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)**


**Part 2**

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

Nil

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

Thursday 28th April 2016

Start 18.30

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<th>Item</th>
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<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
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<tr>
<td>1</td>
<td>3</td>
<td>2016/27363</td>
<td>2A, Birchall Avenue, Culcheth and Glazebury, Warrington, WA3 4DG Householder-Proposed boundary treatment</td>
<td>Approve</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>2015/26642</td>
<td>Willowpool Nurseries and Garden Centre, Burford Lane, Lymm, Warrington, WA13 0SH Full Planning - Proposed construction of 14 Park Homes along with associated parking, landscaping and access</td>
<td>Approve</td>
</tr>
<tr>
<td>3</td>
<td>41</td>
<td>2015/27007</td>
<td>Site of former Bridge Inn and Elm Tree Public House, Land off Phipps Lane, Burtonwood, Warrington Outline Planning - Outline application for up to 18 residential units and associated infrastructure with all matters reserved except for access</td>
<td>Approve</td>
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<tr>
<td>4</td>
<td>62</td>
<td>2016/27213</td>
<td>Land at Junction of Thewlis Street &amp; Old Liverpool Road, Warrington, WA5 1AJ Variation of Condition (Major) - Proposed variation to Condition 2 (Approved Plans) to increase the store footprint with changes to highways plans including parking allocations from original planning application 2014/24841</td>
<td>Approve</td>
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</tbody>
</table>
5 93 2016/27298 119a, Orange Grove, Poulton-With-Fearnhead, Warrington, WA2 0DS
Full Planning- Proposed change of use from office use B1 to Private nursery facility D1

6 101 2016/27565 Culcheth Scout Centre, Jackson Avenue, Culcheth and Glazebury, Warrington, WA3 4EJ
Full Planning - Proposed erection of paladin style security fence with gated access to rear car park of scout centre

7 108 2016/27571 Callands Primary School, Callands Road, Burtonwood and Westbrook, Warrington, WA5 9RJ
Full Planning - Proposed demolition of 3 No. existing mobile buildings to allow a new build 2No. reception classroom building. Internal alterations to reposition the existing ICT classroom to the external elevation forming a new internal corridor, with alterations to the existing main school kitchen to form new access and a new build store room off the main hall to accommodate the dining tables.

8 125 2016/27840 Land Adjacent to Dallam Playing Fields and St Marks Church, Longshaw Street, Bewsey and Whitecross, Warrington, WA5 0DY
Full Planning - Proposed Bewsey and Dallam Hub building comprising new three storey building to provide fitness, leisure, community wellbeing facilities including a Learner and Therapy Pool and Smart Library services; new car park, associated lighting and landscaping.
## ITEM 1

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2016/27363</th>
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<tbody>
<tr>
<td>Location:</td>
<td>2A, Birchall Avenue, Culcheth and Glazebury, Warrington, WA3 4DG</td>
</tr>
<tr>
<td>Ward:</td>
<td>Culcheth, Glazebury and Croft</td>
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<tr>
<td>Development:</td>
<td>Householder-Proposed boundary treatment</td>
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<tr>
<td>Date Registered:</td>
<td>03-Feb-2016</td>
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<tr>
<td>Applicant:</td>
<td>Mr &amp; Mrs Kosminski</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>29-Mar-2016</td>
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### Reason for Referral

Culcheth Parish Council has objected. This application was deferred for a site visit at the 6th April 2016 meeting of DMC.

### Site

The applicant property is located on the corner of Birchall Avenue and Common Lane, in the inset Village of Culcheth. The dwelling is a detached bungalow property. To the front of the property there is a paved area, to the south east and south west the property benefits from a side and rear amenity space.

### Proposal

This application is a resubmission of a previously refused application for a similar retrospective proposal. This application proposed to retain the fence at the present height but attempts to address the reasons for refusal in the previous application through a combination of wood cladding and landscaping.

The applicant seeks retrospective permission for the erection of a boundary treatment to the front and side boundary of the property. The existing boundary treatment increases in height from 1.1m on Birchall Road to 1.6m at the corner of Birchall Road/ Common Lane, to a final height of 2.1m along the Common Lane edge of the boundary. The current boundary treatment consists of wooden panels of varying height concrete base panels, which at points are stacked three high, with concrete posts with in parts wooden additions to accommodate the increased height of the fencing.
Relevant Planning History

Ref 2015/26741
Proposal Householder - Retrospective boundary treatment to property
Decision Refused

Planning Policies

National Planning Policy Framework

Local Plan Core Strategy
CS1 Overall Spatial Strategy – Delivering Sustainable Development
QE6 – Environment and amenity protection
QE7 – Ensuring a high quality place

Design and Construction SPD

Notification Responses

2 objections received raising the following concerns:

- **Increased height is unsightly**
  
  *Along common Lane in the near vicinity area fences of similar heights which area 'softened' with planting’- The application will be assessed in the observation section of the report below.*

- **Flouting of planning regulations**
  
  *The application is retrospective however this will not form part of the assessment. The application will be assessed on its own merits.*

- **Proposed fence is out of character with the surround properties**
  
  *Along common Lane in the near vicinity area fences of similar heights which area ‘softened’ with planting’- The application will be assessed in the observation section of the report below.*

Consultation Responses

Culcheth Parish Council- objection

The removal of the concrete panels and the addition of ivy go some way to addressing the reasons for the previous refusal but the height of the fence on the corner and along the Common Lane side of the front garden still presents an overbearing and dominant feature.

