the proposal is for a different use. The Inspector did not consider the impacts could be mitigated by suitable planning conditions and found the proposal to be contrary to policy QE6 of the LPCS and paragraph 123, NPPF.

137 Kenyon Lane

2.5 A replacement dwelling was proposed in the green belt. The main issue centred around whether the proposal amounted to inappropriate development, the effect on the Green Belt’s openness and if there were any other matters that amounted to very special circumstances to justify granting consent.

2.6 The new dwelling was larger than the existing bungalow. The Inspector accepted the NPPF provides no guidance on what constitutes a materially larger development and they agreed the proposal would represent only a modest increase in the footprint of the building. However, the proposed increase in volume, floorspace and height as set out above cannot reasonably considered to be anything other than materially larger. The appellants agree that the proposed dwelling would be larger than the existing building but argue that it would not look out of place in its setting. However, the visual impact of the proposal in comparison to its surroundings is not a test under the exceptions of paragraph 89. Conflict arises therefore with paragraphs 87 and 88 of the NPPF.

2.7 Openness is an essential characteristic of the Green Belt and paragraph 79 of the NPPF advises that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. As outlined above, the proposal would considerably increase the bulk and massing of visible built development. Consequently openness would be reduced. However, taking in isolation, and in terms of the Green Belt as a whole, the loss of openness would be minimal.

2.8 The appellants considered the proposal would be of benefit to the character and appearance of the area. The Inspector noted the buildings neglected appearance, nevertheless it is a modest development and set back from the street scene and
neighbouring properties. Therefore, it has a neutral impact on the character and appearance of the area. The proposed development, as discussed above, is acceptable in terms of its character and appearance. However, a development of the size proposed is not necessary to secure an enhancement to the appearance of the site. Consequently, this limits the weight given to this matter.

2.9 Whilst the Inspector accepted some economic benefit and an enhanced energy efficient dwelling, it is only one dwelling and therefore such benefits are limited.

Station Approach

2.10 Consent was sought for a taxi office which has been in situ for a number of years via multiple temporary planning consents. The last of those has now expired. The building in question is portable.

2.11 The main issues are the effect of the development, firstly, on the character and appearance of the adjacent car park and the setting of Sankey Railway Station, which is a Grade II listed building; and secondly, on highway safety for users of Sankey Station car park and local highways.

2.12 The listed entry summary describes the station building as a pleasing example of a little altered mid-Victorian railway station, which the Inspector commented that, even with recent changes to the front elevation that include a less than sympathetic colour to some of its openings. The adjacent car park and its approach road provide a suitable spacious context for this to be experienced and appreciated. As such, the Inspector considered the car park that serves the station adds to the character and quality of the listed building's setting and its significance as a designated heritage asset.

2.13 Notwithstanding its cream coloured walls and blue edging, the appeal building has a utilitarian appearance and a rudimentary form. Its portable nature also gives the impression of an impermanent presence within the car park. It is not out of keeping with the character and appearance of the station car park in itself. Nevertheless, from various vantage points within the main body of the station car park and along its short approach road, the appeal building visually reads along with a major part of the listed building.

2.14 The appeal building draws the eye because it encroaches into the relatively open foreground of the listed building from where its character and qualities are, in their opinion, best experienced. With its prefabricated box-like form, light colour and portable nature the appeal building markedly contrasts and jars with the substantive form, traditional style and external materials of the listed building. As a result, the appeal building is obtrusive and appears discordant, significantly detracting from the setting of the listed building even with vehicles parked in front of the main façade and the hard surface area of the car park, which varies in its condition and general appearance.

2.15 The taxi office provides natural surveillance of the car park at all times, which reduces the likelihood of anti-social behaviour and litter being discarded and the prospect of damage being caused to the station building. It will also provide some reassurance to users of the station especially after dark and for those traveling alone. However, the appeal proposal is not the only way to achieve these. Even the provision of jobs, does not outweigh the harm identified.
2.16 The station car park is solely for use by rail customers. Signs in the car park confirm this. Although non-rail customers do use the car park, it does not invalidate the restriction. The Inspector agreed a provision of 3 no. spaces would not be unreasonable given the size and nature of the taxi operation. However, no parking or space for servicing is shown as the site boundary. Therefore no parking can be provided, as the remaining land is reserved for rail customers to park, nor is it within the ownership or control of the appellant. For convenience, taxi drivers may well utilise the land around the building. It would be unauthorised and displace rail users, resulting in parking on nearby streets or discouraged from using the rail network. The proposal is therefore detrimental to highway safety for the users of the station car park and the local highway network.

82 Highfield Avenue

2.17 Permission was sought for a part single and part two storey extension to the front, side and rear. The main consideration of the proposal was its effect on the living conditions of the occupiers at no. 80 Highfield Avenue.

2.18 The appeal dwelling is one of a pair of semi-detached houses which cover, in common with other properties in the area, fairly large plots with extensive front and rear gardens. The houses in the area have well defined front building lines and most, including the appeal dwelling, include side spaces separating them from adjacent houses. The boundary between 80 and 82 Highfield Avenue bisects the gap between these two houses. The part of the gap which lies within the appeal property is about 3.5 metres wide and contains a flat roofed detached single garage, located alongside the boundary between the two properties. The part of the gap which lies within 80 Highfield Avenue is occupied by a driveway which serves a garage to the rear. The section of this driveway which is between the house at 80 Highfield Avenue and the boundary is narrower at its front than at the rear, reflecting the slightly offset alignment of these two dwellings.

2.19 80 Highfield Avenue contains substantial windows in its side elevation facing the appeal dwelling, two of which are at ground floor level. The rear-most is a kitchen, while the forward-most of these window is to a part of the same elongated room which is used as a dining area. Kitchen/dining room windows fall within our definition of habitable room windows. Due to the orientation of no. 80 (south east) the side windows, particularly the forward-most of these, provide important sources of outlook, daylight and sunlight.

2.20 Due to its positioning, design and the combined bulk of its single and two storey parts, the extension would have an overbearing effect on the outlook from the side facing ground floor windows, and adjacent driveway area, in 80 Highfield Avenue. This would harm the living conditions of the occupiers of this neighbouring property, conflicting with the aims of policy QE6 and SPG 2. The proposed extension would be about 1 metre further away from the side facing windows of 80 Highfield Avenue than the current detached garage within the appeal site. However, because it would be longer and higher than the existing garage, it will have a more severe effect on the outlook and lighting available to no. 80.

Allowed Appeals
This appeal has been allowed for the demolition of the existing dwelling prior to the erection of a replacement dwelling. The main issue was the proposals effect on the character and appearance of the area as well as the living conditions of no. 29 Hillside Road in terms of outlook and natural light.

The Inspector noted the area’s diverse range of dwellings in terms of site coverage, massing and architectural detailing. In addition there is a mixed pattern of spaces in-between dwellings and their boundaries. Either side of the site there are detached bungalows, with no. 29 of a similar scale and design and no. 33 of a more modern design and substantially taller. The replacement is more substantial than the existing bungalow, however it was considered its scale would not be out of context of character due to the variation of the adjacent bungalows.

Despite only 1m being retained to either party boundary at the side, the Inspector considered the proposal would appear adequate within the plots size. This added to the reasonable interface distances between respective walls of the proposal and neighbours led the Inspector to conclude the proposal would not appear incongruous nor cramped.

In terms of the impact on no. 29’s outlook, it was considered no significant harmful effects over and above those of the existing garage would be felt, despite no. 29’s window being closer to the flank wall of the proposal. No. 29’s window would be slightly elevated above the appeal proposal’s eaves line, which is lower at this point than the existing flank wall of No 31. The hip roof slopes away from No 29’s flank window, creating further space between the properties at this level.

No. 29 also has a French window to the rear and a long dormer. Although the proposal will be more visible, it would not cause significant harm to no. 29’s outlook on the basis that the French windows are large and benefit from a wide outlook towards the fields at the rear. A limited effect over and above that of the existing garage was noted. The effects of the appeal scheme on the outlook in the garden would be similarly limited. The garden of No 29 is generous with an open aspect to its rear affording long range views. The additional flank walling over and above that of the current garage would not have a significantly overbearing or harmful effect in relation to the outlook enjoyed by No 29’s occupiers from the garden.

With regards to the level of natural light available to the occupiers of No 29, due to the orientation of the properties, with rears that are south-facing, and the presence of existing structures at the appeal site, the appeal scheme would not have any more materially harmful effects over and above those of the existing development.

**Appeal Performance**

During quarter 3 11 no. decisions were issued by the Inspectorate, resulting in 9 no. cases being dismissed (81%) and 2 no. allowed. (19%) In addition 3 no. appeals were withdrawn by appellants, following negotiation, resulting in re-submitted planning applications.

When quarter 3’s performance is added to the first two quarters, 31 no. cases have been dismissed (81.57%) with 7 no. have been allowed. (18.43%) This exceeds the performance target of 25% cases being dismissed at appeal.
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 decisions and appeal performance.

9. RECOMMENDATION
9.1 That members note the appeal decisions and performance.

10. BACKGROUND PAPERS
10.1 None
Contacts for Background Papers:

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

12. CLEARANCE DETAILS

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<tbody>
<tr>
<td>Andy Farrall</td>
<td>x</td>
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Appeal Decision

Site visit made on 26 January 2016

by Alexander Walker  MPlan MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 February 2016

Appeal Ref: APP/M0655/W/15/3136559
4 Martin Avenue, Poplars and Hulme, Warrington WA2 0HQ

- 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 Mr Shamim Ahmed against the decision of Warrington Borough Council.
- The application Ref 2015/25826, dated 13 May 2015, was refused by notice dated 8 July 2015.
- The development proposed is a change of use from A3 to A5 and extractor flue to the rear elevation.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are as follows:
   - whether or not the proposed change of use satisfies the sequential test for main town centre uses;
   - the effect on the character and appearance of the area; and,
   - the effect on the living conditions of the occupants of neighbouring properties, with regard to noise and disturbance.

