16 July 2019

Development Management Committee

Wednesday, 24 July 2019, 6.30pm

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

Agenda prepared by Julie Pickles, Democratic Services Officer – Telephone: (01925) 442139 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. Planning Applications (Main Plans List)

Report of the Director of Environment and Transport

Attached as a separate document

Part 2

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

Nil
## DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday 24th July 2019

**Start 18:30**

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<td>2019/34739</td>
<td>Land North of Barleycastle Lane, Appleton Thorn, Warrington</td>
<td>Approve Sub Sec 106</td>
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Full Planning (Major) Environmental Assessment Application - Proposed Demolition of all existing on-site buildings and structures and construction of a National Distribution Centre building (Use Class B8) with ancillary office accommodation (Class B1(a)), vehicle maintenance unit, vehicle washing area, internal roads, gatehouse, parking areas, perimeter fencing, waste management area, sustainable urban drainage system, landscaping, highways improvements and other associated works.
**DEVELOPMENT CONTROL COMMITTEE DATE 24-Jul-2019**

**ITEM**

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<td>Location:</td>
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<td>Ward:</td>
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<td>Development</td>
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<td>Date Registered:</td>
<td>01-Apr-2019</td>
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<td>Applicant:</td>
<td>C/O Agent</td>
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<td>8/13/16 Week Expiry Date:</td>
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**Reason for Referral**

The application is referred to DMC in accordance with the Council’s constitution as the proposal is for a major development and has received in excess of 10 objections; would be a Departure to the Development Plan; is supported by an Environmental Statement; and the existing headquarters facility is owned by Warrington Borough Council.

**Human Rights**

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

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

The Application Site

The site extends to approximately 15.7 hectares in size and is currently two undeveloped, arable fields divided by a low hedgerow running from north to south. The location is shown below:
The site falls within the Green Belt (as defined by the Adopted Warrington Local Plan Core Strategy) between the Warrington urban area to the west and Lymm to the east. The application site lies within the Appleton Thorn Neighbourhood Plan Boundary.

Within the site the ground levels vary by approximately 7 metres with the highest point within the southern part of the site and at its lowest in the north eastern corner. The site is bounded to the north and west by Bradley Brook, which is bordered along its banks by various trees and scrubs. Beyond Bradley Brook is Appleton Thorn Trading Estate to the northwest, which accommodates a number of employment uses including offices and warehouses, and further agricultural land to the north east and east.

To the south, the site is bounded by hedgerows and trees along Barleycastle Lane and beyond this by agricultural land to the south east and Stretton Green Trading Estate to the south west. Stretton Green Trading Estate includes the existing Eddie Stobart headquarters facility, which is located on
land off Langford Way and accessed off Barleycastle Lane. It should be noted that the existing headquarters facility is owned by Warrington Borough Council.

It is noted that Appleton Thorn and Stretton Green Trading Estates are often collectively referred to as Barleycastle Trading Estate.

There are a number of farmsteads in the immediate vicinity of the site off Barleycastle Lane. The closest is Booths Farm, which located immediately adjacent to the site’s south western boundary, and appears unoccupied and in a poor state of repair. In addition, Beehive Farm is located immediately to the west of the site and Barleycastle Farm is located a short distance beyond the eastern boundary.

Beehive Farmhouse (c.55m to the west), Booths Farm Farmhouse and the associated Booths Farm Shippon (30m to the south) are all Grade II listed buildings and these are the nearest heritage assets to the application site. Bradley Hall approximately 515m to the northeast is a Scheduled Ancient Monument. Beyond this the nearest residential properties are those within the village of Appleton Thorn, approximately 900m to the west of the site.

The site is classified as being at low risk of flooding (falling entirely within Flood Zone 1); it does not fall within an Air Quality Management Area and is not located within close proximity to any Local Wildlife Sites, Special Areas of Conservation or Sites of Special Scientific Interest.

Junction 20 of the M6 is approximately 1.3km to the east of the site and is accessible via Barleycastle Lane and the B5356 (Grappenhall Lane).

**Proposal**

The application, supported by an Environmental Statement, is for the erection of a large, warehouse style building with a gross internal floorspace of 56,197sqm, together with 1,858sqm of ancillary office space over two floors. The proposed building would sit centrally in the site.

Main building would measure approximately 335m by 167.5m by 18m high from finished floor level to parapet, but set approximately 4.5m below Barleycastle Lane. Additionally the proposals would include 2 cylindrical sprinkler tanks measuring 12m in diameter and 10m in height with an associated pump house measuring 8m by 6m by 4.5m in height.

The roof of the main building would include roof lights and approximately 4,650sqm of photovoltaic panels.

The application also includes a new gatehouse at the entrance to the HGV access (measuring 8m by 4.5m) with an associated barrier system and a maintenance building measuring 38.5m by 29.5m by 8.5m high (929sqm). The maintenance building would be capable of accommodating four HGVs at any one time.
In terms of servicing the proposals include:
On the proposed building a total of 93 Dock Levellers and 6 x floor level access bays which would be positioned on the north and southern elevations.

On the southern part of the site, 36 no. trailer parking / operational bays are proposed, together with a waste management area.

Within the western part of the site, 106 no. tractor parking bays are proposed together with the Vehicle Washing Area and Vehicle Maintenance Unit.

The proposals also include several HGV waiting bays on the northern boundary of the site and whilst the proposed HGV route is a circular route around the building in a clockwise direction, there are a number of turning areas for HGVs.

Parking provision would be provided as follows:
- 468 no. cars (including 23 no. accessible spaces) with 23 no. parking bays would be allocated for electric car charging,
- 68 no. cycles and
- 28 no. motorcycles.
- 122 no. trailer parking bays.

The application is supported by an Environmental Statement. In accordance with the Council's Scoping Opinion the following chapters form the Environmental Statement as part of the EIA:

Chapter 1 – Introduction to the Scheme
Chapter 2 – Approach to the EIA process
Chapter 3 – Site Description
Chapter 4 – Alternatives
Chapter 5 – The Proposed Development
Chapter 6 – Planning Policy Context
Chapter 7 - Landscape and Visual Assessment
Chapter 8 - Ecology & Nature Conservation;
Chapter 9 - Archaeology and Heritage;
Chapter 10 – Transport and Access;
Chapter 11 - Air Quality and Dust; Chapter 12 - Noise and Vibration; Chapter 13 – Socio-Economics; Chapter 14 – Health;
Chapter 15 – Cumulative Effects
Chapter 16 – Summary of Mitigation and Residual Effects

A non-technical supporting statement has also been provided to assist the understanding of the proposals. The Environmental Statement also includes a Glossary of terms and an index of abbreviations used in the Environmental Statement.

When a significant adverse impact is identified as a result of the assessment process, then measures to avoid, reduce and, if possible, offset significant adverse environmental effects associated with the proposal are outlined within the assessment.
A number of technical notes have also been submitted to aid the discussion on s106 contributions in particular on how to deliver the highway infrastructure requirements and mitigation which the Environmental Statement and Transport Chapter identify as necessary to make the development acceptable.

The application itself is supported by the following additional documents which do not form part of the Environmental Statement:

- Planning Statement
- Design and Access Statement
- Arboricultural Impact Assessment
- Economic Impacts Report
- Flood Risk Assessment and Drainage Strategy
- Ground Investigation Report
- External Lighting Assessment
- Landscape Strategy and
- Utilities Statement
- Statement of Community Involvement
- Employment and Training Statement
- Energy and Sustainability Statement

The Applicant’s Very Special Circumstances submission

As Very Special Circumstances the applicant notes the extent of the company’s impact and contribution to the Warrington economy, this is outlined as follows:

- Eddie Stobart is a significant outfit generating £570m of turnover each year from its Warrington headquarters facility.

- Eddie Stobart is a top performing business in the local economy. It is in the top 1% of all businesses in terms of both turnover size and growth.

- It is the largest logistics business in Warrington with a strong national brand and presence in this strategically important sector for the area.

- It is a key source of local jobs providing 650 local jobs in close proximity to Warrington’s most deprived areas.

- It offers a good mix of highly paid professional positions as well as entry levels jobs that are accessible to Warrington’s most economically vulnerable.

- The company provides an average annual wage of c. £32,000 which is much higher than local and national averages.
• Workforce development and training is integral to the business model and it makes significant investment in upskilling the local labour force.

• Through multiplier effects, Eddie Stobart supports 950 jobs in the local economy.

In addition, the business supports other local businesses through spend in its supply chain. Eddie Stobart estimates that more than £2m per annum of supply chain expenditure is spent in a diverse range of local businesses including professional firms, caterers, cleaners, and repairs/maintenance businesses.

The proposed development would create a number of entry level positions which, with the right level of training, are positions that would be accessible to the most economically disadvantaged residents of the Borough, including young people not in education, employment or training.

The application site is located within 7km of half of Warrington’s most deprived areas (less than half the distance the average worker travels to their workplace), and is within 10km of all the most deprived areas in Warrington.

Warrington has a rapidly aging population and the additional job opportunities created by the proposed development would help to retain and attract young people in the area, which is essential if the local economy is to continue to grow.

The construction phase of the proposed development would support a total of around 240 fulltime jobs (on-site and off-site), with completion targeted for end of 2020. Further multiplier effects are also likely to arise during the construction process. For example, demand for accommodation could arise, while construction workers are also likely to place demands on existing food and drinks operators.

Eddie Stobart predicts that, on completion of the development, the National Distribution Centre could create around 480 new full time jobs. This would almost double the economic impact that the business currently generates within Warrington. There would also be potential for the proposed development to create additional employment opportunities in the future.

Regeneris Consulting (as part of their economic assessment) estimate within their report that, including the off-site employment that will be generated, the economic impact of the proposed development would be in the region of 730 new full time jobs and £25m of gross value added (of which £18m would be net additional).

The logistics sector is recognised as a key strength and driver of future growth in the local economy, which is expected to be the subject of significant investment in the coming years. Initiatives such as the Atlantic Gateway, which is aiming to invest £14bn along the corridor between Greater Manchester and Merseyside, and the Cheshire and Warrington Local
Enterprise Partnership’s Strategic Economic Plan, which identifies logistics and distribution as one of the key strengths of the sub-regional economy. The National Distribution Centre that is proposed will enhance the area’s reputation as a logistics hub, thus helping to unlock further investment in this area.

**Relevant Planning History**

Planning Application 2017/31757- Full Planning Application (Major)- Demolition of an existing on-site buildings and structure and construction of a National Distribution Centre building (Use Class B8) with ancillary office accommodation (Class B1 (a), vehicle maintenance unit, vehicle washing area, internal roads, gatehouse, parking areas, perimeter fencing, waste management area, sustainable urban drainage system, landscaping, highway improvements and other associated works (Environmental Impact Assessment application).

Refused 14.11.18

Appeal has been lodged and a public inquiry is programmed for 15th October 2019.

**Planning Policies**

**National Planning Policy Framework (NPPF) February 2019**

The Framework includes the following paragraphs of particular importance to the consideration of the application:

- Paragraphs 8 and 11 – Sustainable Development
- Paragraphs 15-37 – Plan Making (including Neighbourhood Plans)
- Paragraphs 38-57 – Decision Taking
- Paragraphs 80-82 – Promoting a strong, competitive economy
- Paragraphs 91-92 – Promoting healthy and safe communities
- Paragraphs 102-111 – Promoting Sustainable Transport
- Paragraphs 117-123 – Making Effective Use of Land
- Paragraphs 124-132 – Achieving High Quality Design
- Paragraphs 133-147 – Protecting Green Belt Land
- Paragraphs 149-151 – Planning for Climate Change
- Paragraphs 163-165 – Planning and Flood Risk
- Paragraphs 170-173 – Conserving & Enhancing the Natural Environment
- Paragraphs 174-175 – Habitats and biodiversity
- Paragraphs 178-183 – Ground Conditions and Pollution
- Paragraphs 189-202 – Proposals affecting heritage assets

**Local Plan Core Strategy (LPCS)**

The main policy framework in the LPCS is provided by:

- CS1 – Delivering Sustainable Development
- CS2 – Quantity and Distribution of Development
- CS4 – Transport
- CS5 – Green Belt
- PV3 – Strengthening the Borough’s Workforce
The application site lies within the boundaries of the Neighbourhood Plan. The key policies of the plan are:
- Policy AT-D1 - Design of Development in Appleton Parish Thorn Ward
- Policy AT-D2 - Protecting and enhancing local landscape character and views
- Policy AT-D3 - Flood Risk, Water Management and surface water run-off
- Policy AT-TH1 - Traffic Management and Transport Improvements
- Policy AT-TH2 - Sustainable Transport measures
- Policy AT-E1 - New local employment opportunities.