Warrington BC (Highways) - No objections. Birchall Avenue is subject to a 20mph speed limit and the relationship of the fence to the existing vehicular access point (which is to remain unaltered) is such that the required pedestrian and vehicular visibility splays (2m x 2m and 2.4m x 25m respectively) are maintained/provided.
Observations

Visual amenity

The applicant property occupies a prominent site on the corner of Common Lane and Birchall Avenue. The fencing along the Birchall Avenue is of a height of 1.1m rising to a height of 1.6m and rising to a final height of 2.1m at the corner of the site on Birchall Avenue/ Common Lane, maintaining this height the length of the boundary along Common Lane. Common Lane is predominantly characterised by a leafy green appearance, while it is noted that there are some examples of tall fencing of approximately 2m in height this is partially ‘softened’ by shrubs or trees.

It was noted in the previous application that the use of planting or applying a colour treatment of the existing fence would lessen the visual impact. The current proposal is to clad the existing grey concrete fence base plates in timber and every other fence post is to be planted with ivy which in time would climb along the fencing. It is considered that this would address concerns over the appearance of the fence and the lack of greenery.

It is noted that evidence was previously provided showing a snapshot from Google maps, date stamped 2009, showing that a fence has been in place along the boundary without any shrubs or trees since this time. However it is clear that the fence which is subject of this application is noticeably higher and differs in appearance significantly.

The main reason for refusal of the previous application was that the boundary treatment particularly along Common Lane and at the junction of Birchall Avenue and Common Lane presented a stark contrast to the generally ‘leafy’ green character of the area. However it is considered that the proposal in this application through the use of timber cladding and planting addresses this. Additionally while the height of the fence remains the same, the alterations ‘soften’ the fence so as to appear more in keeping with the character of boundary treatments on Common Lane. Thus it is considered the proposed alterations to the existing boundary treatment would result in a boundary treatment which accords with Warrington Borough Council’s Core Strategy Policy QE7.

Recommendation

Approve subject to Conditions

Conditions & Reasons

1. The soft landscaping shown on drawing no GDS 2931 RevA and hereby approved shall be carried out within the first available planting season and maintained in accordance with the details on the approved drawing. If any of the species of Ivy dies or is removed within 5 years of planting, they shall be replaced within 12 months of removal or death to the satisfaction of the Local Planning Authority.
Reason: To ensure a high quality landscaping scheme as part of the finished development in accordance with policies CS1; QE3 and QE7 of the Local Plan Core Strategy for Warrington.

2. The proposed wood panelling to the external means of enclosure, shown in detail on drawing no. GDS 2931 Rev A, shall be installed within three calendar months from the date of this hereby granted consent. The alterations shall then be maintained in accordance with the approved plans.

Reason: In the interests of the appearance of the development in the locality and the living conditions of occupiers of adjacent residential properties in accordance with policies QE6 and QE7 of the Local Plan Core Strategy for Warrington.

3. 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.

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 03/02/2016
   (b) Submitted drawing No's GDS 2930 RevA, GDS 2931 RevA received on 03/02/2016.

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

Informatives

1. The Local Planning Authority worked positively and proactively with the applicant to ensure that the proposal would not cause harm to the character/appearance of the area, the existing property or the living conditions of neighbouring properties. The proposal therefore accords with the development plan. The Local Planning Authority has therefore implemented the requirements in paragraphs 186-187 of the national Planning Policy Framework.
Appendix 1 – photos
Appendix 2 – Drawings

Site plan

Elevations
ITEM 2

<table>
<thead>
<tr>
<th>Application Number:</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Willowpool Nurseries and Garden Centre, Burford Lane, Lymm, Warrington, WA13 0SH</td>
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<tr>
<td>Ward:</td>
<td>Lymm</td>
</tr>
<tr>
<td>Development</td>
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<td>Date Registered:</td>
<td>06-Oct-2015</td>
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<td>Applicant:</td>
<td>Arbor Living</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>04-Jan-2016</td>
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**Reason for Referral to Committee**

This application is referred to the Development Management Committee for consideration by Councillor Bob Barr.

**Human Rights**

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

**Site and Proposal**

The application is for full permission for 14 “park homes” and gardens for people over 55 years in age. Park homes are provided as high quality accommodation in the general form shown below:-
The proposal includes restoration of a wildflower meadow to the northern area of the site which was previously used as an overspill car parking area.

To the southern area of the site is a woodland and pond area which would be retained and enhanced for ecological and amenity purposes, with private access for residents. This area would also be the subject of on-going management and maintenance.