Reasons

Sequential Test

3. The site is located outside the Town Centre or any other District, Neighbourhood or Local Centres and therefore any main town centre uses will need to carry out a sequential test to demonstrate that there are no other suitable sites available within such a centre in accordance with Polices SN5 and PV5 of the Warrington Borough Council Local Plan Core Strategy (CS) adopted July 2014. This reflects paragraph 24 of the National Planning Policy Framework (the 'Framework').

4. The appellant advances the argument that the property already benefits from a main town centre use and as such it is not necessary to undertake a sequential test. However, I do not agree with this contention. The purpose of the sequential approach is to protect the vitality and viability of existing centres. As the Council have demonstrated, there are a number of vacant units within the nearby centres of Fearnhead Cross and Orford Lane. Therefore these should be considered prior to allowing main town centres uses outside of these centres, regardless of whether the existing property already benefits from a
main town centre use. Failure to consider these first would result in these units remaining vacant and therefore having a detrimental effect on the vitality and viability of these centres.

5. Furthermore, the Warrington Borough Council Hot Food Takeaways Supplementary Planning Document (SPD) adopted April 2014 states that hot food takeaways will be required to carry out a sequential assessment to demonstrate there are no suitable properties available.

6. Notwithstanding the above, the appellant has carried out a sequential test. However, the test has included sites outside any defined centres and has not included sequentially preferable sites that are, i.e. Fearnhead Cross and Orford Lane. Therefore, the assessment that has been carried out is deemed to be inadequate to satisfactorily meet the test requirements.

7. I note the appellant’s reference to previous appeal decisions1. However, it is not evidently clear what evidence was submitted in support of these proposals or what the Council’s development policies stated. In this instance the Council’s development policy objectives are clear and the Council have demonstrated that there are a number of vacant units in nearby centres that should first be considered in order to improve the vitality and viability of these centres. It must be noted that the Council does not prohibit main town centre uses outside the defined centres, only that before they consider them acceptable the required sequential test must first be met. It may be the case that the previous Inspectors were satisfied that the required sequential tests were met. Therefore, I cannot draw any significant comparison between the previous appeal decisions and the appeal before me. In any case, I have considered the appeal on its own merits.

8. I find therefore that the proposal fails to satisfy the sequential test, contrary to Policies SN5 and PV5 of the CS, the Hot Food Takeaways SPD, and paragraph 27 of the Framework, which states that where an application fails to satisfy the sequential test, it should be refused.

Character and Appearance

9. The appeal property is located in a row of five properties, comprising two A1 uses and two A5 uses. Whilst the appeal property is currently vacant, it benefits from an A3 use. Therefore, the proposal would result in three out of the five units being A5 uses.

10. I note the appellant’s argument that paragraph 5.4 of the Hot Food Takeaways SPD focuses on the harm an overconcentration of similar or non-retail uses can have on defined centres. Whilst I agree that the guidance specifically refers to defined centres, of which Martin Avenue is not, it does refer to an overconcentration of similar uses, not just non-retail uses. Although Martin Avenue is not a defined centre, an overconcentration of hot food takeaways could nonetheless harm the character and appearance of the area.

11. I acknowledge that the proposed A5 use would be similar to the existing A3 use in that it would serve food. However, the A3 use would generally operate during the daytime whereas the proposed use would operate in the evening. Consequently, the majority of units in the row would be operating in the evening and likely have their shutters down in the daytime. I appreciate that

1 Appeal Refs APP/G5750/A/14/2217407 and APP/G5750/A/14/2216552
this is the current situation as the appeal property is currently vacant and therefore has its shutters permanently down. However, as I observed during my site visit that took place at midday, this gave the appearance that the majority of the units were vacant and provided an unattractive frontage to the properties. In addition, based on my experience the noise and disturbance from late night comings and goings would have a different effect on the character of the area. Whilst I appreciate that the existing hot food takeaways experience similar activities, the addition of another would further exacerbate this effect, shifting the balance from what is predominantly daytime activity to night time. Consequently, this would have a detrimental effect on the overall character and appearance of the predominantly residential area.

12. The appellant refers me to the pre-2012 occupation conditions of the units, when there were only four of them. At the time, the mix of food related units included for both A3 and A5 uses. Whilst the proposal would result in the percentage of food related units being lower than the 2012 figure of 75%, it would only comprise A5 uses. Therefore, the proposal would increase the concentration of A5 units.

13. Following the approval of the fifth unit in 2012, the Council has adopted its CS and Hot Food Takeaways SPD. I have no evidence of the Council’s policy objectives at the time and therefore cannot, in planning policy terms, draw any comparisons between the Council’s consideration of the application in 2012 and the appeal before me.

14. I find therefore that the proposal would result in the overconcentration of hot food takeaways in the locality and significantly harm the character and appearance of the area, contrary to Policy QE7 of the CS, which, amongst other matters, seeks to ensure that development provides high quality places by enhancing the character, appearance and function of the street scene. Furthermore, it would fail to comply with the guidance contained in the Hot Food Takeaways SPD.

Living Conditions

15. Regardless of the similarities the appellant has identified between the existing and proposed use, the opening hours would be different. This would give rise to an increased level of comings and goings at night time. Also, food would be cooked later into the night.

16. I acknowledge that the existing hot food takeaways are also open late at night and therefore the effects I have mentioned above would already likely occur. However, the proposal would exacerbate these effects, in particular, generating more customers both on foot and by car and increasing the potential for people loitering around the car parking area to the front. As a result, this would increase the level of noise and disturbance and therefore have an adverse effect on the living conditions of the occupants of nearby residential properties, primarily those above the row of units, particularly late at night when it could disturb their sleep.

17. Notwithstanding the above, the Framework states that consideration should be given to whether otherwise unacceptable development could be made acceptable through the use of appropriately worded conditions. The above harm I have identified could be adequately mitigated against by means of a condition restricting the hours of opening.
18. With regard to the Council’s concerns in respect of the effect the odour and noise from the cooking and preparation of food would have on the flat directly above the unit, the information submitted with the application is insufficient for me to be satisfied that these effects can be adequately addressed. I have considered the use of an appropriately worded condition requiring the submission of these details were the appeal to succeed. However, given that the flat is in such close proximity, and therefore its occupants would be highly sensitive to these effects, such details should be approved as part of the proposal to ensure that the effects can be adequately addressed.

19. I note the representations received from the occupant of the flat above the appeal property. However, whilst they did not experience any problems with the previous use, the proposal is for a different business. In any event, consideration must also be had for future occupants of the property in addition to the current occupants.

20. I find therefore that whilst the proposed hours of opening could be controlled to mitigate some of the harm the change of use would have on the living conditions of the occupants of neighbouring residential properties, I am not satisfied that the remaining harm could be sufficiently mitigated. As such, the proposal would significantly harm the living conditions of the occupants of the neighbouring residential properties, contrary to Policy QE6 of the CS, which amongst other matters, seeks to protect the living conditions of existing neighbouring residential occupiers. In addition, the proposal would fail to comply with the guidance contained within the Hot Food Takeaways SPD, which seeks to protect residential amenity. Furthermore, it would fail to accord with paragraph 123 of the Framework, which states that development should avoid noise from giving rise to significant adverse impacts on health and quality of life.

Other Matters

21. I understand the appellant’s contention that the proposal would not result in any harm to highway safety; would not be in close proximity of a school; and, would bring a vacant unit into use. However, these matters, individually or cumulatively, do not outweigh the harm I have identified above.

Conclusion

22. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR
Appeal Decision

Site visit made on 14 December 2015

by Susan Ashworth  BA (Hons) BPI MRPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 February 2016

Appeal Ref: APP/M0655/W/15/3131537
137 Kenyon Lane, Kenyon, Warrington WA3 4AY

- 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 Mr & Mrs Robinson against the decision of Warrington Borough Council.
- The application Ref 2015/25714, dated 22 April 2015, was refused by notice dated 10 June 2015.
- The development proposed is demolition of existing dwelling and erection of one new dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. There were two reasons for the refusal of planning permission. The first related to Green Belt issues; the second to the Council’s concern, in the absence of an acceptable survey, about the impact of the development on protected species. However, following the refusal of permission, an ecological report dated 15 July 2015 was lodged with the appeal. The survey found no bats or other protected species on the site. The Council accepts the survey and concludes that advice relating to bats could be provided as an informative should the appeal be granted. As such the second reason for refusal is effectively withdrawn. I have considered the report’s findings and have no reason to disagree with the Council's conclusions on this matter.

Main Issues

3. The main issues in this case are:

   1. Whether or not the proposal would be inappropriate development in the Green Belt, for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
   2. The effect of the proposal on the openness of the Green Belt and on the character and appearance of the area;
   3. Whether or not there are other considerations weighing in favour of the proposed development; and,
   4. If the proposal 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 it.

Reasons

Whether inappropriate development

4. The appeal site, which comprises a detached single storey dwelling and its gardens, is located between two other dwellings in a rural area, within the Green Belt. It is proposed to demolish the existing structures and to replace them with a detached house and garage accommodating two floors of living space plus additional accommodation within the roofspace.

5. Policy CS5 of the Council’s Core Strategy 2014, seeks to maintain the extent of the Green Belt in recognition of its purposes, and states that within such areas development proposals will be approved where they accord with relevant national policy. National policy relating to development within the Green Belt is set out in Chapter 9 of the National Planning Policy Framework (the Framework).

6. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt but sets out several exceptions including ‘the replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces.’ It is clear that the proposal is for a replacement building which would have the same use as the existing building. The issue is therefore whether the new building would be materially larger than the existing one.