Supplementary Planning Documents

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

Proposed Submission Version Local Plan (PSVLP)
The application site lies within the proposed Garden Suburb allocation and the employment provision within this proposed allocation. The strategic delivery of employment and housing are key aspects for the delivery of housing and economic needs in the Borough and is supported by a substantive evidence base.

It is noted that there has been significant objection to the allocation.

The consultation period on the submission draft closed in June 2019. Following a review of the consultation responses Submission to secretary of state is expected in Autumn 2019 at the earliest.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are to be considered in accordance with the development plan unless material considerations indicate otherwise. The emerging plan has multiple preparation stages to pass through before it becomes part of the development plan.

The Submission Version Local Plan therefore is a material consideration to which only minimal weight should be attached.
Neighbourhood Planning Act
Confirms the status and legal framework of Neighbourhood Plans and the role of adopted plans as part of the Development Plan.

The Town & Country Planning (Environmental Impact Assessment) Regulations 2017
The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant environmental impacts of development. For industrial estate development the threshold to consider under Schedule 2 developments is 0.5 hectares (Criteria 10(a)).

Planning (Listed Buildings & Conservation Areas) Act 1990 Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority’s planning function special attention shall be paid to the desirability of preserving or enhancing heritage assets.

The Community Infrastructure Levy Regulations 2010 (CIL) (as amended)
The Regulations set out the process and procedure relating to infrastructure requirements. Regulation 122 states that any planning obligation must be necessary, directly relate to the development and relate in scale and kind to the development. Regulation 123 precludes repeat requests for funding of the same items (pooling). The Community Infrastructure Levy (CIL) places the Government’s policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests:

1. necessary to make the development acceptable in planning terms;  
2. directly related to the development; and  
3. fairly and reasonably related in scale and kind to the development.

Equalities Act 2010
Under section 149 of the Equality Act 2010, a public authority must in exercising its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race.

Consultation Responses
Highways England - recommend that conditions should be attached to any planning permission that may be granted.

Summary of HE comments below;

Transport Assessment
The review of the June 2019 Transport Assessment has shown that many of the requests made through previous correspondence have been made and so we are content that the improvements identified in the draft planning conditions below will assist in the mitigation of impacts at M6 Junction 20.

**Travel Plan**
We note that the March 2019 Travel Plan has not been updated although there remains a commitment from the applicant to do so.

**M6 Junction General Arrangement Drawing**
Ramboll have included in Technical Note 07 (TN07) the general arrangement drawing no. “RAM-01-M6-DR-J-00100 P03” which details the proposed mitigation for the M6 Junction 20. The drawing illustrates a range of improvements and will be taken through a Stage 1 RSA following agreement with regards to the principle of the drawing with both Highways England and Warrington BC.

Overall, the principle of the mitigation proposals are illustrated to a level that should be adequate for Highways England to condition against.

**A50 (West) Signalisation & Alternative Arrangements**
A review of the information presented by Ramboll in TN07 has raised the following key points:
The broad scale and scope of the proposed mitigation is sufficient to mitigate for the development traffic;
Sensitivity testing with the node formed by the circulatory carriageway and the A50 (west) approach operating under priority control leads to broadly similar results as are seen with the node signalised but with less risk of queuing issues on the circulatory carriageway

Highways England therefore recommend that the following conditions should be attached to any grant of planning permission:

1. No development pursuant to planning application number 2019/34739 shall commence unless and until the developer has submitted full design and construction details of the required improvements to the Junction of the M6 / A50 / B5158; Such details to be agreed by the local authority, in consultation with the secretary of State for Transport, and shown in outline on submitted drawing number RAM-01-M6-DR-J-00100 P03, including
   i) how the scheme interfaces with the existing highway alignment, carriageway markings and lane destinations,
   ii) full signing and lighting details,
   iii) signal phasing plan for all signalised elements of the highway improvements,
   iv) confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations / departures from standards),
   v) an independent stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.
2. No part of the development shall be first occupied unless and until the highway improvements, as shown in outline on drawing number RAM-01-M6-DR-J-00100 P03 and as furthermore agreed in detail in accordance with condition 1 above, has been implemented to the satisfaction of the local planning authority in consultation with the Secretary of State.

**WBC Highways** – No objection in principle, subject to conditions, s278 Agreements and s106 contributions to transport infrastructure.

**Summary**

Mitigation to the M6 J20 / A50 has been satisfactorily identified; J20 highway works are agreed subject to refinement through a s278 Agreement and shall be provided by the applicant prior to operations commencing on site; A deliverable highway mitigation scheme has been identified for the A50 roundabout and likely costs agreed. The costs are to be met by the applicant through the s106 Agreement; Barleycastle Lane highway works are agreed subject to refinement through an s278 Agreement and shall be provided by the applicant prior to operations commencing on site; A section of cycle/footway along Barleycastle Lane could not be secured due to third party land ownership. A s106 contribution has however been agreed to complement the Barleycastle Lane cycle/pedestrian infrastructure and enhance the linkage in due course; Funding levels for public transport provision have been agreed and will be secured via s106 Agreement. Details of Travel Plan to be finessed, with particular reference to shift patterns and bus provision which can be dealt with through condition.

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

**WBC Flood Risk** – The Asset & Flood Risk Team have considered the above application and assessed the Flood Risk Assessment (FRA) and have no objection in principle to the proposed new distribution centre as long as they adhere to the recommendations made in the FRA.

**WBC Public Health** – No comments received

**WBC Social Regeneration** – Recommend a condition for local employment is included.

**WBC Lighting** – No objection - The lighting shown for the building and parking areas meet with current standards and we have no issues. There is however a link footpath with zebra crossing on Barleycastle Lane shown on drawing 162002759-SR-E-00900 P02. With this, the increase in traffic movement and location of the site entrance, a traffic safety audit may be required and lighting design for the section of road.
The current application does not appear substantively changed from the previous application. Certainly the ecological impacts of the scheme would appear to be very similar. Although the Ecology surveys and assessments submitted to inform the application were carried out in 2017, given the low status agricultural habitats which dominate the site and the low potential of the site to support any specially protected species I would be prepared to accept these surveys as sufficiently up-to-date to inform the current application.

Our comments are therefore similar to those submitted in connection with the previous application. To re-iterate -

We would accept that the site is generally of low ecological value, with the exception of the boundary features including hedgerows, trees and the brook, which are locally important habitats.

The current plans show these boundary features are generally being retained, enhanced or mitigated for within the development proposal. There are also two ponds on site of relatively low ecological value which will be lost to the proposal, but again compensation is being proposed for these in the form of newly constructed ponds.

Overall therefore the mitigation/compensation measures for avoidance of harm to nature conservation interests outlined in the Environmental Statement and addendums are satisfactory. These measures will need to be implemented in full.

Conditions are recommended to be attached to any permission granted to the scheme to require the mitigation proposals to be implemented in full. It is however noted that some matters of detail will need to be amended in the mitigation proposals, including -

- Detailed design proposals for the proposed ponds to ensure that these features are planned as wildlife ponds.
- Details of some of the landscape planting proposals, including details of the species within the grassland wildflower mixes

It is recommended that no vegetation clearance required to facilitate the scheme take place during the optimum period for bird nesting (March to July inclusive).

Cheshire Archaeology Planning Advisory Service (APAS) – No objection subject to a condition.

Police Crime Reduction –
Supportive of the security proposals for the site. Site wide CCTV is recommended. Comments re access control into the site.

United Utilities – No objection subject to conditions.
The Environment Agency – No objection in principle to the proposed development however, we recommend that a planning condition is included in any approval to ensure that the site landscape is managed in a manner that protects and enhances the ecological value of the site and by extension Bradley Brook.

Natural England - No comments to make on this application

Cheshire West and Chester Council – Consider this proposal would be better considered through plan led approach as part of the Local Plan examination. CWAC is primarily concerned with potential impact on CWAC’s highway network.

Notification Responses

Member of Parliament Faisal Rashid registered an objection on the following grounds (in summary):

• The loss of Green Belt land for development, the strategic need to allocate employment land is not exceptional circumstances wherever possible we should be acting to protect the Green Belt.
• The loss of this land could set a worrying precedent for other areas of protected Green Belt.
• The loss of this Green Belt would run counter to the aims of its original designation and NPPF.
• The current infrastructure is already congested and cannot cope with the additional HGV movements.
• The additional traffic will result in additional pollution which will be detrimental to the health particularly to children and older people

Councillor Ryan Bate – objects on the following planning grounds (in summary):

• There are material changes between this and the previously refused application so the decision should be the same.
• As with the previously refused application failure to meet the very special circumstances required for the release of Green Belt land. The approval of this application could set a disastrous precedence for Warrington’s green spaces and population.
• The land has significant landscape value and contributes to the wider health and of both the environment and the public.
• At a time when environmental issues such as climate change and public health problems such as air quality are rising on the national and international agenda it seems foolish to approve a logistics site in this location.
• As with the previously refused application this is premature to the Local Plan process. To approve the application would undermine the integrity of the formal Local Plan process.
• The unacceptable scale and impact on the character of the rural location and the capacity of the roads. The impact may be negligible in traffic modelling terms but in reality there will be longer queues.

Councillor Anna Fradgley – objects on the following planning grounds (in summary);

• The application is for building on Green Belt land and the applicant has failed to demonstrate Very Special Circumstances.
• The application is premature, the local plan is only out to consultation, this site is designated as Green Belt on the current local plan and is therefore currently protected from development.
• The transport links do not have sufficient capacity to accommodate the proposed additional increase lorry movement and will affect traffic flows at an already very bust junction.
• Additional traffic will affect residential amenity with additional air and noise pollution.

Councillor Sharon Harris – objects on the following planning grounds (in summary);

• The application is premature having been brought to the Council during the Local Plan Consultation.
• Air Pollution This proposal will result in additional HGV’s which will be detrimental to the air quality of an already polluted town. There are studies/research that set out the real health harm of air pollution caused by additional traffic. This proposal is contrary to WBC’s aspiration to reduce air pollution across the town.
• Very Special Circumstances have not been demonstrated to justify the release of the Green Belt. The economic justifications and projections submitted lack credibility and any economic benefits do not outweigh the harm to the Green Belt.
• The application contravenes the Appleton Thorn Local Neighbourhood Plan which was drawn up in consultation with WBC.

Cllr Harris has also raised concerns relating to the content and source of some of the letters of support from employees of the applicant.

Appleton Thorn Parish Council (s) – Object on the following grounds (In summary):

• Greenbelt - The land is greenbelt and therefore should be protected from any development of any kind. There are no ‘exceptional circumstances’.
• Highways Network - The Highways network in the immediate surrounding area is insufficient to meet the needs of the additional traffic of the proposed development. All the surrounding roads would require upgrading and an additional motorway junction for the M6 would be essential.
• Litter - The current litter issue will only increase if further developments are made to this trading estate. Due to the speed of the road litter picking can only be undertaken with road closures which are at a considerable cost. Section 106 funds and planning conditions must secure action on this matter.

• Air Pollution - There is already an existing problem and this proposal will increase the health risk to the town’s population

• Neighbourhood Development Plan – This application undermines the plan

Grappenhall and Thelwall Parish Council
Refer to the objections raised as part of the joint response from Warrington South Parishes.