The 2 ha site is within the Green Belt and is currently occupied by a number of buildings and structures from the former use as a garden centre use, including a sprawled mix of single storey barns, greenhouses, pergolas, sheds, corrugated steel huts and brick built buildings. There are at least 26 buildings plus other structures together with extensive hard standing used for car parking. Mature trees and vegetation extend along boundaries within the site.

The site lies adjacent to a number of detached residential properties to the south and east and agricultural fields to the west. The ‘Pets Animal Hotel’ lies to the north which provides kennel services for cats and dogs. A public right of way runs along the northern boundary which provides pedestrian access to Lymm.

The supporting information states that there is a convenience store and post office located on Higher Lane (A56) along with 2 public houses, the Jolly Thresher and The Wheatsheaf Inn.

The site was recently the subject of an application for the proposed demolition of the existing disused buildings and structures and construction of ten
houses. This was refused planning permission by the Council, and subsequently dismissed at appeal – on the grounds that the potential benefits of the scheme did not outweigh harm to green belt.

**Relevant Planning History**

92/29562 Certificate of lawfulness for an existing use at Willowpool Nurseries as a garden centre – Approved 9th November 1992 (this related to a smaller development footprint than the current site)

Further to 92/29562 further buildings were erected without planning consent. The lawful status of these buildings has not been established.

2004/03985 – Retention of Conservatories for display purposes, portacabin used for customer information, and timber decking and gazebo – Approved 25th October 2004

2014/23568 - Proposed demolition of existing disused buildings and structures being retail garden centre and construction of ten 5 bedroomed homes and landscaping – Refused 2nd July 2014 – Appeal Dismissed 8th June 2015

**Planning Policy**

National Planning Policy Framework
Matters relating to housing delivery; sustainability and green belt.

**Core Strategy**
Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
Policy CS2 Overall Spatial Strategy – Quantity and Distribution Development
Policy CS5 Overall Spatial Strategy – Green Belt
Policy QE4 Flood Risk
Policy QE6 Environment and Amenity Protection
Policy QE7 Ensuring a High Quality Place
Policy QE5 Biodiversity and Geodiversity Value
Policy CC2 Countryside Protection
Policy SN1 Distribution and Nature of New Housing
Policy SN2 Securing Mixed & Inclusive Neighbourhoods
Policy MP1 General Transport Principles
Policy MP7 Transport Assessments and Travel Plans
Policy CC2 Protecting the Countryside

**Supplementary Planning Documents**
Design and Construction (October 2010)
Standards for Parking in New Development (March 2015)
Environmental Protection (May 2013)
Planning Obligations (September 2007)
Open Space and Recreation Provision
Tree Preservation Order
Notification

Councillors
Comments received from Councillor Bob Barr requesting referral to Development Management Committee. The development is controversial and of a scale that justifies closer scrutiny.

Lymm Parish Council
Objection on the grounds that the proposal represents encroachment into the Green Belt

Neighbours
Letters of objection received from 9 neighbouring properties, summarised as follows:-

Noise
1. Pets Animal Hotel close by - new owners of the Park Homes will complain about the noise generated by the dogs - kennels busiest in the summer months when people have their windows open and wish to sit outside - Park Homes get very hot in the summer - planting would not mitigate this - Wild garden is a lovely idea but general public walking in such close proximity to the kennels (just the other side of the fence) would cause the dogs to become unsettled and potentially make them bark.

Sustainability
2. The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development.

Inappropriateness
3. The inappropriateness of residential development on both this and a neighbouring site in this Green Belt location has been very rigorously tested in recent times, having been refused by the Local Authority and subsequently dismissed at appeal - it is therefore a matter of consistency that this application be refused - concept of allowing residential development on a previously developed site should not be permitted due to the temporary nature of the existing structures, which by definition do not constitute a previously developed site as identified by WLPCS policy SRN1 and NPPF - the site lies wholly within the Green Belt and outside a defined settlement on the Warrington Post Submission Local Plan Core Strategy and Warrington Unitary Development Plan - the proposed development represents an inappropriate form of development in the Green Belt and the totality of the harm should not be considered to be clearly outweighed by the benefits of the scheme - there are therefore, no very special circumstances in this case and the application is contrary to the provisions of policy GRN1 of the Warrington Unitary Development Plan, policy SN1 of the Warrington Post Submission Local Plan Core
Strategy and paragraphs 79 - 92 of the National Planning Policy Framework.

**Very Special Circumstances**
4. In short and after reviewing the Local Authorities development plans and taking account of the Government’s National Planning Policy Framework, I conclude that this application for residential development is without merit, in that there is no compelling benefit which outweighs the very obvious reasons for refusal in the Green Belt - in this instance special circumstances do not exist, as the potential harm to the Green Belt is not outweighed by the case made for development by the applicant - on balance the Local Authority Officers and Elected Members should refuse this inappropriate application for residential development in the Green Belt.