7. There is some dispute between the parties over the precise measurements of the proposed building compared with those of the existing. Nevertheless, even taking the appellant’s best case, the proposed replacement dwelling would have a volume of 1044.15 cubic metres which would be some 95% larger than that of the existing dwelling. There are no floorplans of the existing building before me. However, based on the information provided, the Council estimates that the floorspace of the new building which would extend over three levels, would be around 91% greater than that of the bungalow. The appellant does not dispute this. In addition there would be an increase in the height of the building of around 60%. This significant increase in scale would be visually apparent in that the form, bulk and massing of the building would be considerably greater than that of the existing building.

8. I accept that the Framework provides no guidance on what constitutes a materially larger development and I agree that the proposal would represent only a modest increase in the footprint of the building. However, I take the view that the proposed increase in volume, floorspace and height as set out above cannot reasonably considered to be anything other than materially larger.

9. The appellants agree that the proposed dwelling would be larger than the existing building but argue that it would not look out of place in its setting. However, the visual impact of the proposal in comparison to its surroundings is not a test under the exceptions of paragraph 89.

10. Consequently, in not complying with this, or any other, of the listed exceptions, the proposal would be inappropriate development. Paragraph 87 of the Framework states that inappropriate development is, by definition, harmful to
the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that substantial weight is given to any harm to the Green Belt.

_Openness and character and appearance_

11. Openness is an essential characteristic of the Green Belt and paragraph 79 of the Framework advises that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open. As outlined above, the proposal would considerably increase the bulk and massing of visible built development. Consequently openness would be reduced. However, taking in isolation, and in terms of the Green Belt as a whole, the loss of openness would be minimal.

12. Built development in the area tends to be set in clusters, as in this case where the proposed replacement dwelling would sit between two existing two-storey properties. There is no particular consistency in the design or style of the existing dwellings and the Council accepts that in its context the proposed dwelling would be acceptable in terms of its design and appearance. The proposed development would have a traditional and well-proportioned design and open space would be retained around the property. I therefore have no reason to disagree with the Council’s view in this respect.

_Other Considerations_

13. I have taken into consideration the view of the appellants that the proposal would be of benefit to the character and appearance of the area. I noted on site that the existing building, which is unoccupied, has a neglected appearance. Nevertheless, it is a modest development in terms of its scale and appearance. It is set back from the neighbouring properties and therefore discreet in the street scene. As a result it has a neutral impact on the character and appearance of the area. The proposed development, as discussed above, is acceptable in terms of its character and appearance. However, a development of the size proposed is not necessary to secure an enhancement to the appearance of the site. Consequently, this limits the weight I can give to the matter as a benefit of the proposal.

14. I accept that the proposal would provide economic benefit during the construction period and would provide enhanced and more energy efficient family accommodation for the appellants. However, the proposal relates to only one dwelling therefore such benefits are limited. Consequently I give the matter limited weight in favour of the proposal.

15. The appellants have drawn my attention to a nearby property, No 108 Kenyon Lane, which was originally a bungalow that has been extended to form a two-storey house. Whilst I have noted the scale of the building in comparison to that which previously existed, it seems that the policy background has changed since permission was granted in 2007, particularly with the introduction of the Framework in 2012 and the adoption of the Core Strategy in 2014. As such the proposal, which in any event, was for an extension rather than a replacement dwelling, is not directly comparable. Moreover, the weight to be given to the harm caused by inappropriate development is clearly set out in the Framework and it is my duty to determine the appeal in line with current policy.
16. I note that permission was more recently granted for a porch at the same property. The Council accepted that this development was inappropriate but concluded that very special circumstances, primarily relating to permitted development rights for porches, existed. As such, although I accept that the development is considerably larger than that which previously occupied the site, the circumstances are not directly comparable and I have determined the appeal on its own merits.

Conclusion

17. In conclusion, I have identified that the scheme would be inappropriate development in the Green Belt as defined in the Framework. Inappropriate development is by definition harmful and substantial weight has to be given to any such harm. In addition there would be minimal harm to openness of the Green Belt.

18. As explained above I give limited weight to the material considerations cited in support of the proposal and conclude that, taken together, they do not outweigh the totality of the harm the scheme would cause.

19. Consequently there are not the very special circumstances necessary to justify inappropriate development in the Green Belt. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Ashworth
INSPECTOR
Appeal Decision

Site visit made on 26 November 2015

by Gary Deane BSc (Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 February 2016

Appeal Ref: APP/M0655/W/15/3124784
2 Station Approach, Station Road, Warrington, Cheshire WA5 1RQ

- 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 Mr Kevin Williams against the decision of Warrington Borough Council.
- The application Ref 2015/25404 was refused by notice dated 30 April 2015.
- The development proposed is a taxi office.

Decision

1. The appeal is dismissed.

Procedural matters

2. An application for costs was made by the appellant against the Council. The Council has also made an application for costs against the appellant. These applications are the subject of separate decisions.

3. The portable building to which this appeal relates is in place. It has been in use as a taxi booking office for a considerable period of time. A small shed is tucked away at the back of this building. Reference is made in the evidence to a touring caravan and skips adjacent to the portable building although these were not in place at the site visit.

4. The site has a protracted planning history, with the most recent decision to grant planning permission to retain the appeal building and its use as a taxi office given in October 2011. The Council states that that planning permission required the use to discontinue and the land to be returned to its former condition on or before 6 November 2014.

5. No drawings of the appeal building have been submitted other than an Ordnance Survey Plan, which shows the site edged red and denoted ‘Portable Building’. This plan broadly reflects the position of the appeal building.

6. The Council has queried the validity of the appeal because of an incorrect certificate of ownership. The appellant submitted Certificate A with the planning appeal, which states that he is the sole owner of the site. However, land registry details provided by the Council indicate that another party owns part of the site edged red on the plan. The appellant subsequently submitted Certificate B and served notice on the relevant party. On that basis, I am
satisfied that the correct certificate has been submitted and that all those with an interest in the land have had the opportunity to comment on the appeal. Therefore, I consider that no prejudice would be caused if I were to proceed with the appeal on that basis.

7. The Council has also queried the appellant’s right of access to the appeal building, which is across land in the ownership of Network Rail. The appellant has consistently stated that such rights exist. While the land registry details provided by the Council are not definitive on this matter, reference is made at point 2 within the property register to a right of way along the access road to the station. While rights of access may or may not have implications for the implementation of the development sought, my decision is based only on the planning merits of the case.

Main issues

8. The main issues are the effect of the development, firstly, on the character and appearance of the adjacent car park and the setting of Sankey Railway Station, which is a Grade II listed building; and secondly, on highway safety for users of Sankey Station car park and local highways.

Reasons

Character and appearance and the setting of Sankey Railway Station

9. The appeal building stands to one side of the car park that serves Sankey Station, which is a Grade II listed building. I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses as required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The listed entry summary describes the station building as a pleasing example of a little altered mid-Victorian railway station, with which I would agree, even with recent changes to the front elevation that include a less than sympathetic colour to some of its openings. The adjacent car park and its approach road provide a suitable spacious context for this to be experienced and appreciated. As such, I consider that the car park that serves the station adds to the character and quality of the listed building’s setting and its significance as a designated heritage asset.

11. Notwithstanding its cream coloured walls and blue edging, the appeal building has a utilitarian appearance and a rudimentary form. Its portable nature also gives the impression of an impermanent presence within the car park. In my experience, buildings of this type are a common characteristic of car parks. It is not out of keeping with the character and appearance of the station car park in itself. Nevertheless, from various vantage points within the main body of the station car park and along its short approach road, the appeal building visually reads along with a major part of the listed building.

12. In these views, the appeal building draws the eye because it encroaches into the relatively open foreground of the listed building from where its character and qualities are, in my opinion, best experienced. With its prefabricated box-like form, light colour and portable nature the appeal building markedly
contrasts and jars with the substantive form, traditional style and external materials of the listed building.

13. As a result, the appeal building is obtrusive. It appears as a discordant element that significantly detracts from the setting of the listed building even with vehicles parked in front of the main façade and the hard surface area of the car park, which varies in its condition and general appearance.

14. For these reasons, the appeal building fails to preserve the setting of the listed building, to which I attach considerable importance and weight. Painting the appeal building a different colour would not satisfactorily mitigate its harmful impact given that my concerns also relate to its form and position.

15. In my judgement, the harm caused by the development on the significance of the listed building as a heritage asset would be less than substantial. In those circumstances, the National Planning Policy Framework (the Framework) states that the harm should be weighed against the public benefits.

16. The taxi office provides natural surveillance of the car park at all times, which reduces the likelihood of anti-social behaviour and litter being discarded and the prospect of damage being caused to the station building. The presence of the appeal building would also provide some reassurance to users of the station especially after dark and for those traveling alone. However, I am not convinced on the evidence before me that the only way to achieve these outcomes is by introducing the development, as sought. The appeal scheme also contributes to the local economy mainly through the provision of jobs. The Framework states that significant weight should be placed on the need to support economic growth through the planning system, which I have done. However, none of these benefits outweigh the harm that I have identified.

17. On the first main issue, I therefore principally conclude that the appeal building causes significant harm to the setting of Sankey Railway Station. Accordingly, it conflicts with Policies QE 6, QE 7 and QE 8 of the Local Plan Core Strategy (CS). These policies aim to ensure that development enhances the character and appearance of the townscape and protects the setting of heritage assets. There would also be a conflict with the Framework regarding the protection of heritage assets and with the statutory duty.

Highway safety

18. Access to the appeal building is from the approach road off Station Road that terminates within the station car park. During my late morning site visit, I saw that spaces within the main body of the car park were largely occupied with space available for parking generally furthest away from the station building.