High Legh Parish Council is standing with other surrounding Councils

Of particular concern is the increase in traffic and the potential to exacerbate an existing problem of HGV’s ignoring the weight restrictions to take a short cut

Warrington South Parishes

The South Warrington Parish Councils have appointed Groves Planning Consultant to comment on their behalf. They reference their comprehensive objection to application 2017/31757 which they consider to be pertinent to this application and have therefore resubmitted the summary of the objections raised was as follows:

• The application should be rejected on the grounds of prematurity because of the extent to which would prejudice consideration of issues which should be considered through the plan making process.

• The development is not considered to be sustainable. It perpetuates dependence of road transport and because of its location there is no opportunity to consider the transfer of goods to alternative and more sustainable modes. Similarly, it is apparent from data relating to the applicants existing operation, that the majority of staff live some distance from the site, making use of transport other than the private car the most likely means of accessing the site.

• The application site is within the Green Belt and no very special circumstances have been demonstrated to outweigh the presumption against inappropriate development.

• There are concerns over the veracity of assertions that the development will bring such levels of economic benefit to the borough and its residents so as to justify harm to the level proposed.

• The impact of the development on the wider network and access to the M6 junction 20 is not adequately shown to be capable of
accommodation. The Council’s initial ambitions to expand land available for employment in south Warrington are wholly dependent on additional infrastructure provision which is not provided through this development.

- The proposal appears to deal inappropriately and inadequately with drainage issues, particularly given the extensive excavation needed to accommodate the proposed development.
- The scale of the proposed building will adversely affect amenity and the setting of a listed building.

With reference to the additional submissions presented as part of this application in relation to employment and training, additional highway benefits and loss of existing operations it is not considered that the proposal presents any additional benefits or justification for approving the application which the parishes still consider to be premature to the local plan and inappropriate in this Green Belt location.

A letter has also been received from the South Warrington Parish Councils which raises the matter of announcement of the closure of Fiddler’s Ferry Power station which the SWP considers to be a key issue in the assessment of the general need for the sale of release of Green Belt proposed by the Proposed Submission Version Local Plan.

**Neighbours and Local Residents**

At the time of writing this report approximately 1,100 objections, three observations and 32 letters/emails of support have been received as a result of the publicity notifying people of the application. It is noted that some people have written more than once and not all the people who have made representations live in the immediate locality.

**Shearings Holidays**
Existing premises located on Barleycastle Lane, Concerns over the road system to access the site. Although proposal includes substantial contribution to upgrade local road network, inadequate consideration to the section of road between Lyncastle Road and Barleyscastle Lane. Existing difficulties turning right, proposals will make this harder and increase likelihood of road traffic incident.

**Weaste Lane Residents Association**
Application is not materially different from previous application that was refused
Encroachment into the countryside and urban sprawl
Undermine the setting, landscape and special character of this part of town
Loss of biodiversity and native animals
Draft Local Plan and this application are not sound and does not justify release of Green Belt
Temporary low paid jobs will not bring economic benefit to the town
Many of the current workforce commute from outside of the borough this will see increased congestion and earnings will not be spent within depleted town centre
Stobarts have failed to demonstrate what economic benefit it would bring
Lack of infrastructure, gridlock
Air pollution, noise pollution
Unsustainable
Exceptional circumstances have not been proved.

Objections raised are summarized as follows;

In Principle Matters/Green Belt

- It takes up a disproportionate amount of green space and Green Belt
- Loss of Green Belt does not comply with policy
- Loss of Green Belt is irreversible
- Use of economic reasons as 'special circumstances' could set an unwelcome precedent
- There will be very limited valued economic benefit (jobs) locally as essentially it will be a logistics and distribution centre
- Plenty of other Brownfield sites available.
- Employment development should be looked at in the context of the Employment Development Needs Assessment and not in this piecemeal approach.
- WBC Green Belt Assessment 21 October 2016 states that this parcel (AT9) concludes that the parcel makes a strong contribution to fulfilling the fundamental aim of the Green Belt under paragraph 79 of the NPPF in protecting the openness of the Green Belt.
- Green Belt should be safeguarded for future generations
- Development of this scale fails to safeguard South Warrington countryside from encroachment and sprawl
- Using the green belt land to develop a national distribution centre is not an exceptional circumstance,
- Availability of alternative brownfield sites elsewhere in the borough
- multiple non-green belt motorway accessible sites for warehousing and distribution in the North West, for example Parkside in Newton-le-Willows. Woolston Grange and Birchwood Park areas have spare capacity
- Eddie Stobart wishes to build on green belt for the convenience of their business.
- The application was previously turned down because the benefits did not outweigh the harm to the green belt. Nothing has changed on that.
- Precedent for future green belt development
- A businesses desire to generate profits is not an exceptional circumstance allowing the release of green belt.
• The application was previously turned down because economic benefits did not outweigh the harm to the greenbelt. Nothing has changed.

Local Plan
• The proposed Stobart site plus any future developments if coupled with WBCs Local Plan (PDO) of a Garden City and the joining up of Grappenhall, Appleton Thorn, Appleton, Pewterspear and Stretton villages, amounts to Urban Sprawl.
• It is premature to agree such a development when the local plan has not yet been approved and is indeed still in formal consultation and the approval of this development could be seen to undermine the legitimacy of that consultation.
• This draft plan is facing significant local opposition and the removal of green belt land is likely to be challenged throughout the remaining plan-making and inspection process. To approve a development on this scale within the green belt during this process would be highly prejudicial to the outcome of the consultations and subsequent inspection.
• Local Plan proposed allocation of this area as an employment area is fundamentally flawed and unsound. The assessment of this as an employment area against other potential areas is not justified or proven. This area is not close to other key infrastructure namely railways; there is already identified distribution areas at Omega which are as yet not fully utilised, and there is ample opportunity to expand the Omega site if demand requires.
• Building of this centre rather than using derelict or other urban land e.g. the airfield is contrary to the purpose having Greenbelt.
• Should not be granted prior to the outcome of Warrington’s Local Plan and LTP.
• The emerging plan is not at an advanced stage, there are ‘significant unresolved objections’ to relevant policies in the emerging plan.
• Para 49a) NPPF is applicable that the development proposed is so substantial, or it’s cumulative effect would be so significant that to grant permission would undermine the plan-making process by determining decisions about the scale, location or phasing of new development that are central to an emerging plan.
• Para 49b) also applies as the neighbourhood plan on the other hand has been formally accepted.

• Signatures from the 38 Degrees petition, "Scrap Warrington’s preferred development option - local draft plan 2017" (currently 4,574) should be included in the planning objections. [OFFICER COMMENT – This petition does not relate specifically to application 2019/34729 and has therefore not been treated as an objection].

Alternative sites
• Stobarts have stated that they don’t need their distribution centre to be in Warrington and can look for alternative sites
• Existing vacant warehousing, light industrial and distribution space in Warrington.
• Should be placed on existing brownfield sites and possibly close to the huge centres at Omega and on the M62 near Winwick or at least somewhere that is close to Rail links
• availability of alternative sites – omega, st helens, Weston point, Cheshire east Ma6nitude
• Confirmed closure of Fiddler’s Ferry since the application was submitted – new development.
• Proposal is a national distribution centre and could be sited anywhere
• The only argument for this site is its convenience for Stobart – not a legitimate reason.

Highways/ infrastructure

• Doubts concerning infrastructure (roads) capability - roads around Barleycastle Estate are already under stress
• No evidence of a Highways Impact Assessment being completed. Local Highways infrastructure is already running at over capacity and at peak times the network becomes at ‘standstill’.
• The M6/56 Junction cannot handle more vehicular traffic without major reconstruction which has not been considered under these or recent PDO proposals.
• The promise of limited ‘106’ cash will not provide the revenue required for these improvements.
• With the motorway junctions at gridlock, vehicles will use the local roads and hope to escape to J10 & 11 M56 (through Stretton/Stockton Heath) and the M62 through Warrington. Will reduce the area to a car-park
• Access to Local Services would be in Stockton Heath and South Warrington currently operating at over capacity
• Cumulative impact of this proposal and proposal for housing and 6/56 will result in constant gridlock
• proposed highway improvements do not address the issue – the motorways are at capacity.
• the proposed site is not, and never will be, rail served, and that there is therefore no opportunity to userail freight as part of the logistics chain.
• Existing gridlock on local roads
• What happens when one of the motorways is shut M6, M62 or M56.
• Substantial house building is on-going in south Warrington which will add to the traffic on the road already.
• Dangerous routes for trucks
• Village will become a rat run for HGVs - It is already well known that Stobarts lorries drive down Stretton Road and through local villages even though they are not supposed to.
• Tail backs on Broad Lane used as an alternative route when motorway is congested.
• Road safety concerns for children/ risk of accidents from HGV traffic, safety of cyclists
• This application will cause a huge increase in HGV’s on the M6 which is already stretched to its limits. If the motorway is closed then the HGV’s will all try and cut through the back roads of Warrington causing unacceptable pollution and congestion.
• The proposal to introduce 2 new roundabouts will only make it more difficult for existing local road users trying to access the M6 or M56 at Junction 20.
• The application completely goes against Warrington Borough Council’s Local Transport Plan
• Traffic chaos from up to 2,000 HGV trips per day and the additional commuter traffic
• The stobarts development needs a dedicated motorway access to M56
• Full analysis and modelling has not been completed on the impact of already congested roads around junctions 19-21 of the M6 and junction 9 of the M56, and surrounding roads (e.g. A50).
• No mitigation in this proposal to address congestion on the M6/ M56 itself
• Lack of public transport for employees
• High level of car parking provision for staff undermines the shuttle bus proposed
• Token cycle routes proposed in the vicinity are unlikely to encourage cycling
• Employees are unlikely to cycle or walk
• The application together with proposed housing development will result in strain on local road network.
• The draft local plan recognises the lack of suitable infrastructure for large scale development within the South Warrington green belt
• Future development relies on the provision of this infrastructure.
• Unacceptable levels of traffic around Grappenhall and Barleycastle Lanes and within Grappenhall village.
• Traffic on Broad Lane and across the single-track hump backed Stanney Lunt Bridge already increases significantly during shift changeover times and the increased employment is likely to lead to severe congestion as Broad Lane is used as a short cut to access Warrington.
• Drivers using small back roads.
• There is a risk that the development would proceed without the contribution to infrastructure materializing
• Trucks are seven times more likely to be involved in fatal crashes on minor roads
• Fail to see how proposed shuttle bus will help

Job creation/ economic benefit
• Warehousing jobs will soon become more and more automated, as per the accepted current trends and ‘Amazon’ business model
• Some of the jobs will be in warehouses and these are becoming more and more automated as technology changes.
• The business case for this application has not been fully justified
• vast majority of employees don’t even live in Warrington
• the jobs generated don’t justify the approval. They are most likely minimum wage and 0 hours
• Low paid workers would not be able to afford property locally and will need to travel
• Average wages will be lower than stated
• The job figures are not new or permanent jobs/ stobarts employ high proportion of temporary contract staff.
• applicant cannot quantify the economic benefit it would bring to Warrington.
• The town has low unemployment, so the promise of job creation is a moot point
• the proposed job creation is based, at least in part, on the relocation of jobs from the existing facility or elsewhere and as such offers very limited, if any, net gain
• lack of definitive breakdown of numbers and types of jobs
• employees will be from outside Warrington
• Workers will commute to the site and economic benefits will not be felt locally
• questionable business case
• the location does not provide a realistic opportunity for the most deprived residential areas of Warrington
• potential for future recession if leaving the EU on disadvantageous terms, which will have negative impact on all businesses inc haulage – business case should be revisited, possibility of failure.