**Precedent**
5. Very real and dangerous precedent in the immediate locality and potential to erode the Green belt over time - we need to protect this not just for villagers but also wildlife and fauna.

**Infrastructure**
6. The pressure on local services in Lymm such as schools, doctors and roads are already at unacceptable levels and such schemes will only make the situation worse.

**Impact upon Wildlife**
7. Proposal would be of detriment to wildlife and fauna.

**Traffic**
8. Burford Lane is a quiet road and the additional housing would create lots more traffic.

**Need**
9. There is a very similar park for static houses very close by – no need for more of the same type of accommodation.

**Consultation Responses**

**Environmental Protection** – Subject to conditions, there is no objection in terms of land quality, air quality or lighting. Matters relating to the potential impact of noise from the kennels near the northern boundary of the site are assessed in detail below.

**Highways** – No objection, subject to conditions.

The applicant submitted revised plans on 14th March 2016 which included a reduction from 15 to 14 dwellings.

SCP drawing no. SCP/15217/F01 revision A shows the adopted highway boundary and highway visibility splays at the proposed amended site access.
junction to the nearest kerbline of 2.4m x 58m to the North and 2.4m x 55m to the South which are appropriate for the 40mph speed limit of Burford Lane. The existing driveway access to 23 Burford Lane immediately to the South of the site would be relocated to improve highway safety and visibility for motorists exiting the driveway and onto Burford Lane. New sections of footway (which would require full height kerb radii) at the site access junction are proposed, with pedestrian crossing points across Burford Lane on both sides of the site access junction to the existing footway on the East side of Burford Lane. The tactile paving would need to be at least 1.8m wide and 2 rows deep which could be dealt with at the detailed design stage via a planning condition. The proposed site access junction layout reflects the previous arrangement for the 2014/23568 application that was supported by WBC Highways. The amended proposed site plan (drawing no. 14-1105/A(10)-11 revision F) reflects this agreed site access junction layout except for not showing the visibility splays and all the tactile paving required. However, this can be dealt with at the detailed design stage via planning conditions.

The applicant has confirmed that the site access road would be private and has agreed to the provision of a planning condition for a private road management and maintenance plan to protect the interests of future residents of the site. Drawing no. 14-1105/A(10)-11 revision F shows that there would be vehicle and pedestrian gates across the site access road. The gates would be approximately 20m from the site access junction with Burford Lane. This would allow 3 or 4 cars or a large vehicle to wait in front of them when closed which should avoid any queuing back onto Burford Lane.

The site access road would be 5.5m wide which is sufficient to accommodate two-way traffic. It would not have any footways within the site beyond the site gates and would therefore be a shared surface road. This is acceptable on this occasion as the road would be private. The access road could never be adopted at any point in the future as it does not meet adoptable highway design standards due to the lack of footways and the non-standard turning head layout.

The Council’s Waste Management Department may not agree to access a gated private road and therefore a planning condition for a service management plan is needed for the applicant to demonstrate how refuse collection would be undertaken. If suitable arrangements cannot be agreed with the Council’s Waste Management Department, then the applicant would need to make provision for private refuse collection. As stated previously, drawing no. SCP/15217/ATR01 revision A shows that an 11.5m length vehicle, which reflects the size of the Council’s large refuse vehicle, could access and turn around within the site. However, it should be noted that the site layout on this plan does not reflect the latest version of the proposed site layout, as shown on drawing no. 14-1105/A(10)-11 revision F, although the proposed highway layout appears unchanged. If private vehicles are to be used for refuse collection, then the service management plan would need to specify that private refuse vehicles must be limited to 11.5m in length.
The applicant has stated that the dwellings would have 3 bedrooms. In the absence of any floorplans for the homes, a condition would be required to limit the dwellings to 3 bedrooms as additional bedrooms would require further site parking provision. The Council’s adopted parking standards require 2 allocated plus 0.3 unallocated spaces per 3 bedroom house. This equates to a total of 5 unallocated spaces for the development. Drawing no. 14-1105/A(10)-11 revision F shows that the proposed dwellings each have 2 allocated driveway spaces of acceptable dimensions. Pedestrian intervisibility splays of 2m by 2m are shown on both sides of each driveway on drawing no. SCP/15217/F02 revision B. This would ensure there is adequate highway visibility for motorists exiting the driveways.

Drawing no. 14-1105/A(10)-11 revision F shows 5 visitor parking spaces of adequate size in parking bays in the vicinity of plots 1 and 14. This plan also shows footpaths to the rear of dwellings to allow cycle parking facilities to be introduced in accordance with the parking standards. The proposed parking provision for the development is therefore acceptable and complies with the parking standards. The standards also require the provision of electric vehicle charging points which can be secured via a planning condition.

In view of the above, there is no highway objection to the proposals subject to the following conditions:

“Prior to the commencement of the development, highway visibility splays of 2.4 metres by 58 metres to the North and 2.4 metres by 55 metres to the South at the amended site access junction onto Burford Lane shall be provided. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.”