19. Signs placed around the car park state that the approach road and the car park provide vehicle parking for rail customers only. As such, any non-rail user of the car park would be in contravention of this restriction and thus liable to a fine or a parking penalty notice. That users of the car park regularly flout this restriction, as suggested by the appellant, does not invalidate it. While the appellant considers that the parking restrictions are not properly enforced, the signs clearly state that regular patrols of the car park take place and that enforcement could occur at any time, with a penalty for non-compliance with the sign’s instructions.
20. As the station car park does not operate on a pay and display basis it is not obvious which parked vehicles belong to rail users. However, the signs make clear that there is a requirement for car park users to present, on demand, a valid ticket or pass to travel on the railway from Sankey Station. This would provide a way to differentiate rail users from others using the car park. While part of the existing car park is not tarmacked, it clearly serves the station and there is no obvious indication around the site that its use is not subject to the same parking controls that apply elsewhere at the station.

21. The Council states that the development would require 3 parking spaces, which is not unreasonable given the size and nature of the taxi operation. However, no parking or space for servicing is shown as the site boundary is confined almost to the footprint of the appeal building. It therefore excludes the parking around the station and the approach road that does not fall within the ownership or control of the appellant.

22. As the taxi office is only used for booking, the appellant states that it does not, in itself, generate traffic or a demand for parking. However, for convenience, drivers associated with the taxi office may well opt to use the parking area around the station to await customers without permission. If this were to happen then it would be unauthorised. It may also displace parking for rail users. This would mean rail users may have to park on the surrounding roads, or alternatively, if parking is problematic, they may be discouraged from using the rail network.

23. According to the Council, the car park is well used especially during peak commuter times and complaints have been received that highlight the problems that can arise from parking in the local area. Consequently, if the appeal scheme were to be approved there is a reasonable possibility that drivers might park inconsiderately, obstructively or illegally as there would be a reliance on Station Road itself and other nearby streets including Hawthorne Avenue and Belmont Crescent that are subject to double yellow lines. That would disrupt the free flow of traffic and prejudice highway safety.

24. I doubt that the servicing demands of the development would be so great as to have similar effects. The appellant also states that spaces are regularly available for use within the station car park. However, it is the ability to legitimately use those spaces to serve the development that is at issue.

25. On the second main issue, I therefore conclude that the development is detrimental to highway safety for the users of the station car park and the local highway network. Therefore, it conflicts with CS Policies QE 6 and QE 7 insofar as they aim to ensure that development protects highway safety and functions well in relation to patterns of movement and activity.

Other matters

26. Reference is made to the Council’s decision to grant planning permission for the use of part of the appeal building as a tattoo parlour, which the appellant states has been implemented. Even so, I have assessed the development for which planning permission is sought and find it to be incompatible for the reasons given. As such, it would be inappropriate to grant planning permission for the development over a temporary period, as the appellant suggests.
27. There is no question that the appellant is a responsible neighbour to the station and operates a business that is valued by its customers, which is reflected in the strong support for the appeal by an interested party. I also note that the Council has consistently granted planning permission for the development on a temporary basis and that the portable building is long standing.

28. The appellant considers that there has been no change in circumstances since the most recent approval for the taxi office in 2011. However, since that decision, the CS has been adopted and the Framework has been introduced. In addition, some of the portable buildings from the area around the car park have been removed. A recent appeal decision has also been determined for office development on land close to the site. None of these considerations were in place in 2011 and provide a materially different context within which to assess the development.

29. The Council places some reliance on the findings of the previous Inspector in relation to the proposal for an office block close to the site. While there is some common ground with the development before me in the use of the station car park and the setting of the listed building, the office development notably differs in its nature, scale and position. While I have had regard to this decision, I have assessed the development on its own merits, as I am required to do.

**Conclusion**

30. Overall, for the reasons given, I conclude that the appeal should be dismissed.

_Gary Deane_

INSPECTOR
 Appeal Decision

Site visit made on 15 December 2015

by J C Clarke  BSc BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 February 2016

Appeal Ref: APP/M0655/D/15/3136734
82 Highfield Avenue, Appleton, Warrington WA4 5DX

- 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 Mr Richard Whitehead against the decision of Warrington Borough Council.
- The application Ref 2015/26437, dated 22 August 2015, was refused by notice dated 13 October 2015.
- The development proposed is a part single storey and part two storey extension to front, side and rear.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The spelling of the appellant’s name on the appeal form is slightly different from that on the original application form. I have used the former in this decision as the agent has confirmed that this is correct.

Main Issue

3. The main issue is the effect of the proposed extension on the living conditions of the occupiers of 80 Highfield Avenue.

Reasons

4. The appeal dwelling is one of a pair of semi detached houses which cover, in common with other properties in the area, fairly large plots with extensive front and rear gardens. The houses in the area have well defined front building lines and most, including the appeal dwelling, include side spaces separating them from adjacent houses.

5. The boundary between 80 and 82 Highfield Avenue bisects the gap between these two houses. The part of the gap which lies within the appeal property is about 3.5 metres wide and contains a flat roofed detached single garage, located alongside the boundary between the two properties. The part of the gap which lies within 80 Highfield Avenue is occupied by a driveway which serves a garage to the rear. The section of this driveway which is between the house at 80 Highfield Avenue and the boundary is narrower at its front than at the rear, reflecting the slightly offset alignment of these two dwellings.
6. 80 Highfield Avenue contains substantial windows in its side elevation facing the appeal dwelling, two of which are at ground floor level. The Council officer report identifies that the rear-most of the ground floor windows in this side elevation is to a kitchen area, while the forward-most of these windows is to a part of the same elongated room which is used as a dining area.

7. Whilst the Warrington House Extensions Supplementary Planning Guidance 2003 (SPG) defines habitable rooms in a way which excludes kitchens, kitchens which are also used as dining areas do fall within this definition. Due to the orientation of 80 Highfield Avenue, this side of which faces south east, and as there are no windows serving this part of the dining/kitchen area in the front elevation, the side windows within 80 Highfield Avenue, particularly the forward-most of these, provide important sources of outlook, daylight and sunlight.

8. Whilst the SPG confirms that side extensions can in many cases be acceptable provided, as would be the case with the appeal proposal, a 1 metre gap is left alongside the side boundary, it is necessary to take account of the scale and design of the appeal proposals and their impact on the side facing windows to 80 Highfield Avenue. The proposed side extension would include a single storey element projecting to its front and a two storey element extending to its rear. The total length of its elevation facing 80 Highfield Avenue would be just over 11 metres, of which about 9 metres would be two storeys in height. A large brick wall and gable end would face in this direction.

9. Due to its positioning, design and the combined bulk of its single and two storey parts, the extension would have an overbearing effect on the outlook from the side facing ground floor windows, and adjacent driveway area, in 80 Highfield Avenue. This would harm the living conditions of the occupiers of this neighbouring property. The proposal therefore conflicts with the aims of policy QE6 of the Warrington Local Plan Core Strategy 2014 (WLPCS) and the SPG related to this matter. Whilst the Council decision also refers to policy QE7 of the WLPCS this is less relevant to my findings as it does not cover living conditions.

10. The proposed extension would be about 1 metre further away from the side facing windows of 80 Highfield Avenue than the current detached garage within the appeal site. However, as it would be a much longer and higher structure than this existing garage, with a consequently more severe effect on the outlook and lighting available to 80 Highfield Avenue, this point does not outweigh the harm identified above.

Conclusion

11. For the reasons set out above, I dismiss the appeal.

Jonathan Clarke
INSPECTOR
Appeal Decision

Site visit made on 17 November 2015

by G Fort BA PGDip LLM MCD MRTPi
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 January 2016

Appeal Ref: APP/M0655/W/15/3033706
31 Hillside Road, Appleton, Warrington WA4 5PX
- 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 Mr Timothy Robinson against the decision of Warrington Borough Council
- The application Ref 2015/25348, dated 25 February 2015, was refused by notice dated 22 April 2015
- The development proposed is the demolition of existing bungalow and replacement with a new house

Decision

1. The appeal is allowed and planning permission granted for the demolition of the existing bungalow and replacement with a new house at 31 Hillside Road, Appleton, Warrington WA4 5PX in accordance with the terms of the planning application ref 2015/25348, dated 25 February 2015 and subject to the conditions in the schedule of this decision.

Main Issues

2. The main issues in this appeal are: the proposal’s effects on the character and appearance of the area; and the effects of the proposal on the living conditions of the occupiers of 29 Hillside Road in respect of outlook and natural light.

Reasons

Character and Appearance

3. Hillside Road is part of a residential suburban area set in a rural fringe location. The properties along Hillside Road are varied in character including detached bungalows, and semi-detached and detached two-storey dwellings. The properties are garden fronted with boundary treatments of hedge and wall of differing heights. The area’s dwellings are diverse in terms of site coverage, massing and architectural detailing. The pattern of side spaces between properties and their boundaries is also mixed.

4. The appeal site is level and occupied by a detached double fronted brick-faced bungalow with a gable on its front elevation and prominent chimney stacks. A detached garage, also in brick, is located to the rear of the bungalow on the boundary with No 29. There are detached bungalows to either side: No 29 is of a similar scale and design though with a prominent dormer on the rear roof slope; and No 33 is of a more modern design and is substantially taller with a
dormer projection on the front roof slope. The flank walls of the appeal site’s existing bungalow are around four and a half metres from the boundary with No 29, and two and a half metres from the boundary with No 33. At the front, the appeal site is bounded on three sides by mature hedge. At the rear boundary treatments are more minimal and offer views across the level agricultural field that borders the back of the appeal site.

5. The appeal scheme would secure the demolition of the existing bungalow and garage, and their replacement with a more substantial two-storey dwelling with an integral garage. It would have a rearward projection of around six metres from the adjacent rear wall of No 29, but have a similar depth to No 33 adjacent to the boundary with that latter property. The proposed dwelling would have a hipped roof with two gables on its front elevation, with a ridge height of around ten metres. Due to the slope of the roof the flank elevation adjacent to No 29 would have a height of around four and a half metres; and the height of the elevation flanking No 33 would be around five and a half metres. The proposed dwelling would be sited around one metre from the boundaries with its adjacent properties.