Pollution/ health impacts
• air pollution
• diesel particulates are extremely poisonous to breathe in
• lack of analysis of health impacts
• Still air pockets due to the proposed earth bunds causing dangerously high concentration of small particle particulates.
• Warrington has been identified by World health organisation for having unacceptable levels of air pollution
• We should not develop diesel HGV distribution centres in a Climate Emergency.
• negative effect on quality of life, health and well being of nearby residents
• noise and light pollution from 24 hour use, floodlighting, noise from vehicles.
• Existing Stobart facility is flood lit in hours of darkness and can be seen from a significant distance
• Impact to air quality from breathing in fumes from standing traffic.
• Exacerbate existing air quality problem
• Proposal is 800 yards from local school
• Approval would be contrary to WBC climate change declaration
• Removal of green lung
• NPPF notes that planning decisions should contribute to and enhance the natural and local environment.
• 145 people per year die prematurely from poor air quality in Warrington
• Development is close to existing Air Quality Management Area and will adversely affect air quality
• The health effects are financially damaging to the local and national economy
• Inverters used to convert solar PV energy to AC current emit radio frequency electromagnetic radiation, and the building on which the PV panels are located are likely to modulate any radiation
• Additional vehicular traffic increase general pollution to areas already running above EU and UK Limits, the slow-down/gridlock (engines running at standstill) and the further loss of Warrington’s ‘Green-lung’ will compound an already dangerous situation.
• Unacceptable noise and air pollution with so many trucks visiting locally 24/7, every day will directly affect residents in Appleton Thorn.
• Air quality already very poor and this will be detrimental to the health of local community
• Additional litter will exacerbate existing problems
• Light Pollution from additional HGV and commuter vehicles

Ecology

• Loss of trees, replacement trees will not mitigate loss
• Logistics is an environmentally damaging business
• Negative impact on wildlife habitats and biodiversity
• The Arboricultural Impact Assessment March 2019 indicates the loss of 4 mature oak trees, other woodland and 680 linear metres of hedgerows

Heritage and Archaeology

• Insufficient evidence has been submitted on archaeology of the area.
• Size and scale of proposed development is not in keeping with local area and landscape and historic villages
• impact on listed buildings

Other Matters

• The developer or WBC has conducted no pre-application planning discussions with Ward and Parish Councilors or local residents.
• visually intrusive development which detracts from the scheduled ancient monument
• eyesore
- Tree growth requires at least 20 years to show any signs of maturity and produce a masking effect
- Loss of best and most versatile agricultural land
- Loss of vegetation, habitats and biodiversity
- Short term profit benefit for applicant
- Warrington Borough Council have recently bought the current Stobart’s site
- Conflict of interest Warrington Borough Council/ vested interest from rental revenue
- No substantial difference with previous application
- Application should be delayed until economic effects of Brexit are known
- Incompatibility with the small 100 year old cottages and huge modern 40m high eyesores
- Harm to landscape views/ countryside
- It breaches agreements in a neighbourhood plan
- Concerns about PV panels included within proposals, potentially affecting Manchester airport Landing systems and light aircraft low level corridor.
- Manchester Airport, the National Air Traffic Service (NATS) or the Civil Aviation Authority should have been sought to determine whether the solar panel array does pose a safety risk.
- Blight the local small businesses in the area as well as housing
- Inadequate consultation
- Increases to litter
- Stobart have not conducted proper consultation with either the Parish Councils or local residents
- S106 contributions could not be enforced if the owner sold the land to someone other than Stobarts.
- No weight should be given to letters of support from Stobart’s employees or letters of support that are not verified as being from local residents
- Impact of artificial lighting on wildlife
- Criticism of Economic Development Needs Assessment study update on behalf of WBC and changes to demand and growth projections
- No changes to the proposals following the consultation event
- The existing sewer network is incapable of supporting the intended connection to mains sewer and unlikely the sewage treatment works has capacity to accept increased flows.
- Application claim that there will be no trade effluent is improbable based on scale of industrial development
Letters of support

32 letters of support received raising the following issues (in summary)

- Stobart employees welcoming the creation of jobs and the economic boost to the area and the benefits this would bring to the community
- There will be improvements to the highway
- The proposal will secure much needed jobs and regeneration
- Will secure existing jobs at Stobart’s who are investing more into the local economy

NB It is noted that some of the letters of support do not include an address.

Observations

The key issues for determination of the application are Principle matters:

- Differences between this proposal and planning application 2017/31757
- The Principle of the Development
The Emerging Development Plan and Prematurity
Impact on the purposes of the Green Belt
Alternative Sites
Infrastructure/ Highways/ Transport
Air Quality
Noise and impact on Living Conditions
Ecology, Trees and Hedgerows
Landscape and Visual Impact
Heritage
Loss of Best and Most Versatile Land
Flooding and Drainage
S106 contributions
Very Special Circumstances
The Planning Balance

Differences between this proposal and planning application 2017/31757

This application in terms of the proposed development is almost identical to planning application 2017/31757 which was recommended for approval but refused at Development Management Committee in November 2018. This application is currently the subject of an ongoing planning appeal.

The differences between the two applications are as follows:

- A reduction in the height of the building by 0.5m;
- Minor changes to the new pond proposed in the north eastern corner of the site to reflect site contours;
- Introduction of a substation on the southern elevation;
- Minor changes to the location of the proposed ancillary driver hubs;
- Building elevations updated to reflect Eddie Stobart’s new corporate colour (blue rather than green) and HGV access positions;
- Minor amendments to the bus turnaround area to address comments received by the Local Highways Authority in relation to the previous planning application;
- 3 level access doors removed (now 6 no. in total) with the number of dock levellers increased from 81 to 93;
- HGV entrance gates added, to enable the site to be fully secured one day per year; and
- Some of the proposed parking bays have been relocated

It is not considered that any of these proposed amendments will materially alter the principal or impact of the proposal on the green belt or other aspects of the assessment such as highway infrastructure.

In addition to the material amendments listed, this current application differs in that as a result of issues raised during public consultation the applicants have made a commitment to contribute £100,000 towards training and upskilling programmes initiated by WBC, this in addition to the previous obligations that...
were to be secured by condition in relation to local employment and the contribution would be secured as part of the s106 agreement.

The applicants have also made an undertaking to provide additional signage through their section 278 agreement which will seek to direct HGV drivers away from inappropriate routes and this is required as part of a recommended planning condition.

It is considered that if approved this application does now secure some additional social economic and infrastructure benefits than the previous planning application ref 2017/31757.

The Principle of Development
All planning applications must be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this instance the application site is located within the boundary of the Appleton Thorn Neighbourhood Plan and therefore this document and the Warrington Core Strategy are the Development Plan. The NPPF is a material consideration.

The proposals are inappropriate development in the Green Belt and this needs careful consideration in light of national policy and associated caselaw.

The Local Plan Core Strategy Policy CS1 identifies that where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or Specific policies in that Framework indicate that development should be restricted.

Policy CS2 stipulates that the main focus for other business, general industrial and storage / distribution development (B1/B2/B8) will continue to be the existing employment areas of the town principally Birchwood Park, Gemini & Winwick Quay (within the wider A49 corridor), together with further sites at Woolston Grange and the strategic location of Omega and Lingley Mere.

It also highlights that Major Warehousing and Distribution developments will be located away from areas sensitive to heavy vehicle movements, with direct access to the Primary Road Network, and where possible with access to rail and/or the Ship Canal.

Appleton Thorn Neighbourhood Plan does not allocate sites for large scale employment development and in Policy AT-E1 notes that development will be permitted where the option for conversion has been considered and are of a scale appropriate to the area. The policy also guides that development should have a good connection to the highway network and are acceptable in terms of highway safety and parking provision.
The application site is located adjacent to and opposite the Barleycastle Trading Estate (where existing the Eddie Stobart HQ and Training Centre is located) and in an area where large industrial buildings are present, albeit the proposed building is significantly larger than the building opposite. There are no buildings that would be capable of conversion that would meet the space requirements of the proposal either in Appleton Thorn or in the Borough.

Regard must also be had to the need to build a strong economy in the NPPF. Paragraph 82 of the NPPF states that decisions should recognise and address the specific locational requirements of different sectors. This includes for storage and distribution operations at a variety of scales and in suitably accessible locations. This could be interpreted as promoting distribution warehousing near motorway junctions to maximise their potential to utilise the strategic highway network but also to minimise the impact on local highway networks.

Therefore taking account of the above and setting aside the Green Belt considerations, for the reasons outlined there is general policy support for the application both locally and nationally which is a material consideration.

Proposed Submission Version Local Plan (PSVLP).
As stated above, the application site lies within the proposed Garden Suburb allocation and the employment provision within this proposed allocation. The strategic delivery of employment and housing are key aspects for the delivery of housing and economic needs in the Borough and is supported by a substantive evidence base.

It is noted that there has been significant objection to the allocation.

The consultation period on the submission draft closed in June 2019. Following a review of the consultation responses submission to secretary of state is expected in Autumn 2019 at the earliest.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are to be considered in accordance with the development plan unless material considerations indicate otherwise. The emerging plan has multiple preparation stages to pass through before it becomes part of the development plan.

As stated in the NPPF, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 48 of NPPF states that Local planning authorities may give weight to relevant policies in emerging plans according to:

a. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
b. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The Submission Version Local Plan therefore is a material consideration to which only minimal weight should be attached.

In terms of prematurity, Paragraph 49 of the NPPF, in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

a. the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

a. The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Neither of these circumstances are met and it is considered that the proposals would not undermine the plan-making process. The proposals would be an extension to the existing employment areas on Barleycastle Lane and would need to be considered in this context. The proposals, in the context of prematurity do not undermine the preparation of the Local Plan.

Paragraph 50 further advises that refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination.

Whilst the comments of the local residents and Parishes have been carefully considered, the proposals would not be considered premature in the context of the tests of the National Planning Policy Framework, the preparation of the new Local Plan or the plan making process.

Since the determination of the previous application Counsel Advice has been sought on this point and has confirmed that paragraph b) of Paragraph 49 is not met as the emerging plan is clearly not at an advanced stage.

In relation to representations that have been received concerning the cumulative effect of the application at the stobarts site together with the application submitted at the site known as six 56 (2019/34799) the six 56
proposal cannot be considered as committed development and the application is not at an advanced stage in terms of the assessment of the proposals. As such it is considered that the proposals for the Stobarts site should be considered on its own merits having regard to the implications of the proposals as set out in the application submission and the Environmental Statement and having regard to the intended completion date in 2020 if permission is granted.

It is therefore considered that in respect of para 49 a) the application would not prejudice the emerging plan and as such criteria a) has not been met. In any case both paragraph a) and b) must be met to satisfy the tests of para 49 to justify a refusal on the grounds of prematurity.

Impact on the purposes of the Green Belt

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal is inappropriate development and should not be approved unless very special circumstances exist. Very special circumstances will only exist if potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The five purposes of the Green Belt are;
- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is recognized that the site makes a strong contribution overall to the Green Belt as set out in the Council’s Local Plan Review Green Belt Assessment.

For the first and second purpose the site makes no contribution or weak contribution in preventing the merging of towns due to its relationship to the M56 and M6. In respect of the fourth and fifth purpose the site is assessed as making no contribution and moderate contribution.

The site makes a strong contribution to the third purpose c) in safeguarding from encroachment due to its strong openness and predominantly non-durable boundaries.

The proposed development would cause harm to Green Belt by way of inappropriateness, a reduction in openness and by way of encroachment. Substantial weight should be given to any harm to the Green Belt.

The application proposals include a building that is of substantial scale but efforts have been made to reduce the visual impact by setting it down below the level of Barleycastle Lane.
The visual impact of the building would be seen in the context of the M56 and M6 and the neighbouring industrial buildings but the size and of the structure would adversely affect the openness of the Green Belt in this location.

The impact on the Green Belt should be balanced in the overall assessment and this substantial harm should be weighed in the balance together with further considerations, outlined in this report, in the context of the Green Belt and other considerations.

**Alternative sites**

The applicant has submitted as part of the Environmental Statement, an Alternative Site Assessment setting out the consideration of alternative sites based on the needs of Eddie Stobart for a distribution centre capable of being delivered by 2020. 10 locations in the Northwest were identified and explored including Omega, Warrington, Parkside, St Helens. Appleton Thorn, Warrington, Radway Green, Crewe, Crewe Commercial Park, Crewe, Ma6nitude, Middlewich and Viking Park, Widnes.

As part of the assessment of alternative sites a site must be considered to be suitable and available within a reasonable and deliverable timeframe. This is established throughout caselaw. Whilst the developer should show flexibility in the format it is not for the planning system to interfere in the business models and formats.