“Prior to the occupation of the development, pedestrian intervisibility splays of 2 metres by 2 metres shall be provided on both sides of each driveway for all new dwellings. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.”

“Prior to the occupation of the development, the parking and turning areas to serve the development shall be laid out and hard surfaced in accordance with approved drawing no. 14-1105/A(10)-11 revision F, and made available for use and retained as such thereafter.”

“Prior to the commencement of the development, full construction details of the site access road, including the amended site access junction and pedestrian crossing points with tactile paving, shall be submitted to and approved in writing by the Local Planning Authority. The site access road shall be implemented in accordance with the approved details, and made available for use prior to first occupation of the development and retained as such thereafter.”

“No development shall commence until details of the proposed arrangements for the future management and maintenance of the proposed street within the development have been submitted to and approved in writing by the Local
Planning Authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established."

“Prior to the commencement of the development, a service management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the service management plan has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“No dwelling shall have more than 3 bedrooms”.

“Prior to the occupation of the development, a scheme for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be implemented in accordance with the approved details, and made available for use prior to first occupation of the development and retained as such thereafter.”

Ecology - No objection, subject to conditions.

Natural England (NE)
NE refer to the need to refer to their Standing Advice and point out the need for a Licence. NE go on to confirm that it is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice we have provided on likely impacts on favourable conservation status and Natural England’s guidance on how we apply the 3 tests (no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) when considering licence applications. These matters are reviewed in detail below.

Environment Agency (EA)– The EA have commented informally that the nearest main river is circa 600m away, so there is not a concern about controlled waters.

United Utilities
No objections – conditions recommended requiring drainage on separate systems and submission of a surface water drainage scheme with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) and a restricted forward flow rate to the public sewer of 10l/s.

Observations

Green Belt
Appropriateness
Policy CS4 of the Warrington Core Strategy states that development proposals within the Green Belt will be approved where they accord with
relevant national policy.

The National Planning Policy Framework (NPPF) does not specifically identify park home development as an appropriate form of development, but does identify the following as not inappropriate (para. 89 (6)):

*limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

This justification relies on the status of the site as previously developed land (PDL). The Inspector in his appeal decision for this site states (para.10):

*Some of the existing buildings and structures on the site cannot reasonably be regarded as being anything more than temporary, and parts of the site are currently undeveloped. However, the proposed road, houses, and private gardens would be located on the areas currently occupied by buildings, structures and hardstandings, whereas the adjoining pond, woodland and field would be landscaped and provided as areas of open space. On balance, therefore, I am satisfied that the proposal would represent the redevelopment of a previously developed site. This issue therefore hinges on the effect that the scheme would have on the openness of the Green Belt and on the purposes of including land within it compared to the existing development.*

The current development site area approximately corresponds with the area of land where the road, houses and private gardens where proposed with the previous planning application. It is accepted therefore that the development represents the use of previously developed land, and as with the previous application, the key issue is the effect that the scheme would have on the openness of the Green Belt and on the purposes of including land within it compared to the existing development.

**Openness**

The Inspector’s conclusion in respect of the previous housing scheme was that the houses would have a materially greater impact upon openness, i.e:

- Many of the existing buildings and structures are single-storey, whereas they would have been replaced by substantial two-storey houses.

- The Council estimated that the total volume of built development on the site is currently 6,196m³, whereas the proposal would lead to a total of 9,304m³, an increase of around 50%.

- Even allowing for the smaller footprint of buildings, and the significant reduction in the number of vehicles that would be parked on the site compared to the previous use as a garden centre, the substantial increase in the overall volume of built development, and the greater
height of the houses compared to most of the existing buildings and structures, mean that the proposal would lead to a significant reduction in the openness of the site.

As the current application proposes single storey buildings, the overall volume of built form is reduced. The existing volume of built form on the site was estimated by the Council as being 6,196 cubic metres. The combined volume of 14 park homes proposed would be circa 4689 cubic metres, based on the volume of the largest individual park home building – ie the “Keepers Lodge” style – which are 335 cubic metres each. This would, therefore, represent the “worst case scenario”, but - as summarised in the table below - this would still be a total volume well below the 6196 cubic metres formed by existing buildings on the site.

<table>
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<tr>
<th>Parameter</th>
<th>Existing</th>
<th>Proposed 14 units</th>
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<tr>
<td>Footprint (m²)</td>
<td>2,160</td>
<td>1,614.9</td>
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<tr>
<td>Volume (m³)</td>
<td>6,196</td>
<td>4,689.16</td>
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With the safeguard of a condition to restrict the volume of each park home building to no more than 335 cubic metres, the proposal would not give rise to a greater impact upon the openness of the Green Belt - in terms of the occupation of space by buildings. It is considered that parked cars and ancillary elements associated with the park homes would not have a greater impact upon openness than the existing authorised use (i.e. horticulture), and this point was also accepted by the Inspector at appeal.