6. The appeal proposal’s scale would not be without context in the area, and therefore would not be out of character. Neither would the property look dominant or incongruous in its immediate context as the two adjacent bungalows are also varied in scale, and indeed its flank walls would be lower than those of Nos 29 and 33. Its form, that of a detached two-storey dwelling, would also not be out of character in terms of the wider area. Given the varied architectural context, the appeal proposal’s style would not be at variance with any predominant pattern.

7. Development in the road is of diverse density with a mixed pattern of side space. Within this varied context, the appeal scheme’s plot size would appear adequate. Furthermore, the separation distances achieved between the flank walls of the proposed dwelling and the side elevations of adjacent properties would be reasonable. Taken together, these considerations lead me to the view that the proposal would appear neither incongruous nor cramped.

8. I have considered the Council’s point that the use of the roof space is uncharacteristic, however, the appeal site’s adjacent bungalows both have dormer projections and use the roof space. Accordingly, I have afforded only limited weight to this consideration in arriving at my decision.

9. The appeal scheme would thus not have significantly harmful effects on the character and appearance of the area, and would therefore not be at variance with the objectives of policies QE7 and CS1 of the Warrington Borough Council Local Plan Core Strategy (the CS). Amongst other things these policies seek to ensure that new development respects the character and appearance of its surroundings.

Living Conditions

10. The appeal scheme would result in a flank wall on the boundary with No 29 which would be taller, by around two metres, and slightly deeper into the garden but located further away from the boundary than the existing garage. The existing garage’s flank wall has a height of around two metres, and the height of the apex of its roof is around four metres. Unlike the appeal
proposal, the garage’s flank wall is sited immediately adjacent to the boundary with No 29.

11. In terms of the appeal scheme’s effects on outlook there are a number of windows on the flank elevation of No 29 adjacent to No 31, however, in respect of these the proposed development will have no significantly harmful effects over and above those of the existing garage. In terms of the window in the roof space of No 29’s flank elevation, though the flank wall of the proposal would be located closer to it than the existing dwelling, it would not at this point be excessive in scale. This window would be slightly elevated above the appeal proposal’s eaves line, which is lower at this point than the existing flank wall of No 31. The hip roof slopes away from No 29’s flank window, creating further space between the properties at this level. As such I can see no materially greater effects in this regard over and above those caused by the existing arrangements.

12. To the rear, No 29 has a French window with an outlook onto its garden and the open fields beyond. There is also a long dormer on No 29’s rear roof slope. Although more visible than the existing structure in both of these contexts, the appeal scheme would not cause significant harm to the outlook enjoyed by the occupiers of No 29 from these windows. In terms of the French windows they are large and have a wide outlook towards the open fields at the back. The proposal would have a limited effect over and above that of the existing garage in this regard. The eaves height of the flank wall would not be higher than the level of No 29’s dormer. This combined with its distance from the dormer of around four metres, and the dormer’s orientation to the open views beyond the garden’s rear boundary, would limit its effects on the outlook of No 29’s occupiers in this regard.

13. The effects of the appeal scheme on the outlook in the garden would be similarly limited. The garden of No 29 is generous with an open aspect to its rear affording long range views. The additional flank walling over and above that of the current garage would not have a significantly overbearing or harmful effect in relation to the outlook enjoyed by No 29’s occupiers from the garden.

14. In terms of the appeal scheme’s overshadowing effects on the level of natural light available to the occupiers of No 29, due to the orientation of the properties, with rears that are south-facing, and the presence of existing structures at the appeal site, the appeal scheme would not have any more materially harmful effects over and above those of the existing development on the site. Though there may be some limited additional overshadowing to parts of No 29’s garden and the French windows in the evening I do not consider this to be significantly harmful and thus weighing against the scheme. I noted at my site visit, admittedly only a snapshot, that the shadows were cast to the front of the properties.

15. Given the existing boundary treatments between Nos 31 and 33, the lack of fenestration in the gable elevation of the latter property and its depth adjacent to the boundary, I do not consider that the appeal scheme will have any significantly harmful effects on the outlook or levels of natural light available to the occupiers of No 33.

16. Accordingly, as I can find no significant harm to the living conditions of adjacent occupiers in terms of the appeal proposal’s effects on outlook and
light I consider that there is no conflict with the objectives of policy QE6 of the
CS. Amongst other things this policy seeks to ensure that development
respects the living conditions of adjacent occupiers.

**Conditions**

17. I have assessed the Council’s suggested conditions in the context of the advice
in paragraph 206 of the National Planning Policy Framework. A condition
regarding the approved plans is attached in the interests of certainty and for
the avoidance of doubt.

18. I have attached a condition to secure car parking to ensure adequate provision
in this regard and in the interests of highways safety. Similarly, in the
interests of highways safety, I have attached a condition relating to the
materials and detailing of the access to the site.

19. Given the scale of the proposal, and in the absence of evidence of any former
contaminative uses on the site I have amalgamated and simplified the Council’s
conditions in relation to contaminated land. These are attached to mitigate the
risks posed by contaminated land to human health, controlled water or wider
environmental receptors around the site.

**Conclusion**

20. For the reasons given above, and having regard to all other matters raised, I
conclude that the appeal should succeed.

*G Fort*

INSPECTOR
Schedule of Conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the approved plans: ROB/2015/02; ROB/2015/04; ROB/2015/05; ROB/2015/06; ROB/2015/07; ROB/2015/08; ROB/2015/09; ROB/2015/10

3) The dwelling hereby permitted shall not be occupied until space has been laid out in accordance with drawing No. ROB/2015/09 within the site for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.

4) Notwithstanding condition (2) prior to the first occupation of the dwelling hereby approved, the first 5 metres of the driveway from Hillside Road shall be hard-surfaced in a porous tarmacadam. The driveway shall be retained thereafter for as long as the use hereby permitted is in existence.

5) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with the British standard BS 10175: Investigation of potentially contaminated sites- Code of Practice and the Environment Agency’s Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 21 days of the report being completed and approved in writing by the local planning authority.
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<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
<th>Development description</th>
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<tr>
<td>25/01/2016</td>
<td>2015/27004</td>
<td>76, Hatfield Gardens, Appleton, Warrington, WA4 5QJ</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
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<tr>
<td>26/01/2016</td>
<td>2015/27105</td>
<td>4, BIRCHWAYS, APPLETON, WARRINGTON, WA4 5DQ</td>
<td>Section 192 (Lawful Development Certificate) - Proposed single storey kitchen extension to rear elevation, plus utility room extension to side.</td>
<td>Approved</td>
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<td>26/01/2016</td>
<td>2015/27036</td>
<td>CAXTON HOUSE, CANN LANE NORTH, APPLETON, WARRINGTON, WA4 5NF</td>
<td>Householder - Proposed Single storey extension to the front of the property</td>
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<td>03/02/2016</td>
<td>2015/27098</td>
<td>LINDEN HOUSE, LYONS LANE, APPLETON, WARRINGTON, WA4 5JG</td>
<td>TPO - Works to tree's covered by TPO 487 &amp; 77</td>
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<tr>
<td>04/02/2016</td>
<td>2015/27133</td>
<td>39, ROSEMOOR GARDENS, APPLETON, WARRINGTON, WA4 5RF</td>
<td>Householder - Proposed two storey extension to side and single storey extension to rear</td>
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<td>05/02/2016</td>
<td>2015/27032</td>
<td>36, WESTCLIFF GARDENS, APPLETON, WARRINGTON, WA4 5FQ</td>
<td>Householder - Proposed single storey rear extension</td>
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<td>08/02/2016</td>
<td>2015/26842</td>
<td>28, LYONS LANE, APPLETON, WARRINGTON, WA4 5NA</td>
<td>TPO - Yew (T59) Proposed felling of tree, Yew (T60) Works to tree, Oak (T58) Proposed moderate crown lift</td>
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<td>09/02/2016</td>
<td>2015/26771</td>
<td>1, HINTON CRESCENT, APPLETON, WARRINGTON, WA4 3DF</td>
<td>Householder - Retrospective application for retention of a boundary wall and fence and proposed alterations including re-siting of the brick pillars and alteration to a fence panel adjacent to the driveway</td>
<td>Approved with Conditions</td>
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### Bewsey and Whitecross

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<td>29/01/2016</td>
<td>2015/27054</td>
<td>66, BEWSEY STREET, BEWSEY AND WHITECROSS, WARRINGTON</td>
<td>Section 192 (Lawful Development Certificate) - Proposed change of use from office use B1 to residential use C3. Minor refurbishment from office to residential finishing standard.</td>
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<td>02/02/2016</td>
<td>2015/27068</td>
<td>1, HORSEMARKET STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1TP</td>
<td>Advertisement - Advertisement consent for a proposed illuminated fascia signs</td>
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<td>03/02/2016</td>
<td>2015/26685</td>
<td>Calver Park, Calver Park Road, Warrington, WA2 8TL</td>
<td>Variation of Condition (Major) - Proposed variation of Condition 14 (Increase the restriction on car sales floor space) on previously approved application 2013/22533</td>
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<td>04/02/2016</td>
<td>2015/27110</td>
<td>WARRINGTON MAZDA, BEWSEY ROAD, BEWSEY AND WHITECROSS, WARRINGTON, WA5 0JX</td>
<td>Advertisement - Proposed removal of any existing signage and installation of the new Mazda signage (1 x internally illuminated Pylon sign and 1 x internally illuminated Service Sign and 10 illuminated and non-illuminated fascia signs)</td>
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<td>05/02/2016</td>
<td>2015/26808</td>
<td>19, MUSEUM STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1JA</td>
<td>Full Planning - Proposal to lower cellar floor by approx. 0.60m and to provide an escape route via a new external staircase</td>
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<td>11/02/2016</td>
<td>2015/26487</td>
<td>ALBAN RETAIL PARK, HAWLEYS LANE, BEWSEY AND WHITECROSS, WARRINGTON</td>
<td>Full Planning (Large Scale Major) - Proposed clearance of existing employment structures, remodelling and extension of 14 existing retail units and the construction of five new non-food retail units, construction a Class A1 food store, change of use of a vacant employment unit for non-food retail use including associated parking, servicing, landscaping, public realm and access works.</td>
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<td>11/02/2016</td>
<td>2015/26737</td>
<td>Unit 22/23, Chetham Court, Winwick Quay, Warrington</td>
<td>Full Planning - Proposed change of use from Class B8 unit with ancillary office space to Class D2 gymnasium incorporating external alterations to facing materials</td>
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<td>11/02/2016</td>
<td>2015/27124</td>
<td>Golden Square, 71 The Mall, Warrington, WA1 1QE</td>
<td>Advertisement - Proposed advertisement consent</td>
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<td>12/02/2016</td>
<td>2015/26951</td>
<td>DALLAM 2, FOLLY LANE, BEWSEY AND WHITECROSS, WARRINGTON, WA5 0NP</td>
<td>Full Planning - Proposed alterations to warehouse premises including additional roller shutter doors and an area of hard standing.</td>
<td>Approved with Conditions</td>
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## Birchwood