The applicant has assessed the availability of space at Omega as part of their alternative site appraisal. Whilst there is capacity at Omega, the available space does not meet the needs of Stobarts.

Accessibility to Eddie Stobart’s existing headquarters facility at Appleton Thorn was one of the factors considered in the site assessment. The assessment requires easy access to enable synergies to be established with the headquarters functions, thus enabling the business to operate more efficiently and provide a better service to its clients.

The conclusions of the applicant’s Alternative Site Assessment found that the application site was the most suitable and appropriate location.

It is recognized that there would be economic benefits of co-locating the existing Headquarters which would increase the potential to link trips and reduces travel distances between and adds weight that the application site would be the most appropriate location. Further the proximity to Junction 20 and the strategic distribution network would mean a lower impact on the local highway network than a more central location. The retention of Stobarts as an employer also plays a significant role to the economic prosperity of the Borough and this would also be put at risk in the event of planning permission being refused due to the commercial desire to co-locate the distribution centre and headquarters in close proximity.
The Council has undertaken a comprehensive review of its existing employment land supply as part of the work on the emerging Local Plan. The Council’s Economic Development Needs Assessment (2019) has confirmed that the Council has insufficient land supply to meet future employment land requirements. A number of Green Belt sites, including the application site, have been submitted to the Council for consideration as part of the Local Plan process. Of these submitted sites, the only alternative sites which would be of sufficient size for the proposed development are also within the Green Belt.

It is considered that based on the Council’s review of sites and the applicant’s assessment there are no other significant employment land opportunities within the Borough that are suitable or available to come forward within an appropriate timescale to meet the requirements of Stobart’s operation.

Closure of Fiddlers Ferry
The announcement of the future closure of Fiddler’s Ferry has been raised in representations relating to this application. The supporting text from PSVLP Policy DEV4 recognises the potential closure of Fiddlers Ferry power station. Scottish Southern Electric (SSE) have confirmed that Fiddlers Ferry power station will cease operating in March 2020. The site may therefore come forward for redevelopment and represents a major future brownfield redevelopment opportunity. SSE have indicated that the site could be redeveloped for new employment uses and this could include a smaller electricity generating facility. The Council has worked closely with SSE in confirming the policy context for the site in the PSVLP.

The decommissioning and demolition of the existing Power Station will however take a number of years to complete. The existing ash processing activities at the site are also expected to continue beyond the coal power station’s life span, until the existing deposits are fully depleted, given the current market demand for ash. There is not currently therefore sufficient certainty for the site be included within the Council’s developable employment land supply, but given the scale of the site, this will need to be kept under review.

The Council’s evidence in terms of need for Employment land is summarised in paras 4.2.12 to 4.2.17 of the supporting text to Policy DEV4 (pages 52,53). This remains the most up to date position and it is not considered that the announcement by SSE to confirm the closure affects the determination of the Stobart’s application and their case relating to Very Special Circumstances to justify development within the Green Belt.

Infrastructure/ Highways/ Transport

Policy MP1 sets out general transport principles including seeking to reduce car usage and to mitigate the impact of development on Warrington’s Transport Network (including the Strategic Road Network) by delivering
infrastructure improvements. Policy MP3 seeks to promote cycling and walking whilst Policy MP4 seeks to deliver public transport enhancements as part of proposals.

Policy MP5 highlights that proposals for freight related development will be supported where they achieve a reduction in road traffic kilometres through their location and/or where they reduce the impact of freight traffic on local or inappropriate routes. Policy MP7 sets out appropriate Transport Assessments and Travel Plans will be required in support of significant development proposals.

Policy MP10 sets out that future growth is supported and enhanced through the timely delivery of necessary transport, utility, social and environmental infrastructure required to support strategic and site specific proposals by where appropriate, negotiating with developers to secure Section 106 Agreements to meet the infrastructure needs directly arising from development, where viable to do so.

Policy AT-TH1 of the Appleton Thorn Neighbourhood Plan seeks to ensure that development assesses the impact on the highway network and includes appropriate traffic management and, where necessary, transport improvements. Policy AT-TH2 promotes the delivery of sustainable transport measures.

The NPPF advises that in setting local parking standards for development, policies should take into account:

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

It is noted that Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 110 states that applications for development should:

- give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
b. create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

c. allow for the efficient delivery of goods, and access by service and emergency vehicles; and

d. be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Barleycastle Road and Grappenhall Lane currently have a high proportion of HGV movements due to the existing occupiers on the adjacent industrial estates.

The applicant has supplemented their original Transport Evidence with further assessment as part of the updated Environmental Statement following discussions with the Council’s Highways Officers and representatives of Highways England.

The current situation has been accurately assessed as part of the Transport Assessment and the level of highway movement proposed would equate to 384 arrivals and 384 departures per day with HGVs due to arrive and depart at an average rate of 16 per hour. The time profile of these trips was based on data from a similar Eddie Stobart Ltd site in the West Midlands, giving network peak hour two-way flows of 41 and 42 in the AM and PM network peaks respectively.

The application includes 468 spaces for cars (including 23 no. accessible spaces) with 23 no. parking bays allocated for electric car charging, 68 cycle spaces, 28 spaces for motorcycles and 122 no. trailer parking bays. In addition there are 36 trailer parking/operational bays and 106 tractors parking bays.

The development would operate throughout the day with the anticipated office staffs shift patterns being:

- 20 staff: normal office hours 08:00 – 17:00;
- 20 staff: early shift 06:00 – 14:00;
- 20 staff: late shift 14:00 – 22:00;
- 20 staff: night shift 22:00 – 06:00.

The primary routes and impact is to Junction 20 of the M6 and the access routes to the Strategic Road Network.

In the consideration of the application there are several aspects that require detailed consideration.

M6 J20 and A50 roundabout capacity and consideration
The application and the further information submitted shows that M6 J20 is currently at or above capacity during peak hours. It shows, as expected that other committed development makes the situation worse and that the proposed development adds further to the issues of capacity with some approaches exceeding 90% degree of saturation (DOS) which is taken as the practical capacity).

Whilst the addition of the development flows shows only small increases in DOS on those arms which are not already failing, the results are generally unreliable as the model has exceeded its useful scope. As such this makes the precise severity of the impact unclear.

The application submission therefore includes a scheme of mitigation measures for J20 of the M6.

Highways England are undertaking assessments that would hopefully provide an outline of a phased scheme which could identify suitable works and phases to mitigate for this development, the six:56 development and the Local Plan allocations. Publication of their report is awaited.

Without developer contributions the necessary improvements could not be provided. It is therefore considered appropriate, by WBC Highway Officers, that a condition should be applied to prevent development being brought into use until a highway improvement scheme has been approved and a timetable agreed for implementation (contributions for this are to be secured through a s106 agreement).

Highways England comments that the amended scheme and supporting technical information has been actively discussed and detailed and the proposed mitigation has been considered to be acceptable. The infrastructure improvements to the Junction demonstrate that the traffic generated by the development would not impact on the development providing this would be implemented prior to the occupation of the development.

Associated with this Junction is the capacity of Cliff Lane and the A50 roundabout which is under the consideration of the Council’s Highways Officers, in conjunction with Highways England. The applicant has submitted a scheme of improvement to this section of road infrastructure. The Council’s Highways Team considers that this scheme would be deliverable and seek contributions to be able to deliver this improvement at an appropriate time which would be planned to minimise the impact and disturbance on highway users.

Overall the improvements proposed and the mitigation proposed are considered acceptable and would mitigate the impact of the development and the proposals would include significant highway infrastructure improvements which would assist in the capacity of the network.

Barleycastle Lane Consideration and Improvements
The original scheme and addendum in relation to Barleycastle Lane, in the view of the Council’s Highway Officers, is broadly acceptable. This includes works to widen the carriageway to assist in accommodating 2-way HGV movements through the bends and to provide a parallel 3.5m cycle/footway using land belonging to Stobarts and/or Highways. There is also a need to provide crossings on Barleycastle and improve the crossing on the Lyncastle arm etc.

Further work is required to establish the most appropriate crossing types and precise locations. This and further detail would be worked up through the s278/s38 process (i.e. highways legislation). The finer detail to ensure that safe cycle and footways are provided can be dealt with in this process.

During the detailed design phase of the s278 works, the designs will be subjected to further road safety audits (RSAs) which is commonplace in the provision of new infrastructure. Further measures such as reduced speed limits or measures/features to manage actual vehicle speeds, provide appropriate visibility, highway drainage and lighting would also be dealt with in the adoption process.

Overall, subject to the s278 process the improvements to Barleycastle Lane could be delivered and there would be no significant residual impact on the local highway network.

Internal Arrangements & Parking Issues
Overall car and cycle parking numbers are acceptable and provision is included for staff buses.

The gates are set back an appropriate distance, however given the volume of vehicles visiting the site, the operation and management of the site entrance would require appropriate management. This is however commonplace on large scale distribution facilities.

The Travel Plan
Notwithstanding the submitted Travel Plan (TP) full details of the approach to sustainable travel have not yet been agreed but are conditioned. The key issue of s106 monies to prime a bus service is agreed in principle and a s106 contribution of £600k would enable the establishment of up to three bus services which are likely to serve workers as needed. Further refinement and assessment of the Travel Plan is required but this is a process specific to the employer and end user and therefore is secured through an appropriate condition.

A Construction Management Plan should therefore be secured by way of a pre-commencement condition.

Summary
The application is not considered to result in a severe impact on the local highway network. Further details can be addressed by way of condition and contributions secured through s106 agreement.
The major items particularly the J20 works and Barleycastle Lane works as well as local HGV signage should be addressed by way of conditions which have been agreed with the applicant and other contributions are sought to deliver improvements to pedestrian routes and the A50 roundabout.

**Air Quality**

Policy QE6 of the Core Strategy plans to mitigate the impact of development in terms of air quality so that air quality does not have an unacceptable impact on the surrounding area. Paragraph 103 of NPPF states that in actively managing patterns of growth, limiting the need to travel and offering a genuine choice of transport modes, this can help to reduce congestion and emissions, and improve air quality and public health.

Paragraph 181 of NPPF states that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

The application proposals are supported by Air Quality Assessment as part of the Environmental Statement which identify the potential impacts during the construction and operational phases.

During the Construction Phase measures to control dust and particulate matter from the application site would be installed through management of the construction process, e.g. water dampening and covering of material, prohibition of bonfires, and ensuring that stockpiling occurs away from the site boundaries.

The proposed layout through the delivery of a one-way system and efficiency in the layout to reduce turning and manoeuvring, minimise and reduce the level of queuing and management of the operations on site. Through the appropriate provision of car parking, travel planning with walking and cycling initiatives this would reduce the air quality impacts further. The provision of electric charging points and the co-location of the proposals with operations at the existing Headquarters also help to reduce traffic movements.

Separate to the application, the Council has assessed air quality across the borough for nitrogen dioxide and particulates. In the area of the proposed development the air quality has been assessed to be significantly below national standards, known as objective limits, set for nitrogen dioxide and particulates (PM10). In addition, there is a World Health Organization (WHO) guideline value for fine particulates (PM2.5), which whilst has no statutory bearing in the UK, is considered due to potential health impacts. The PM2.5 levels in the area are assessed as meeting the WHO value. There are some areas in Warrington that do slightly exceed the national objective limit for nitrogen dioxide and the WHO value, but these are located immediately
adjacent to major roads leading to and around the town centre and within 50m of the motorways.

Whilst there would be an impact on air quality as a result of the development proposals which would need to be balanced in the assessment but the Environmental Statement concludes that the impacts of the proposals would be negligible and the predicted levels of air pollution would not be significant or cause a significant effect on air quality. The Environmental Statement forms an appropriate and robust assessment.

The proposals would be in accordance with Policy QE6 of the Core Strategy and the aims and objectives of the NPPF.

Noise and vibration and impact on living conditions
Policy QE6 requires development proposals to respect the living conditions of existing neighbouring residential occupiers and that development proposals would not lead to an adverse impact on the surrounding area.