**Purposes of Including Land in the Green Belt (Encroachment)**

Of the various Green Belt purposes, encroachment was identified as a negative impact of the previous application. As with the previous scheme, there is not considered to be conflict with the strategic Green Belt purposes of checking the unrestricted sprawl of large built-up areas; preventing neighbouring towns merging into one another; preserving the setting and special character of historic towns; or assisting in urban regeneration, by encouraging the recycling of derelict and other urban land.

In terms of encroachment concerns were previously expressed that whilst the proposed landscaping scheme would, over time, reduce the visual impact by screening the houses they would be at least partially seen for a number of years, and potentially on a permanent basis during winter months when deciduous trees would be without leaf, from the public footpath to the north west of the site, and from certain parts of Burford Lane and Higher Lane and the rear of properties on those roads.

Having regard to their size and location, the park homes would not be significantly any more visible within the landscape than the existing buildings and structures, and the new development would not intrude outside the existing extent and coverage of buildings, roads and structures. It is not considered that the proposal would result in a significant visual encroachment into the Green Belt to any material extent, and the proposal would not therefore conflict with any of the purposes of including land within the Green Belt.
Belt.

**Housing**
The proposal would provide homes for those aged over 55 which would help meet an identified need. The supporting information suggests that in providing homes for the older generation to downsize, it is hoped that this would free homes for young families creating a necessary ‘churn’ in the housing market.

An application has successfully been made to the High Court to quash parts of the Core Strategy which relate to housing. It is acknowledged that paragraph 14 of the NPPF is applicable and in a situation where planning permission is refused for a residential scheme, the adverse impacts should significantly and demonstrably outweigh the benefits.

It is considered that additional positive weight should therefore be attributed to the proposal in terms of the benefits that would accrue from the provision of this form of housing.

**Visual Impact**
Policy CC2 states that development proposals in the countryside which accord with Green Belt policies set out in national planning policy will be supported provided that amongst other things that the detailed siting and design of the development relates satisfactorily to its rural setting, in terms of its scale, layout and use of materials; it respects local landscape character, both in terms of immediate impact, or from distant views; and unobtrusive provision can be made for any associated servicing and parking facilities or plant, equipment and storage.

More generally Policy QE6 of the Warrington Core Strategy states that the Council would only support development which would not lead to an adverse impact on the environment and would not have an unacceptable impact on the surrounding area.

Policy QE7 requires development to reinforce local distinctiveness and enhance the character, appearance and function of the street scene, local area and wider townscape.

Park Homes are not consistent with the existing character of built form. The site is however relatively enclosed without a direct streetscene frontage. The Park Homes would have a more unified appearance than the existing assortment of building and structures on the site. The resultant layout of the Park Homes site would be more ordered and spacious and the Park Homes would sit in a managed landscaped setting. It is considered that the proposal would result in an improvement to the appearance of the site.

**Rural Economy**
The NPPF (para. 28) identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. This includes supporting the sustainable growth and expansion of all types of business and enterprise in
rural areas, both through conversion of existing buildings and well-designed new buildings, and also promoting the development and diversification of agricultural and other land-based rural businesses. Some positive weight should be given the redevelopment benefits of what is a vacant rural site and former garden centre.

Sustainability
Policy CS1 of the Warrington Core Strategy refers to the importance of encouraging and promoting sustainable development, having regard to various criteria, including the priority afforded to the protection of the Green Belt and the character of the countryside; the need to develop sites, services and facilities in appropriate locations accessible by public transport, walking and cycling; the need to make the best use of existing transport, utility, social and environmental infrastructure within existing settlements, and ensure additional provision where needed to support development; and the need to address the causes of and be resilient to the effects of climate change.

The Inspector at appeal commented (para. 24 & 25):

*The site is within easy walking distance of the shop, post office, public house and bus stops in the village. A wider range of job opportunities, shops, schools and other services are around two kilometres away in Lymm and also somewhat further away in Altrincham and Warrington. Whilst future residents would be likely to make most journeys to and from their homes by private car the site is in a reasonably accessible location for a rural area.*

*The proposal would entail the removal of unsightly buildings, contamination, tipping and made ground from the site, and lead to additional landscaping, biodiversity enhancement, and public access to open space. These would clearly represent environmental benefits to which I attach moderate weight.*

Having regard to the NNPF interpretation of sustainable development, the proposal would generally contribute to the three identified dimensions, namely economic, social and environmental elements, i.e. contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future; and enhancing the natural environment by improving biodiversity.

The location of the site within the Green Belt is not subsequently considered to be a significant constraint in sustainability terms that should be afforded any significant negative weight.

The Fall-back Position
The site operated as a garden centre for several years with associated traffic problems and a level of activity that was not conducive to this particular location and setting. Notwithstanding this, there does not appear to be any strong likelihood of resumption of this use - or another alternative use which would not require planning permission.
Residential Amenity
The nearest residential properties are a generous distance away and it is not considered that the proposed homes, nor the residential use of the site would cause a harmful impact on the living conditions of existing residential property.