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<tr>
<td>29/01/2016</td>
<td>2015/26859</td>
<td>Land at Brock Road, Birchwood, Warrington</td>
<td>Full Planning - Proposed fencing to enclose current basketball area with development of site by adding a Multi Use Games Area (MUGA)</td>
<td>Approved with Conditions</td>
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<tr>
<td>05/02/2016</td>
<td>2015/27009</td>
<td>Unit 712, The Quadrant, Cavendish Avenue, Birchwood Park, Warrington</td>
<td>Full Planning - Proposed change of use from B2 and B8 use to B1 and B8, minor changes to the external elevations and addition of car parking spaces within the service yard.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/26886</td>
<td>Land at Layton Close Car Park, Layton Close, Warrington, WA3 6PT</td>
<td>Full Planning - Proposed bin store</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/27125</td>
<td>Starbucks Coffee, Starbucks Drive Thru, Oakwood Gate, Birchwood, Warrington, WA3 6RW</td>
<td>Advertisement - Proposed display of various illuminated Starbucks signage</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>09/02/2016</td>
<td>2015/26972</td>
<td>THE BREEZE, KELVIN CLOSE, BIRCHWOOD, WARRINGTON, WA3 7BL</td>
<td>Full Planning - Proposed single storey rear extension, Proposed development materials to match existing. Glass lantern in an aluminium frame</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2016/27185</td>
<td>13, ARMSTRONG CLOSE, BIRCHWOOD, WARRINGTON, WA3 6DH</td>
<td>Householder - Proposed two storey side extension and front porch</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
## BURTONWOOD AND WINWICK

<table>
<thead>
<tr>
<th>Decision date</th>
<th>Application number</th>
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<th>Development description</th>
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<tbody>
<tr>
<td>05/02/2016</td>
<td>2016/27195</td>
<td>1, HERMITAGE CLOSE, WINWICK, WARRINGTON, WA2 8SW</td>
<td>Lawful Development Certificate (Section 192) - Proposed Internal alterations to walls, removal of the utility room</td>
<td>Approved</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2016/27338</td>
<td>Omega, Phases 1 &amp; 2, West side of Burtonwood Road, Warrington, WA5 4AH</td>
<td>Non Material Amendment - Proposed Amendments to conditions 3 (details of siting, design and external appearance), 4 (Development framework and masterplan), 6 (Development Parcels and Associated Infrastructure Plan) &amp; 8 (Floor space not to exceed 242,391 Sqm gross) on approved application 2015/26475</td>
<td>Approved</td>
</tr>
</tbody>
</table>
## CULCHETH, GLAZEBURY AND CROFT

<table>
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<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
<th>Development description</th>
<th>Decision type</th>
</tr>
</thead>
<tbody>
<tr>
<td>29/01/2016</td>
<td>2015/26892</td>
<td>4, BEECHWOOD LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4HJ</td>
<td>Discharge of Condition - Proposed Discharge of Conditions: 1: Development to commence before three years, 2: Development in accordance with approved plans, 3: No extension to the building or windows or Dormer windows to the side elevation, 4: Attic windows to the side elevation to be none opening unless more than 1.7 Meters above the floor of the room, 5: No construction until written and photographic details of Construction materials are submitted to Planning Authority, 6: Approved parking provisions to be provided and kept, 7: A: Characterisation B: submission of remediation and Verification Strategy, 8: A: Remediation and Verification B: Reporting of unexpected contamination C: long term monitoring and maintenance and 9: All trees to be retained on site to be protected. On previous approved application 2015/26082</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27095</td>
<td>WILLOWMEADE 18, SMITHY BROW, CROFT, WARRINGTON, WA3 7BZ</td>
<td>Householder - Proposed single storey side extension and replacement of existing front and rear flat roof dormers for individual pitched roof dormers and gables</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27107</td>
<td>13, OAK STREET, WARRINGTON, WA3 7HH</td>
<td>Householder - Proposed single storey ground floor rear extension, new pitched roof and front Porch.</td>
<td>Refused</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27108</td>
<td>13, THAMES ROAD, WARRINGTON, WA3 5DZ</td>
<td>Householder - Proposed single storey extension to rear.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/27156</td>
<td>166A, BENT LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 5EP</td>
<td>Householder- Proposed front dormer extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/27132</td>
<td>21, OAK STREET, WARRINGTON, WA3 7HH</td>
<td>Householder - Proposed Front porch and WC to front.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27178</td>
<td>8, BIRCHALL AVENUE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4DB</td>
<td>Householder - Proposed Front porch extension</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
## Fairfield and Howley

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<tr>
<th>Decision date</th>
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<tbody>
<tr>
<td>29/01/2016</td>
<td>2015/26945</td>
<td>55, Scott Street, Fairfield and Howley, Warrington, WA2 7EH</td>
<td>Full Planning - Proposed single storey extensions to the rear of shop with re-positioning of the external staircase to the first floor flat.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/02/2016</td>
<td>2015/27041</td>
<td>17, RIVERSIDE CLOSE, FAIRFIELD AND HOWLEY, WARRINGTON, WA1 2JD</td>
<td>Householder - Proposed two storey side extension</td>
<td>Refused</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2016/27221</td>
<td>1A, Riverside Retail Park, Warrington, Cheshire, WA1 2GZ</td>
<td>Advertisement - Proposed 1x illuminated sign and 3 stove enamel aluminium signs</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27062</td>
<td>HARRY FAIRCLOUGH, HOWLEY LANE, FAIRFIELD AND HOWLEY, WARRINGTON, WA1 2DN</td>
<td>Full Planning - Proposed change of use of part existing warehouse to office accommodation, including first floor link extension and associated alterations.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/02/2016</td>
<td>2015/27173</td>
<td>218, Manchester Road, Warrington, Warrington, WA1 3BD</td>
<td>Householder - Proposed two-storey rear extension.</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>25/01/2016</td>
<td>2015/26994</td>
<td>THE BRIDGE HOUSE, STOCKPORT ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SZ</td>
<td>Full Planning - Proposed 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>Approved with Conditions</td>
</tr>
<tr>
<td>25/01/2016</td>
<td>2015/26738</td>
<td>66, CHESTER ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2QF</td>
<td>Householder - Proposed change to the the dormas on the front elevation.</td>
<td>Refused</td>
</tr>
<tr>
<td>28/01/2016</td>
<td>2015/27050</td>
<td>13, SPRINGFIELD AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2NW</td>
<td>Householder - Proposed single &amp; two storey extensions to front, side &amp; rear.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>28/01/2016</td>
<td>2015/27057</td>
<td>45, MOTTRAM CLOSE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2XU</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>01/02/2016</td>
<td>2016/27211</td>
<td>1, ST ANNES AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2PL</td>
<td>Non Material Amendment - Alteration to shape of proposed single storey side extension to make it smaller with an angled wall.</td>
<td>Approved</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/26652</td>
<td>CUERDON COTTAGE, CUERDON DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 3JU</td>
<td>Full Planning - Proposed conversion of partially constructed garage store to residential dwelling including a first floor extension</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27089</td>
<td>10, YORK DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2EJ</td>
<td>Householder - Proposed Single storey kitchen extension to rear elevation</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27091</td>
<td>20, CORONATION AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2QW</td>
<td>Householder - Proposed demolition of existing garage and construction of new garage</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27161</td>
<td>1, HALLCROFT PLACE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2JX</td>
<td>Householder - Proposed single storey ground floor rear extension with raised ridgeline to match existing main property height:</td>
<td>Refused</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27153</td>
<td>53, MOTTRAM CLOSE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2XU</td>
<td>Householder - Proposed Rear pitched roof Dining room extension</td>
<td>Approved with Conditions</td>
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</tbody>
</table>
## GRAPPENHALL AND THELWALL

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<th>Decision date</th>
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<tbody>
<tr>
<td>15/02/2016</td>
<td>2015/27168</td>
<td>THE SPRINGBROOK, STOCKPORT ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2WA</td>
<td>Advertisement - Proposed 2 x externally illuminated sets of individual letters with beveled edge, 1 x internally illuminated double sided post sign and 1 x externally illuminated double sided twin totem sign</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>29/01/2016</td>
<td>2015/27058</td>
<td>2, WHITWELL CLOSE, GREAT SANKEY, WARRINGTON, WA5 3HW</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2015/27100</td>
<td>6, York Avenue, Great Sankey, Warrington, WA5 3JG</td>
<td>Householder - Proposed rear and side extensions with internal alterations</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
# GREAT SANKEY SOUTH