In assessing the impact of the development it is not expected to solve existing issues or change the character of the area which includes a level of existing HGV movement from existing industrial premises which already operates in the area but the Environmental Statement assesses the cumulative impacts of the development and whether cumulatively there would be a significant impact arising from noise and disturbance.

The NPPF guides at Paragraph 170 preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 182 states decisions should ensure that new development can be integrated effectively with existing businesses and community facilities.

Further the NPPF guides that businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

Paragraph 183 guides that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
The application is supported by the Environmental Statement which assesses the impact of the proposals in terms of the significance of the environmental impact during the construction and operational phases.

The assessment of impacts from the construction phase is noted. There are potential impacts which can be managed through appropriate construction management and is concluded to create a minor adverse effects to negligible adverse impacts through the temporary construction process, including the construction of highway improvements.

The operational phase will create traffic movement and noise sources and the comments of the Councillors relating to the occupiers of Beehive Farm in particular have been carefully considered. Beehive Farm sits adjacent to the highway and there are no restrictions on the highway. It is not considered that the additional vehicular movements associated with the development would result in any significant harm to amenity of this property.

Night time activity would also have an impact on the noise environment but with appropriate mitigation and assessment including the provision of landscaping and buffers to the site boundaries this impact is not considered significant in the context of the industrial character that already exists in the area.

Further the operations of the development and the bays and loading activity have also been considered as part of the assessment. The concerns have been carefully considered and the Environmental Statement has robustly assessed the impacts of the development. The Environmental Statement concludes that the impacts of the proposals would be minor adverse impacts. The Environmental Statement forms an appropriate and robust assessment.

Comments have been made in relation to the proposed solar PV panels included in the proposed development and concerns relating to inverters electromagnetic radiation (EMR). There are standard tests for EMR which shows their safety for use and the applicant would need to meet this requirement as part of the installation. Details of the panels would be secured by condition.

The proposals would be in accordance with Policy QE6 of the Core Strategy and the aims and objectives of the NPPF.

Ecology, Trees and Hedgerows
Policies QE3 and QE5 of the Core Strategy seeks to ensure that the development is managed and mitigated in order to prevent harm to protected species whilst promoting green links and infrastructure as part of developments. The application proposals are supported by survey work and assessment which have been updated in relation to comments originally received by the Greater Manchester Ecology Unit (GMEU)

Paragraph 175 states that harm to biodiversity should be adequately assessed and mitigated for as part of development proposals.
The application site has been assessed in terms of the impacts of the proposals on the natural environment and the impacts of the proposals on the natural environment, protected species and habitats have been considered in the application proposals and the Environmental Statement.

The application proposals would result in a change to the existing situation on the site with hedgerows being replaced and the existing pond being relocated as part of the construction process.

The proposals would include new landscaping, ponds and hedgerows including significant new tree planting at the western end of the development. There would also be improvements and new hedgerows to the eastern end of the site which lacks definition or qualitative ecological features.

The proposals also manage the impact on the Bradley Brook to the north of the site with landscaping proposals included in the scheme to the northern boundary.

The site is currently an agricultural and arable field and therefore, with pesticides and intensive farming techniques employed, significant ecological habitats do not exist within the farmed portion of the site.

The proposals mitigate and manage the impact of the development and the proposals would at worse cause a minor adverse impact during the construction process which could be neutralised through the appropriate planting and new ecological features (including two ponds) included in the development proposals.

Overall the Environmental Assessment forms a robust and appropriate assessment and the proposals would be in accordance with Policies QE3 and QE5 of the Core Strategy and the aims and objectives of the NPPF.

**Landscape Character and Visual Impact**

Policy CC2 of the Core Strategy seeks to protect the character of the countryside whereas Policy QE3 sets out to ensure that developments provide, care and manage Green Infrastructure. Policy QE7 of the Core Strategy and AT-D1 of the Appleton Thorn Neighbourhood Plan as part of securing high quality design includes setting out the objective to promote high quality landscape design. The purposes of the Green Belt in safeguarding the countryside are also considered as part of Policy CS5 of the Core Strategy. The national planning policy framework recognises the intrinsic quality of the countryside in the planning balance (Paragraph 170) however the site does not fall within any international, national or local designations in terms of landscape (e.g. Areas of Outstanding Natural Beauty). Policy AT-D2 seeks to protect and enhance local landscape character and views.

The application proposals are supported by Landscape and Visual Assessment, within Chapter 7 of the Environmental Statement, which includes key considerations of the Landscape Character of the Area as well as the
Council’s own evidence base to the Local Plan Review (Landscape Character Assessment).

The application site is currently characterised by the agricultural landscape but this is interrupted by the existing employment operations, particularly at the western end of the application site and these large buildings form a backdrop to the site when viewed from the east. These also limit the value of the application site in terms of scenic quality.

The agricultural landscape has also altered in recent times to form larger fields to allow for modern and more intensive agricultural practices and therefore most of the historic field patterns have been lost.

There are several gaps in hedgerows to the Barleycastle Lane frontage and the hedgerows are of mixed quality. There are no footpaths currently on the eastern end of the site and public vantage points from footpaths are limited to the east.

Views of the proposals from Appleton Thorn would also be limited in terms of the impact due to the changes in topography and the existing industrial estates which sit between the application site and the village. Views from the north (Grappenhall Lane) are also limited at road level due to the existence of verges and landscaping.

In the context of the development proposals, there would be an impact on the landscape from the proposals, particularly during the construction phase and early operational phases when new mitigation and planting is being established. The establishment of comprehensive landscaping would reduce the visual impact further and the proposals are to set the floor levels below Barleycastle Lane to reduce the immediate visual impact.

There are existing light sources from the industrial estate, motorway and the associated services and the area could not be described as tranquil in this respect. The proposals include a lighting strategy which would seek to reduce and manage light pollution and sky glow.

The proposals also include the potential to improve the definition of the landscape and proposed site boundaries which at the moment are weakly formed to the east and the southern boundaries through extensive new and native landscaping and new hedgerows being planted and managed through the landscaping proposals.

Therefore the assessment contained within the Environmental Statement is considered to be robust and the conclusions of the Assessment are accepted. The proposals would have a moderate to minor adverse impact on landscape character which is dependent on from where the application proposals would be viewed. The application proposals by reducing the height and lowering the floor level of the proposals would reduce the visual impact. The harm would need to be considered in the overall planning balance.
Heritage Matters
As stated above, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an authority's planning function, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Heritage Assets.

Policy QE8 of the Core Strategy requires development to take account of and preserve or enhance heritage assets. The policy is supported by the aims and objectives of the National Planning Policy Framework at paragraphs 189-202.

Built Heritage
Beehive Farmhouse, Booths Farm Farmhouse and the associated Booths Farm Shippon are all Grade II listed buildings and these are the nearest heritage assets to the application site.

The development site wraps around the north, east and west boundary Booths Farm and the Grade II listed Farm buildings. The site is also located approximately 50m from the Grade II listed Beehive farm building.

Booths Farm and the Farmhouse are in a poor state of repair and are contained within a thicket of trees. The House appears to have been the subject of fire damage and whilst structurally the building survives some of the historic quality of the building has been lost.

Due to thefts from the building and fire damage, the potential of the site to yield evidence about past human activity, has been substantially reduced. The physical damage and deterioration of the buildings fabric has also reduced the buildings aesthetic value. The significance of the listed building has been
substantially eroded. It is considered that substantive work would be required to the building and the curtilage to bring the building back into feasible use. The asset is therefore considered to be of moderate significance.

The proposals do not include the Farmhouse or Shippon building or its curtilage and associated outbuildings, but would be close to these buildings. The applicant’s heritage assessment concludes that the development would adversely affect the setting of Booths Farm and the Shippon.

It is considered that there will be a material change in the setting of the listed building. The context of the building will be changed as its agricultural setting is developed. This change is likely to diminish the significance of the Listed Building.

The landscaping proposed would reduce the potential effect of the development. Overall it is therefore considered that with the proposed landscaping mitigation the impact of the proposed development is considered less than substantial on the setting of these heritage assets.

There is a policy presumption in favour of the preservation of the Heritage Asset. The development would allow for the retention in-situ of the Heritage Asset however, the loss of significance of the asset due its contextual change would be mitigated by the provision of landscaping on the boundary; this would reduce the harm to the asset to a minimum consistent with achieving the predicted public benefit and the benefits to the wider community [para 196 NPPF].

The comments of Councillors and residents in relation to Beehive Farmhouse have also been considered carefully. Beehive Farmhouse is separated from the development site by an existing access road and smaller industrial unit. A woodland planting area is proposed along the frontage of Barleycastle Lane at this corner of the site which will therefore offset the relationship of the development with Beehive Farmhouse and it is considered that this will reduce the impact of the development on the setting of Beehive Farmhouse although the wider context of the agricultural setting of the Farmhouse will be affected as stated above. However it is considered that the proposals would not significantly harm the setting or character of this Heritage Asset.

The existing situation on Barleycastle Lane with large HGVs moving past Beehive Farmhouse to access the existing Trading Estate, would not change significantly.

Paragraph 196 of the National Planning Policy Framework (NPPF) states that, ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

In considering the weight that should be apportioned to the less than substantial harm identified, Members must be clear on the level of harm and
consider this against the wider benefit of the development. Officers conclude that whilst the setting of each of the designated heritage assets will be impacted upon, given that the development will not result in the demolition or change of use of the listed buildings the harm is less than substantial. The public benefits of this scheme are detailed in the assessment of the applicant’s case for Very Special Circumstances.

Officers consider that the economic and employment benefits arising from this scheme have significant weight. When considered against the change in the setting of the listed buildings, the weight of the benefits are considered to outweigh the harm caused to the setting.

**Archaeology**
There are no known or designated heritage assets relating to archaeology within the application site. The nearest known asset is the Scheduled Ancient Monument of Bradley Hall.

The comments of local residents and commentators to the application have been considered in the context of potential archaeology on the application site. The comments of the Council’s Archaeological Advisors are also noted.

Chapter 9 of the Environmental Statement, establishes that the site has a low to moderate potential for the survival of as yet undiscovered non-designated heritage assets with archaeological interest, which if present could be impacted during construction activities.

In order to mitigate any adverse effects of the development it is recommended within the Environmental Statement and by the Council’s Advisors that a programme of archaeological work comprising a pre-construction geophysical survey should be conducted and subject to the results of the survey a further programme of targeted archaeological recording accompanied by an appropriate report should be undertaken.

The inclusion of such an approach is one that is welcomed by the Council’s advisors and the proposed methodology is considered appropriate to determine the archaeological potential and significance of the site and to define the need, if any, for further archaeological mitigation. Any such mitigation could be secured by condition.

**Loss of Best and Most Versatile Agricultural Land**
NPPF paragraphs 170 and 171 sets out that decisions should recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. The significant loss of Best and Most Versatile should be considered through the plan making process. Footnote 53 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
The significant majority of the application site is classed as Grade 3b, which is not best and Most Versatile Land. The breakdown is Grade 3b (87%), remainder Grade 3a (13%) or approximately 2ha of Grade 3a.

There is no definition as to what constitutes a “significant loss” of agricultural land however applications over 20ha require consultation with Natural England (and this is acknowledged in Natural England’s technical guidance). This is a definition that the appeal inspectors have noted elsewhere as an assessment of significance. Natural England raises no comments to the submission.

Therefore in this case the loss of best and most versatile agricultural land is a minor factor that weighs against the proposal but the loss in itself would not be significant in its own right.

Flood Risk and Drainage
Policy QE4 of the Core Strategy encourages sustainable design and construction and directing development to locations within the Borough at the lowest risk of flooding, supporting developments which reduce flood risk elsewhere, and requiring new developments to manage surface water run. Policy QE6 seeks to ensure that the quality of water bodies is not affected by development proposals. Policy AT-D3 of Appleton Thorn Neighbourhood Plan seeks to ensure that development does not result in flood risk, manages the water environment and surface water run-off is controlled and delivered through the principles of sustainable drainage.