The application site is bordered by an adjacent Licensed Dog Breeding and Boarding Kennels and Cattery facility, which inevitably has implications for the living conditions of the future occupiers of the park homes. Park homes are generally of a lighter and less dense structure than a conventional building. The proposal also involves removal of landscaping between the park homes and the kennels which may further reduce shielding from noise.

The applicant has submitted a Noise Assessment Report (Azymuth Acoustics, dated 30/11/15, ref. A1686). This concludes as follows:

- Daytime noise levels on the site typically fall within the range 57-58dB LAeq,5 min. Early night-time (23:00 “00:00) free-field noise levels at the same locations are generally in the range 43-47dB LAeq,5 min.
- It would be expected that 16hr averaged daytime levels affecting the site would be generally at or below the WHO recommended limit criterion to avoid serious annoyance in outdoor amenity areas.
- While dogs barking outside / within the nearby kennels were audible for short periods during the noise survey, it would be assessed that this aspect contributes only marginally to the overall noise climate in the area.
- The proposed building fabric of the park homes would sufficiently mitigate external noise from the motorway and dog barking / animal noise emanating from the nearby pets hotel.
- Based on noise survey data, the proposed construction of the park homes would be sufficient to mitigate potential noise levels affecting the site. The building fabric may be of a standard insulated metal composite panel construction with good quality sealed thermal double-glazing, min. Rw31dB throughout.
- The proposed layout of the park homes (i.e. away from perimeter with kennels) would provide additional mitigation of potential dog / animal noise affecting the development.

The Council’s Environmental Protection team are not able to conclude whether or not noise from the kennels would cause a serious impact on the living conditions of future occupiers of the park homes. In this context, it is acknowledged that the full implementation of the noise attenuation measures agreed as part of the planning permission granted for the kennels (2009/14252) would be important. In addition, conditions which require certain standards of glazing; wall and roof construction and for the acoustic attenuation of mechanical ventilation for the park homes – would add further, but not complete, protection from the noise of barking dogs.

Flood Risk
Policy QE4 of the Core Strategy deals with Flood Risk and requires
development proposals to demonstrate appropriate assessment of flood risk and drainage in accordance with national policy.

The site is not within an area vulnerable to flooding. The consultation response of United Utilities confirms no objections to the proposal subject to conditions to require drainage on separate systems and submission of a surface water drainage scheme with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) and a restricted forward flow rate to the public sewer must of 10l/s.

With the safeguards of suitable surface water drainage scheme for the site the proposal is acceptable in respect of flood related issues.

Biodiversity

Bats
The bat survey report submitted as part of the application has recorded the presence of small bat roosts in some of the buildings to be demolished. All species of bat and their roosts are protected under UK and European legislation and are a material consideration when determining planning applications. Since bats have been found on this site then under the terms of the Habitats Directive and the Conservation of Habitats and Species Regulations 2010 (as amended), which enacts the Directive into the UK, a licence may be required from Natural England to derogate the terms of this legislation before any work can commence that may disturb bats. Before a licence can be granted three tests must be satisfied. These are:

i) That the development is “in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment”;

ii) That there is “no satisfactory alternative”;

iii) That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range”.

In considering planning applications that may affect European Protected Species, Local Planning Authorities are bound by Regulation 9(1) and 9(5) of the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their function. Government Circular 05/06 gives guidance to local authorities on how these issues should be considered. All three tests must be satisfied before planning permission is granted on a site. During the licence application process Natural England may ask the local planning authority for evidence that the above three tests were properly considered during the determination of the planning application. The first two tests are essentially land-use planning tests. As regards the third test it is noted that the roosts found are small, likely transient and of relatively common bat species. Mitigation for any possible disturbance to bats has been
proposed will be straightforward. The consultation response of the Councils Ecologist subsequently expresses no objection to the proposal subject to adherence to the Method Statement proposed for avoidance of harm to bats.

Overall, it is considered that the provision of an appropriate affordable housing contribution (£70,530) in accordance with development plan policy (SN2) would be sufficient to address the requirement to satisfy the imperative reasons of overriding public interest (IROPI) test. In accordance with the views of Council’s Ecology adviser – it is also considered that the “favourable conservation status” test had been satisfied also.

In terms of the third and final “no satisfactory alternative” test, the following consideration has been made;

It was confirmed as part of the previous appeal decision that the site is located sustainably (Para. 24), and that the site has previously developed land status (Para. 10).

One of the core principles of the NPPF is to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”. Encouraging development in sustainable locations is also a key underlying principle of planning policy. The compatibility of current proposal is accepted (including the view that there is no adverse impact on the openness of the Green Belt). This general approach places the site well in terms of a site selection exercise – and is endorsed by para. 111 of the NPPF, which re-iterates the encouragement approach and confirms the ‘active approach’ to identifying and bringing forward the redevelopment of previously developed land.

In addition, the proposal is considered to be an exception to the general stance that new development is inappropriate in Green Belt - given that it is accepted to represent “limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development”.