<table>
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<tr>
<th>Decision date</th>
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</thead>
<tbody>
<tr>
<td>01/02/2016</td>
<td>2015/26921</td>
<td>CHAPEL BROW FARM, LIVERPOOL ROAD, GREAT SANKEY, WARRINGTON, WA5 1RE</td>
<td>Full Planning - Proposed demolition of existing residential building and erection of semidetached dwelling, demolition of single storey section of barn and erection of single storey extension and conversion of barns into 3 new residential dwellings.</td>
<td>Approved</td>
</tr>
<tr>
<td>02/02/2016</td>
<td>2015/27051</td>
<td>7, Denham Avenue, Great Sankey, Warrington, WA5 1LJ</td>
<td>Householder - Proposed two storey side extension, single storey rear extension, garage conversion and rear dormer window</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location</td>
<td>Development description</td>
<td>Decision type</td>
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<tr>
<td>25/01/2016</td>
<td>2015/26941</td>
<td>54, ELLESMEERE ROAD, STOCKTON HEATH, WARRINGTON, WA4 6DZ</td>
<td>Householder - Restrospective planning application for a rear porch, in the rear garden of property</td>
<td>Approved</td>
</tr>
<tr>
<td>28/01/2016</td>
<td>2015/27061</td>
<td>THE CROFT, CHESTER ROAD, WARRINGTON, WA4 5LP</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Refused</td>
</tr>
<tr>
<td>29/01/2016</td>
<td>2015/26915</td>
<td>THE WALTON ARMS, 148, OLD CHESTER ROAD, WALTON, WARRINGTON, WA4 6TG</td>
<td>Advertisement - Proposed advertisement for 3 non illuminated sets of letters &amp; logo, 3 non illuminated post signs.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>01/02/2016</td>
<td>2015/27003</td>
<td>6, THELWALL LANE, WARRINGTON, WA4 1LH</td>
<td>Full Planning - Proposed demolition of Existing outbuilding &amp; erection of single storey extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>26/01/2016</td>
<td>2015/27146</td>
<td>170, ST MARY STREET, LATCHFORD, WARRINGTON, WA4 1EL</td>
<td>42 Day Householder Prior Approval - Proposed single storey rear conservatory extension attached to previously constructed extension. to extend by 5.95 metres from the rear wall, maximum height of 2.90 metres and the height of the extension to the eaves is to be 2.40 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>27/01/2016</td>
<td>2015/26717</td>
<td>34, DERWENT ROAD, LATCHFORD, WARRINGTON, WA4 6AY</td>
<td>Discharge of condition - Proposed discharge of condition 4 (Parking) on previously approved application 2015/25222</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>01/02/2016</td>
<td>2015/27042</td>
<td>33, BOSWELL AVENUE, LATCHFORD, WARRINGTON, WA4 6DQ</td>
<td>Householder - Proposed single storey rear extension and loft conversion with dormer windows</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/02/2016</td>
<td>2015/27130</td>
<td>Land at 61 - 67, Knutsford Road, Warrington</td>
<td>Full Planning - Proposed change of use from vacant land to Car sales including sales office.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>25/01/2016</td>
<td>2015/26920</td>
<td>Lane End Cottage, 241, Old Cherry Lane, Lymm, Warrington, WA13 0TA</td>
<td>Householder - Proposed Single storey rear extension and new pitched roof to existing two storey and alterations to roof on existing lean-to extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>25/01/2016</td>
<td>2015/26984</td>
<td>18, NEW ROAD, LYMM, WARRINGTON, WA13 9DY</td>
<td>Lawful Development Certificate-Proposed basement refurbishment</td>
<td>Approved</td>
</tr>
<tr>
<td>27/01/2016</td>
<td>2015/27048</td>
<td>24, MANOR ROAD, LYMM, WARRINGTON, WA13 0AU</td>
<td>Section 192 (Lawful Development Certificate) - Proposed roof light window to rear of existing property and flue.</td>
<td>Approved</td>
</tr>
<tr>
<td>29/01/2016</td>
<td>2015/26896</td>
<td>9 C, Dane Bank Road, Lymm, Warrington, WA13 9DQ</td>
<td>Listed Building - Proposed general refurbishment of a grade II listed house including partial replacement of existing doors and windows</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27114</td>
<td>8, WAYSIDE CLOSE, LYMM, WARRINGTON, WA13 0NG</td>
<td>Householder - Proposed two storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2016/27203</td>
<td>LYMM METHODIST CHURCH, EAGLE BROW, LYMM, WARRINGTON, WA13 0LP</td>
<td>TPO Conservation area - T1 and T2 Beech trees - reduce crown from the Church by 3-4 Metres. T3 Beech Tree - Reduce lower laterals from Church by 2-3 M. T4 Sycamore Tree - Crown Lift 5 Metres and Reduce lower Laterals from Church by 2-3 M. To remove overhang from Church building.</td>
<td>Approved</td>
</tr>
<tr>
<td>04/02/2016</td>
<td>2015/27070</td>
<td>14, EGERTON ROAD, LYMM, WARRINGTON, WA13 0PA</td>
<td>Householder - Proposed single storey rear extension, new bay windows to front, rear dormer addition to facilitate Loft Conversion &amp; replacement garage structure</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2015/26855</td>
<td>KEATE HOUSE RESIDENTIAL HOME, BROOKFIELD ROAD, LYMM, WARRINGTON, WA13 0QL</td>
<td>Full Planning - Demolition of detached garage and construction of a two storey rear/side residential facility providing seven bedroom addition to Keate House.</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>05/02/2016</td>
<td>2015/27128</td>
<td>FLAT 3, LYMM HALL, RECTORY LANE, LYMM, WARRINGTON, WA13 0AJ</td>
<td>Discharge of condition - Condition 3 (Repairs to external brickwork shall be carried out and replacement bricks must match the original) on previously approved application 2015/25304</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2015/27109</td>
<td>THE ROYAL BRITISH LEGION, LEGH STREET, LYMM, WARRINGTON, WA13 0DA</td>
<td>Full Planning - Proposed change of use from Class D2 to a mixed use D2 Heritage Centre and B1 Tourist Information Office. Installation of new large glazing to front elevation, with existing brick altered to render finish elsewhere on front elevation. Replacement of existing low pitch roof with new slate pitched roof, with parapet wall to front elevation. New roof lights, conservation style to pitched roof, large flat roof light to flat roof element. Internal alterations to remove bar, provide Part M compliant WC facilities, convert for use as an exhibition space for public exhibitions. New landscaping to front of building.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/26996</td>
<td>17, Albany Road, Lymm, Warrington, WA13 9LU</td>
<td>Householders - Proposed part single / part two storey rear extension and front porch</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27111</td>
<td>7, ELM TREE AVENUE, LYMM, WARRINGTON, WA13 0NL</td>
<td>Householder - Proposed two Storey side extension with single storey rear extension</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2016/27184</td>
<td>21, EAGLE BROW, LYMM, WARRINGTON, WA13 0NA</td>
<td>Householder - Proposed demolition of 2 storey outbuilding and replace with new 2 storey annex, Demolition of rear porch, construction of new 2 storey extension to rear, construction of rear single storey sun room (Dining) Relocation of conservatory and garden store. Relocation of drive entrance, drive and parking area. Infil existing.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>03/02/2016</td>
<td>2015/27077</td>
<td>45, ORFORD GREEN, ORFORD, WARRINGTON, WA2 8PQ</td>
<td>Householder - Proposed part single storey part two storey rear extension</td>
<td>Approved with Conditions</td>
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## PENKETH AND CUERDLEY

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<tbody>
<tr>
<td>08/02/2016</td>
<td>2016/27259</td>
<td>Greystone Cottage, 42, Chapel Road, Penketh, Warrington, WA5 2NP</td>
<td>Householder - Proposed two storey side/rear extension</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27096</td>
<td>8, CORONATION DRIVE, WARRINGTON, WA5 2DD</td>
<td>Householder - Proposed two storey side and rear extension, replacement detached garage and detached garden room</td>
<td>Refused</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27094</td>
<td>8, SOUTH DALE, WARRINGTON, WA5 2AD</td>
<td>Householder - Proposed build over an existing single storey building and extend both floors by 2m and removal of existing flue constructions and small ground floor bays</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location</td>
<td>Development description</td>
<td>Decision type</td>
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<tr>
<td>03/02/2016</td>
<td>2015/26685</td>
<td>Calver Park, Calver Park Road, Warrington, WA2 8TL</td>
<td>Variation of Condition (Major) - Proposed variation of Condition 14 (Increase the restriction on car sales floor space) on previously approved application 2013/22533</td>
<td>Approved with Conditions</td>
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<tr>
<td>05/02/2016</td>
<td>2015/27145</td>
<td>307, GRASMERE AVENUE, POPLARS AND HULME, WARRINGTON, WA2 0JZ</td>
<td>Householder-Proposed single storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/02/2016</td>
<td>2015/26737</td>
<td>Unit 22/23, Chetham Court, Winwick Quay, Warrington</td>
<td>Full Planning - Proposed change of use from Class B8 unit with ancillary office space to Class D2 gymnasium incorporating external alterations to facing materials</td>
<td>Withdrawn</td>
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## Poulton South