The comments of the Lead Local Flood Authority (WBC Flood Risk), the Environment Agency and United Utilities are noted. The inclusion of sustainable drainage systems and their scope are considered to be acceptable to these consultees.

Paragraph 155 of the Framework requires local planning authorities to ensure that, when determining planning applications, flood risk is not increased elsewhere and to only consider development in areas of flood risk where, informed by a site-specific flood risk assessment, will not put the users of the development at risk.

The site falls within Flood Zone 1, where flood risk to future occupiers would be minimal. Therefore it is considered that development of this site is acceptable in terms of flood risk as it has been directed to an area at lowest risk of flooding. Therefore the application meets the principles of paragraph 155 of the Framework. However, there is a requirement to demonstrate that sustainable drainage methods are employed and that the development of the site would not result in increased flooding elsewhere as a result of the increased requirements of drainage and hard surfacing. Further the proposals include the provision of Sustainable Drainage provision in accordance with Paragraph 165 of the NPPF.

The application site is also set off the Bradley Brook (to the north of the application site) and through the appropriate provision of a landscape buffer to
the Brook would deal with this feature. From assessing the existing topographical survey and the proposed site sections it is demonstrated that the proposals would not affect the integrity of the Brook through the lowering of site levels across the site.

The comments of Lead Local Flood Authority (WBC Flood Risk), the Environment Agency and United Utilities have been noted and carefully considered and the issues raised by local residents and the Parishes have also been carefully considered. Overall it is considered that there would be no sustainable reason, subject to appropriate conditions, a development could not be in accordance with the requirements of Policy QE4 of the Core Strategy and the aims and objectives of the NPPF.

S106 Contributions

The applicant has submitted a series of Technical Notes to outline the proposed s106 and s278 highways works to be delivered as part of the proposals which would mitigate the impact of the development

The contributions to be secured through the S106 agreement relate to training and highway works and are as follows;

**Recruitment/ Upskilling and training;**
In addition to the proposed conditions which will secure an amended employment and training statement that quantifies undertakings to engage and employ local people and business both during the construction phase and long term operation of the business. The applicants have agreed to contribute to the upskilling and training of the wider Warrington Community by supporting the work of the WBC Social and regeneration team who will ensure that local residents are in a better position to gain employment.

£100,000 is to be secured by s106 for this work

**Highway Contributions;**

**Staff Shuttle Service**
WBC estimate that the service could become self-funding after this initial, indicative, set-up cost. The estimate is based on the staff trip generation and distribution estimates used in the NDC Transport Assessment, which emphasised that NDC staff are yet to be recruited and, as such, details of the shuttle service would need to be developed in due course. Precise NDC staff details will only be known with certainty once the actual customer(s) and operation(s) to be supported by the NDC are known.

The estimated contribution to be secured by s106 for this is £600,000

**Public Footpath/Cycle way Improvement**
At this time, a number of public footpaths in the area do not link together; the scheme creates an opportunity to meet the strategic aim of the Council to link
these footpaths and the links between Barleycastle Lane and Grappenhall Lane.

A contribution of £20,000 is therefore proposed which would be secured by a s106 legal agreement.

**A50 Roundabout/Cliff Lane**

A draft scheme has been drawn up in conjunction with the Council’s Highways Officers which would improve the roundabout and its approaches. The scheme has been designed in a manner that would be implemented at an appropriate time and could be implemented separately to the Draft Local Plan or other proposals which have been the subject of public consultation. The scheme would be deliverable and a contribution of £1,460,984 has been agreed. If this draft scheme is not delivered due to other developments in the area, the contribution would be used as part of the overall contribution to the A50 roundabout and improvements to the surrounding highway network.

These s106 contributions are in addition to the obligations that the applicant will be obliged to implement through the s278 works relating to highway improvements and signage.

The above contributions are considered a necessary benefit to make the proposal acceptable as they would deliver improvements to the social/economic training provision and infrastructure in the area and should be weighed in the planning balance. The contributions have been considered against the requirements of regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 as amended as set out at para 56 of the NPPF that advises that;

Planning obligations must only be sought where they meet all of the following tests:

(a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.

**Very Special Circumstances**

Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

It is well established that the expression “any other harm” does not just mean any other harm to the green belt but takes in non-green belt factors as well.
There is no definitive guidance on what will and what will not constitute very special circumstances, in any given case it is a question of planning judgment. Very special circumstances do not have to be unique, the essential point is that they “clearly outweigh” the harm.

The main factor relied upon by the applicant are the economic benefits of the proposed development. In terms of the evidence base for the purported economic benefits the applicant has submitted an economic justification with the application. This breaks down the existing economic contribution Eddie Stobart makes to Warrington, the additional benefit that would take place if the development is allowed and what would happen if the development were not allowed. So the case is not simply what Warrington would gain by allowing the development but also what it would lose if the development was not permitted (e.g. the potential loss of the Head Quarters and the application proposals) in the clear aim to physically co-locate the two premises.

In considering whether to allow development in the Green Belt, the first consideration is the definitional harm arising from the inappropriate development as well as such further harm to the Green Belt as is identified as being caused by the development in that case, and then secondly consider countervailing benefits said to be served by the development; and then consider whether those benefits clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.

The lack of alternatives to the application site lends weight to the applicant’s arguments that the economic benefits will be lost if it does not come forward.

The contribution to the wider economy and the area/region the facility is intended to serve is also noted. As set out above Eddie Stobart is a significant outfit generating £570m of turnover each year from its Warrington headquarters facility. It is the largest logistics business in Warrington with a strong national brand and presence in this strategically important sector for the area which supports 950 jobs in the local economy.

The construction phase of the proposed development would support a total of around 240 fulltime jobs (on-site and off-site), with completion targeted for end 2020. Further multiplier effects are also likely to arise during the construction process. For example, demand for accommodation could arise, while construction workers are also likely to place demands on existing food and drinks operators.

Eddie Stobart predicts that, on completion of the development, the National Distribution Centre could create around 480 new full time jobs. This would almost double the economic impact that the business currently generates within Warrington. There would also be potential for the proposed development to create additional employment opportunities in the future.

Regeneris Consulting (as part of their economic assessment) estimate within their report that, including the off-site employment that will be generated, the economic impact of the proposed development would be in the region of 730
new full time jobs and £25m of gross value added (of which £18m would be net additional).

The logistics sector is recognised as a key strength and driver of future growth in the local economy, which is expected to be the subject of significant investment in the coming years through initiatives such as the Atlantic Gateway, which is aiming to invest £14bn along the corridor between Greater Manchester and Merseyside, and the Cheshire and Warrington Local Enterprise Partnership’s Strategic Economic Plan, which identifies logistics and distribution as one of the key strengths of the sub-regional economy. The National Distribution Centre that is proposed will enhance the area’s reputation as a logistics hub, thus helping to unlock further investment in this area.

It is considered that the contribution of significant economic development with particular local benefits has been established. The comments received from residents and Parishes are noted and has been outlined above in this report there is some harm to the Green Belt, to which substantial weight is attached, and also other harms arising from the proposal. However, it is considered that the contribution and wider economic gain to the local economy does clearly outweigh the harm to the Green Belt and any other harm arising from the proposal. Accordingly, it is considered that very special circumstances exist.

In making the assessment of harm and Very Special Circumstances Officers have regard to Turner v Secretary of State for Communities and Local Government [2016] J.P.L. 1092. The case notes that the word “openness” has a wide meaning and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case.

The Planning Balance

The application proposals create harm to the Green Belt, the extent of this harm is discussed above and has been assessed against the purposes of the Green Belt.

There would be harm to Green Belt by way of inappropriateness; loss of openness and by way of encroachment of built form into those areas where there are no permanent buildings or fixed infrastructure. The site’s performance in terms of the purposes of including land within the Green Belt is recognised. Substantial weight should be attached to the harm to the Green Belt.

Efforts have been made to reduce the visual impact of the proposal by setting it down below the level of Barleycastle Lane. The visual impact of the building would be seen in the context of the M56 and M6 and the neighbouring industrial buildings.

The impact on the Green Belt should be balanced in the overall assessment and the harm should be weighed in the balance of which this assessment is a part however there are also further considerations, outlined in this report,
which are also considered, in the context of the Green Belt and other considerations.

In assessing other harm there would be a minor to moderate landscape harm, less than substantial harm to listed buildings in particular Booth’s Farm and to a lesser extent to Beehive Farm. There is also a minor harm in terms of the loss of 2ha of Best and Most Versatile Agricultural Land.

There would be a neutral impact in terms of the impact on biodiversity, minor adverse impacts of air quality taking account the existing operations on Barleycastle Lane and a neutral impact in terms of noise.

Highways improvements to Barleycastle Lane are considered a positive and significant benefit and the contribution to public transport provision and improvements to the Strategic Road Network secured through contributions. The proposals give the opportunity to deliver new, substantial landscape planting which would provide a stronger, long term interface with the wider Green Belt. Whilst some definition already exists to the north some limited weight should be attached to the proposals to improve the structural landscaping to the site boundaries.

Taking account of the above, the harms caused by the proposal and the substantive economic benefit arising from the proposals, and the contributions secured through s106 agreement are considered to clearly and demonstrably outweigh the harm identified and as such very special circumstances have been demonstrated.

**Conclusion**

On balance, it is felt that that other considerations clearly outweigh the harm to Green Belt in this case and that compelling very special circumstances exist which justify approval of the proposed development subject to the completion of a s106 agreement and referral to the Secretary of State.

**Recommendation**

Approve subject to conditions and following completion of Section 106 Agreement to secure the following obligations and subject to the application not being called in by the Secretary of State;

**S106 legal agreement to secure**;
- Staff Shuttle Service set up cost contribution £600,000
- Public Footpath/Cycle way Improvement - £20,000
- A50 Roundabout/Cliff Lane improvements - £1,460,984
- Local Employment – contribution of £100k towards upskilling and training of the wider Warrington Community by supporting the work of the WBC Social and regeneration team who will ensure that local residents are in a better position to gain employment.
In accordance with the requirements of the Town and Country Planning (Consultation) (England) Direction 2009, the application requires referral to the National Planning Casework Unit for consideration as to whether the Secretary of State wishes to issue a direction under section 77 of the Town and Country Planning Act 1990 for referral of the application to him for determination instead of the Local Planning Authority.

Appendix 1 – drawings & visuals
Visualisation of proposed entrance lobby
**Conditions**

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

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

2. The development shall be carried out in accordance with the following approved plans, except where revised versions are required by other conditions:
   - Drawing ref. P-L101: Site Location Plan (Illustrative)
   - Drawing ref. P-L102: Site Location Plan
   - Drawing ref. P-L103: Existing Site Plan based on Topographical Survey
   - Drawing ref. P-L104: Proposed Site Plan
   - Drawing ref. P-L105: Proposed Entrance Area – Enlarged Layout
   - Drawing ref. P-L106: Proposed Truck Entrance Area – Enlarged Area
   - Drawing ref. P-L107: Proposed Staff Car Park – General Arrangement
   - Drawing ref. P-L108: Vehicle Maintenance Unit (VMU) – Enlarged Layout
   - Drawing ref. P-L109: Pond Area (NE Corner) Enlarged Layout
   - Drawing ref. P-L110: Vehicle Washing Area
   - Drawing ref. P-L111: Proposed External Works
   - Drawing ref. P-L112: Site Preparation Drawing
   - Drawing ref. P-E101: Proposed Main Building Elevations (North/South)
   - Drawing ref. P-E102: Proposed Main Building Elevations (East/West)
3. Prior to the commencement of development, a scheme to mitigate the impacts of the development on the local and strategic highway network shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include full design and construction details of the required improvements to the Junction of the M6 / A50 / B5158; Such details to be agreed by the local authority, in consultation with the secretary of State for Transport, and shown in outline on submitted drawing number RAM-01-M6-DR-J-00100 P03, including
i) how the scheme interfaces with the existing highway alignment, carriageway markings and lane destinations, 
ii) full signing, lighting and highway drainage details
iii) signal phasing plan for all signalised elements of the highway improvements,
iv) confirmation of full compliance with current Departmental Standards (DMRB) and Policies (or approved relaxations / departures from standards),
v) an independent stage 2 Road Safety Audit (taking account of any Stage 1 Road Safety Audit recommendations) carried out in accordance with current Departmental Standards (DMRB) and Advice Notes.
vii) a time table for the phasing of works
The approved scheme shall be fully implemented prior to first use of any part of the approved development.