<table>
<thead>
<tr>
<th>Decision date</th>
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<th>Location</th>
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<tbody>
<tr>
<td>27/01/2016</td>
<td>2015/26946</td>
<td>17, WILLOW CRESCENT, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 4JS</td>
<td>Householder - Proposed single storey rear extension and two storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>01/02/2016</td>
<td>2015/27038</td>
<td>18, LIMETREE AVENUE, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 4HX</td>
<td>Householder - Proposed single storey rear extension and two storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27116</td>
<td>2, WHITCHURCH CLOSE, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 4JZ</td>
<td>Householder - Proposed single storey extension to side of house fronting highway for storage only</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/27117</td>
<td>32, THORN ROAD, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 3HQ</td>
<td>Full Planning - Proposed single storey kitchen extension to rear elevation</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27137</td>
<td>ST BENEDICTS CONVENT, BRUCHE AVENUE, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 3JQ</td>
<td>Full Planning - Proposed Change of Use from C2 (residential institution) to C3 (dwelling house), construction of single storey extension to front of property, change to external appearance and repositioning of external boundary.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/02/2016</td>
<td>2015/27104</td>
<td>4, BRUCHE HEATH GARDENS, POULTON-WITH-FEARNHEAD, WARRINGTON, WA1 3TP</td>
<td>Prior Approva (Class C) - Proposed change of use from A1 (Shops) to A3 (Cafe) Sandwich Shop/Cafe</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>02/02/2016</td>
<td>2015/26907</td>
<td>LAND OFF HILLOCK LANE WOOLSTON WARRINGTON</td>
<td>Discharge of Condition - Proposed Discharge of Condition 16: detailed scheme to ensure that the remaining part of Woolston Playing Fields will be provided to an acceptable standard in accordance with the recommendations set out in the Playing Field Site Investigation 4 April 2013 on previous approved appealed application 2013/21175</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/26832</td>
<td>15, DURHAM CLOSE, WARRINGTON, WA1 4DZ</td>
<td>Householder- Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27155</td>
<td>16, HILLOCK LANE, WOOLSTON, WARRINGTON, WA1 4NF</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed garage conversion and rear mono pitch roof as shown on enclosed drawings.</td>
<td>Approved</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27092</td>
<td>112, EPPING DRIVE, WOOLSTON, WARRINGTON, WA1 4QN</td>
<td>Householder - Proposed first floor rear/side extension and garage conversation</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2015/27106</td>
<td>GLAZEBROOK HOUSE, GLAZEBROOK LANE, RIXTON-WITH-GLAZEBROOK, WARRINGTON, WA3 5BL</td>
<td>Variation of Condition - Application for variation of Condition 3 (Hours) to be able to admit or keep injured/sick animals on site overnight, following Planning Approval 2009/14746 (Proposed Change of Use from Offices (B1) to Veterinary Surgery (sui generis)).</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2015/26855</td>
<td>KEATE HOUSE RESIDENTIAL HOME, BROOKFIELD ROAD, LYMM, WARRINGTON, WA13 0QL</td>
<td>Full Planning - Demolition of detached garage and construction of a two storey rear/side residential facility providing seven bedroom addition to Keate House.</td>
<td>Refused</td>
</tr>
<tr>
<td>08/02/2016</td>
<td>2015/27119</td>
<td>18, BIRCH ROAD, WARRINGTON, WA3 6JJ</td>
<td>Householder - Proposed Single Storey Rear Extension, Extension Below Existing Canopy, Extension to Existing Garage and Associated Works</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>09/02/2016</td>
<td>2015/27030</td>
<td>Aston Court, Woolston, Warrington, WA1 4SG</td>
<td>Full Planning - Proposed Replacement of fences and gates</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
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<td>Development description</td>
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<tr>
<td>10/02/2016</td>
<td>2015/27154</td>
<td>17, CLAYDON GARDENS, RIXTON-WITH-GLAZEBROOK, WARRINGTON, WA3 6FA</td>
<td>Householder - Proposed Construction of a single Storey extension at the rear of the existing dwelling house.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>25/01/2016</td>
<td>2015/27013</td>
<td>9, Sandy Lane, Stockton Heath, Warrington, WA4 2AY</td>
<td>Householder - Proposed single storey side and rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>25/01/2016</td>
<td>2015/27025</td>
<td>13, GREENBANK ROAD, STOCKTON HEATH, WARRINGTON, WA4 2DW</td>
<td>Householder- Proposed single storey rear and side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>28/01/2016</td>
<td>2016/27249</td>
<td>91, GRAPPENHALL ROAD, STOCKTON HEATH, WARRINGTON, WA4 2AR</td>
<td>Lawful Development Certificate (Section 192 Certificate) - Proposed loft conversion including side and rear dormers</td>
<td>Approved</td>
</tr>
<tr>
<td>29/01/2016</td>
<td>2015/26934</td>
<td>STOCKTON HEATH METHODIST CHURCH, WALTON ROAD, WARRINGTON, WA4 6NL</td>
<td>Full Planning - Proposed 2no. infill extensions</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>02/02/2016</td>
<td>2015/27076</td>
<td>75, CHESTER ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SA</td>
<td>Householder - Proposed side and rear extensions, extended porch and roof alterations including raising of roof ridge and the introduction of front and rear dormers</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27080</td>
<td>107, FAIRFIELD ROAD, WARRINGTON, WA4 2BU</td>
<td>Householder - Proposed two Storey rear extension, first floor over existing garage with conversion, Porch, front canopy and internal alterations:</td>
<td>Refused</td>
</tr>
<tr>
<td>04/02/2016</td>
<td>2015/26838</td>
<td>8, DENBURY AVENUE, STOCKTON HEATH, WARRINGTON, WA4 2BL</td>
<td>Householder - Proposed rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>05/02/2016</td>
<td>2016/27274</td>
<td>6, ELLESMERE ROAD, STOCKTON HEATH, WARRINGTON, WA4 6DS</td>
<td>Discharge of Condition - Proposed Discharge of Condition 4 (Prior to the commencement of development, the applicant shall submit to the local planning authority for approval a contract of works and confirmation of the commencement date for the extensions) Original Application 2015/26110</td>
<td>Condition Discharged</td>
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</table>
### STOCKTON HEATH

<table>
<thead>
<tr>
<th>Decision date</th>
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<tbody>
<tr>
<td>05/02/2016</td>
<td>2016/27320</td>
<td>7, ELLESMERE ROAD, STOCKTON HEATH, WARRINGTON, WA4 6DS</td>
<td>Discharge of Condition - Application for approval of details reserved by Condition 4 (Prior to commencement of development, the applicant shall submit to the local planning authority for approval a contract of works and confirmation of the commencement date for the extensions hereby approved by virtue of 2015/26109. There shall be no occupation of the extension hereby approved unless and until both extensions at no's 6 and 7 Ellesmere Road (Application refs: 2015/26109 &amp; 2015/26110) have been completed in accordance with the approved drawings.</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2015/27150</td>
<td>2, PARKGATE ROAD, STOCKTON HEATH, WARRINGTON, WA4 2AP</td>
<td>Householder - Proposed single storey side and garage extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>15/02/2016</td>
<td>2015/27157</td>
<td>7, CAMBRIDGE CLOSE, STOCKTON HEATH, WARRINGTON, WA4 6SF</td>
<td>Householder - Proposed double storey bedroom playroom and bike store extension to Side Elevation</td>
<td>Approved with Conditions</td>
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## Westbrook

<table>
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<tr>
<th>Decision date</th>
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<tr>
<td>26/01/2016</td>
<td>2015/26985</td>
<td>LAND SOUTH OF WESTRBOOK CRESCENT, WARRINGTON, CHESHIRE, WA5 8WD</td>
<td>Variation of Conditions (Major) - Proposed Variation of Condition 1: Development to be carried out in accordance with approved plans/ Documents Planning application 2014/24762 (outline approval 2013/22322)</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>29/01/2016</td>
<td>2015/27014</td>
<td>32, COLWYN CLOSE, WARRINGTON, WA5 9SL</td>
<td>Householder - Proposed single storey side extension and new front porch</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>03/02/2016</td>
<td>2015/27084</td>
<td>27, WILLOUGHBY CLOSE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 9QP</td>
<td>Householder - Proposed Single storey side extension with duo pitched roof</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2016/27338</td>
<td>Omega, Phases 1 &amp; 2, West side of Burtonwood Road, Warrington, WA5 4AH</td>
<td>Non Material Amendment - Proposed Amendments to conditions 3 (details of siting, design and external appearance), 4 (Development framework and masterplan), 6 (Development Parcels and Associated Infrastructure Plan) &amp; 8 (Floor space not to exceed 242,391 Sqm gross) on approved application 2015/26475</td>
<td>Approved</td>
</tr>
<tr>
<td>12/02/2016</td>
<td>2015/26884</td>
<td>Plot 7C, Zone 7, Omega South, Warrington, WA5</td>
<td>Reserves Matter Application (Major) - Proposed Logistics facility (use Class B8) with ancillary office, associated car parking, landscaping and site access following outline planning permission 2014/23290</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>27/01/2016</td>
<td>2015/27069</td>
<td>Land Bounded by, Lingley Green Avenue, Omega Boulevard, Orion Boulevard, Whittlehall Avenue &amp; Burtonwood Rd, Great Sankey, Warrington, WA5</td>
<td>Discharge of condition - Proposed discharge of condition 3 (Ground condition survey) on previously approved application 2015/25467</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>02/02/2016</td>
<td>2015/27064</td>
<td>6, BELVEDERE DRIVE, GREAT SANKEY, WARRINGTON, WA5 3SQ</td>
<td>Householder - Proposed single storey side and rear extension</td>
<td>Approved with Conditions</td>
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<tr>
<td>10/02/2016</td>
<td>2015/27171</td>
<td>6, TENSING CLOSE, GREAT SANKEY, WARRINGTON, WA5 8FN</td>
<td>Householder - Proposed single storey rear extension (existing conservatory to be removed)</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/02/2016</td>
<td>2016/27338</td>
<td>Omega, Phases 1 &amp; 2, West side of Burtonwood Road, Warrington, WA5 4AH</td>
<td>Non Material Amendment - Proposed Amendments to conditions 3 (details of siting, design and external appearance), 4 (Development framework and masterplan), 6 (Development Parcels and Associated Infrastructure Plan) &amp; 8 (Floor space not to exceed 242,391 Sqm gross) on approved application 2015/26475</td>
<td>Approved</td>
</tr>
<tr>
<td>12/02/2016</td>
<td>2015/26884</td>
<td>Plot 7C, Zone 7, Omega South, Warrington, WA5</td>
<td>Reserves Matter Application (Major) - Proposed Logistics facility (use Class B8) with ancillary office, associated car parking, landscaping and site access following outline planning permission 2014/23290</td>
<td>Approved with Conditions</td>
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