Reason: To mitigate the impact of the development on the local and strategic highway network. The condition is required to be pre-commencement due to the need to agree and implement mitigation prior to significant new traffic movements being brought on to the highway network.

4. Prior to the commencement of development, a s278 highways works that includes but is not restricted to the following shall be submitted and approved:

A. A scheme to mitigate the impacts of the development on the local highway network based on the improvements shown on Drawings 1620002759-XX-XX-SK-C-00015 Rev I01 and 1620002759-XX-XX-SK-C-00016 Rev I01 (attached to Appendix 6 of the Transport Assessment Environmental Statement Addendum, September 2018), including the provision of cycle and pedestrian facilities as well as carriageway widening to Barleycastle Lane, has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details of works to:

a) Improvements to Barleycastle Lane from the eastern limit of the site to the eastern side of the stopped-up spur connecting Barleycastle Lane and Grappenhall Lane;
b) Implementation of the new accesses and bellmouth as shown on Drawing numbers P-L104: Proposed Site Plan and P-L105: Proposed Entrance Area – Enlarged Layout;
c) Bellmouth and pedestrian facilities at the junction of Barleycastle Lane and Lyncastle Road; and
d) Bellmouth and pedestrian facilities at the junction of Barleycastle Lane and Langford Way.

The submitted scheme shall include a timetable for implementation and detail the provision of appropriate lighting and highway drainage to an appropriate standard, the proposed works shall be informed by appropriate Road Safety Audits.

B. A scheme to mitigate the impacts of errant HGV drivers taking inappropriate routes on the local highway network shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be provided prior to first occupation of the development.

Reason: To mitigate the impact of the development on the local and strategic highway network and to ensure pedestrians and cycling improvements are implemented in a manner to promote sustainable travel in a safe and attractive environment. The condition is required to be pre-commencement due to the need to agree and implement mitigation prior to significant new traffic movements being brought on to
the highway network.

5. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work including, if appropriate, recording and safeguarding, in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

Reason: condition is in line with the guidance set out in Paragraph 194 of the National Planning Policy Framework (2019), and is required to be prior to commencement due to the potential impact of excavations on potential archaeological remains.

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

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

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

   B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall 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 must be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

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

   Reason: To mitigate risks posed by land contamination to human health controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.
In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), 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 (NPPF Para179).

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG. The drainage details will need to be installed and understood at an early stage in the development process and therefore it is appropriate to require this detail prior to commencement of development.

8. No development shall commence until a local employment scheme for the construction phase and engineering work associated with the development has been submitted to the local planning authority for approval. The scheme shall outline the means of maximising the local impact from the development in terms of contracting and supply chain opportunities for local businesses and job opportunities for the local community/residents. The approved employment scheme shall be fully implemented.

Reason: To facilitate the socio-economic benefits to the local workforce outlined in the application submission and required by Policy SN6 of the Warrington Local Plan Core Strategy. This condition is required to be pre-commencement as it relates to the construction phase of development.

9. Prior to the commencement of development, including site clearance, a detailed ecological, tree and hedgerow protection scheme shall be submitted to and agreed in writing by the Local Planning Authority. The
agreed scheme shall be implemented to protect all trees and
hedgerows to be retained in or immediately adjacent to the boundary of
the application site in accordance with BS5837: 2012 'Trees in relation
to construction'. Any tree works shall be carried out by a recognised
tree surgeon, or a person who is appropriately insured and
competent in such operations

Reason: To protect trees on the site, and to ensure the satisfactory
appearance of the finished development. The condition is pre-
commencement due to the need to install tree protection measures and
protect trees during the construction process.

10. Prior to the commencement of development details of foul water
drainage shall be submitted to and agreed in writing by the Local
Planning Authority. The details shall be implemented in accordance
with the approved details.

Reason: To ensure that the proposals do not result in pollution and foul
water drainage. The condition is required to be pre-commencement
due to the need for approved to be installed and understood at an early
stage in the construction phase.

11. a) No development shall take place, including any works of demolition,
until a Construction Phase Method Statement has been submitted to,
and approved in writing by, the local planning authority. The approved
Statement shall be adhered to throughout the construction period. The
Statement shall provide for:
i) The parking of vehicles of site operatives and visitors
ii) Loading and unloading of plant and materials
iii) Storage of plant and materials used in constructing the
development
iv) Wheel washing facilities
v) Measures to control the emission of dust and dirt during
construction
v) A scheme for recycling/disposing of waste resulting from
demolition and construction works
vi) Identification of "biodiversity protection zones" and management
of sensitive works to avoid harm to biodiversity features (including the
appointment of an Ecological Clerk of Works).

b) The development shall be fully carried out in accordance with the
agreed Construction Phase Method Statement and agreed details shall
be retained throughout the construction period.

Reason: In the interest of Highway Safety, biodiversity and ensure the
free flow of traffic using the adjoining Highway and to safeguard the
amenities of residents and occupiers in the vicinity. This condition is
required to be pre-commencement as it relates to the construction
phase of development

12. Prior to the commencement of development a Construction Traffic Routeing Agreement shall be submitted to and approved in writing by the Local Planning Authority. During the period of construction, all traffic to and from the site shall use the agreed route at all times.

Reason: To ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site. This condition is required to be pre-commencement as it relates to the construction phase of development

13. No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped area shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The management plan shall include the following elements:

- Description and evaluation of features to be managed.
- Details of maintenance regimes
- Details of treatment of site boundaries and/or buffers around water bodies
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- Details of management responsibilities

Reason: To ensure the protection of wildlife and supporting habitat in order to secure opportunities for the enhancement of the site’s nature conservation value in line with national planning policy

14. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

Reason: To ensure satisfactory development of the application site.

15. Prior to the completion of the main building shown on Drawing ref. P-L104: Proposed Site Plan, Drawing ref. P-E101: Proposed Main Building Elevations (North/South) and Drawing ref. P-E102: Proposed Main Building Elevations (East/West), a local employment scheme for the operational phase of the development shall be submitted to the local planning authority for approval. The scheme shall outline the
means of maximising the local impact from the development in terms of contracting and supply chain opportunities for local businesses and job opportunities for the local community/residents. The approved employment scheme shall be fully implemented.

Reason: To facilitate the socio-economic benefits to the local workforce outlined in the application submission and required by Policy SN6 of the Warrington Local Plan Core Strategy.

16. a) Prior to the first occupation of the development hereby approved details of the landscaping proposals and ecological improvements based on the principles outlined on the Landscaping Strategy Plan (Drawing Number D6317.001 Rev E) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following details:

- bat and bird boxes (including number, location and size)
- temporary measures to be implemented during construction process
- details of new ponds (including cross sections and planting detail and wetland habitats to be created)
- Proposed planting species, density, and size and site preparation for soft landscaping works.
- New hedgerow planting (including species, density and ongoing management)
- New tree planting (including species, density and ongoing management)
- Measures to safeguard the integrity of the Bradley Brook.
- Full details of all proposed boundary treatments

b) The approved scheme shall be implemented prior to the first use of the site or within the first planting season. All planted and grassed areas and associated protective fencing shall be maintained for a period of 5 years from the full completion of the approved scheme. Within this period any tree, shrub or plant which dies, becomes seriously diseased, damaged or is removed shall be replaced with a tree, shrub or plant of the same or greater size and the same species as that originally required to be planted and any damage to protective fences shall be made good.

Reason: To ensure that the proposal delivers appropriate level of ecological mitigation.

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

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

B: REPORTING OF UNEXPECTED CONTAMINATION: All Unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA. The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A and B above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), 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 (NPPF Para179).

18. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
   a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident’s management company; and
   b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

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

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding
and pollution during the lifetime of the development.

19. Prior to first occupation details of waste and recycling facilities shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be implemented in accordance with the agreed details prior to first occupation.

Reason: To ensure satisfactory functioning of the application proposals and to promote recycling of waste.

20. Prior to first occupation of the development and the installation of external lighting, details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
   - Areas/features on site that are potentially sensitive to lighting for bats;
   - Detail any proposed lux levels beyond the site boundary that may impact on the amenity of residents;
   - Detail through appropriate lighting lux contour plans that any impacts on bats is negligible;
   - Specify frequency and duration of use.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

Reason: To ensure that the development does not cause light pollution and to manage the impact of lighting on protected species in accordance with Policy QE5 of the Warrington Local Plan Core Strategy.

21. Prior to the first occupation of the development the internal roads, turning areas and parking areas shall be hard surfaced in a material to be submitted to and agreed in writing by the Local Planning Authority shall be completed and made available for use for the purposes of the development.

Reason: To maintain satisfactory functioning of the site and in the interests of highway safety.

22. Prior to the first occupation of the development the bus stop details, including a shelter, shall be hard surfaced in a material to be submitted to and agreed in writing by the Local Planning Authority shall be completed and made available for use for the purposes of the development.

Reason: To maintain satisfactory functioning of the site and in the
interests of highway safety.

23. Prior to first occupation details of cycle store shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be implemented in accordance with the agreed details prior to first occupation.

Reason: To promote satisfactory functioning of the development and to promote sustainable and alternative modes of transport and satisfactory appearance of the site and to ensure cycle stores are provided in a secure and safe environment.

24. Prior to first occupation details of the gatehouse and barriers shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be implemented in accordance with the agreed details prior to first occupation.

Reason: To promote satisfactory functioning of the development and satisfactory appearance of the site.

25. a) Prior to the first occupation of the development, the Final Travel Plan, based on the principles of the draft Travel Plan shall be submitted with the application, shall be submitted for the approval of the Local Planning Authority. The Travel Plan submission will identify a package of measures consistent with the aim of reducing reliance on the car, and should include (but not be limited to) providing information on / promoting the use of alternative modes of transport, by:-
   i) The appointment of a travel plan co-ordinator,
   ii) The establishment of targets for modal shift,
   iii) The details of measures to be employed to achieve the identified targets,
   iv) Mechanisms for ongoing monitoring and review of targets and travel plan measures,
   v) Details of penalties and/or additional measures to be investigated / implemented in the event that the identified targets are not met.
   vi) Public transport information and ticket details;
   vii) Cycle provision, showers and lockers and associated infrastructure; and
   viii) Walking and cycling initiatives.
   ix) Car park allocation and management strategy.

b) The approved Travel Plan shall be implemented during the six months following the first occupation of the premises.

c) Within 12 months of its implementation under part b of this condition

A review of the Plan shall be carried out, and submitted to the Local
Planning Authority for approval. The review will identify any refinements and clarifications deemed necessary to the Plan. The Travel Plan shall be thereafter be reviewed and re-submitted annually.

The development shall comply with the requirements of the revised plan approved under part (c) of this condition, at all times.

Reason: To ensure the satisfactory functioning of the development, to promote the use of a range of modes of transport, and minimise the use of the car.

26. Prior to first occupation, details of electric charging points and renewable energy provision shown on the approved roof plan (Drawing ref. P-P102: Proposed Roof Plan) shall be submitted to and approved in writing by the Local Planning Authority. Parking areas not included with charging points shall not be installed in a manner to prohibit the future installation of electric charging points.

Reason: To promote low carbon technologies, to tackle climate change and to ensure that future increased use of electric vehicles are managed.

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

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

28. The proposed offices shown on the approved plans shall remain ancillary to main building as a B8 use and shall not be used as a separate planning unit.

Reason: The site is not in a recognised town centre and is not in a location appropriate location for office uses and to maintain satisfactory functioning of the site.

29. The Vehicle Maintenance Unit shown on Drawing ref. P-P103: VMU – Plan, Sections and Elevations shall remain ancillary to the principal building on the site and shall not be separated from the main building.

Reason: To maintain satisfactory functioning of the site.