It should be noted that the site has recently been identified and assessed in Warrington’s SHLAA 2015 (Site Ref. 2581) as a site which is ‘suitable, available and achievable’ for redevelopment for housing (see attached). This analysis should be borne in mind when considering the possible range of potentially alternative sites.

As can be noted, a number and wide range of sites have been assessed in order to meet the future on-going needs for housing provision in the vicinity. The SHLAA summary for Lymm records that a number of sites have been dismissed as not being suitable (sites in the Green Belt and Constrained Sites). Of the 61 sites identified, the application site forms 1 of 29 that are deemed to be potentially readily ‘suitable, available and achievable’, and in addition capable of contributing to land supply in the short term.
years). However, the site is only 1 of 7 sites that do not have the benefit of planning permission (and accordingly capable of making a contribution to housing provision over and above ‘commitments’). All other non-committed sites deemed to be suitable etc. have a combined total capacity of some 14 units – which is not considered to be a significant additional capacity for the settlement (not least in the context of the identified need for housing).

Of the other 6 sites deemed to be ‘suitable, available and achievable’ albeit not ‘committed’, each of these comprises sites that range in size between 0.04 and 0.39 Ha, and have identified capacities of between 1 and 5 units. These sites are materially different in size than the application site and proposal (which for consistency of evidence is measured as 2.02 Ha in the schedule). It is reasonable to conclude accordingly that the application proposals cannot be accommodated within and by any of the other non-committed sites. Moreover it is reasonable to conclude that the site is needed in terms of increasing housing land supply in this area, as it would bolster the capacity of the Lymm area over and above commitments.

Accordingly, in terms of a sequential site search, it is reasonable to conclude that it is not considered that there are any other sites in /around Lymm that are more suitable for redevelopment than a site of this size, location and status. In these circumstances, it is considered that against this background the proposal satisfies the alternative site test.

Amphibians and Reptiles
Although the site has only low potential to support great crested newts or reptiles (protected species) it does support other amphibians, and sites such as this have at least some potential to support slow worms. Whilst further species surveys are not required, precautions with respect to amphibians and reptiles are justified, as set out in the submitted Ecological Appraisal (UES, 2015).

Invasive Plant Species
The application site supports Japanese knotweed and Himalayan Balsam. Under the terms of the Wildlife and Countryside Act 1981 it is an offence to cause these plants to spread in the wild. Measures will need to be taken to control any possible spread of these plants during construction.

Landscape Management
The submitted Landscape Management Plan (Barnes Walker, 2015) is acceptable and would make adequate provision for habitats and existing features of local nature conservation value, such as the trees and pond, as well as additional landscaping.

Land Quality
The application is accompanied by a ground investigation report, (Preliminary Geo-Environmental Investigation of land at Willowpool Garden Centre, Lymm prepared by iD-GeoEnvironmental Consulting Engineers on behalf of PH Property Holdings Ltd dated November 2013 [Ref: 3976-G-R001]).
Conditions are recommended to remediate the site due to the possible presence of waste and combustible products.

Highways Matters
Following revisions and the submission of additional material, the scheme is now capable of delivering adequate provision with regard to visibility; access; footways; pedestrian crossing points across Burford Lane and waste collection.

The site is within easy walking distance of the shop, post office, public house and bus stops in the village. A wider range of shops and other services are around 2 km away in Lymm and further afield in Altrincham and Warrington. Whilst future residents would be likely to make most journeys to and from their homes by private car the site is in a reasonably accessible location for a rural area.

Trees
The application is accompanied by a Tree Survey. In summary this identifies a total of 55 individual trees, six grouped areas of trees and four hedgerows. In general the tree stock on site is considered to be early mature to mature in age range. Management recommendations are made where significant defects are suspected to be present.

The great majority of trees surveyed were stated as being in an acceptable or good condition at the time of the survey. However two trees (T28 and T49) are in terminal decline and are identified as being considered for removal before works commence at the site.

The Council's Tree Officer advises that the loss of T16 to facilitate access would be acceptable if adequately mitigated with new plantings as the tree is of limited amenity value due to its condition. T18 is of better quality and its retention should be explored - in principle the tree's removal to allow adequate access to the site would not be opposed should no other option be available and its loss be adequately mitigated by new planting.

The removal of park home units originally proposed under the canopies of retained trees is welcomed, however it would be preferable for T25 – a large sycamore - to be retained as a part of the proposal - and included within the overall design. Given T25’s location within the body of the site however, and the number and severity of minor defects, the need for its retention is not considered to be overriding. It is material to note that both T18 and T25 were both to be removed as part of the previous proposals for housing on this site (2014/23568), to which there was no objection at that time from the Council’s Tree Officer.

The proposed utility services routes, and required excavation depths must be submitted for approval prior to construction works commencing – together with protective fencing. In principle there is no objection to the excavations within the root protection areas of retained trees and vegetation - as technical solutions are available. A method statement shall be submitted for approval.
and include materials to be used and required excavation depths prior to works commencing.

Overall Assessment

The proposal is an appropriate form of development within Green Belt, being the redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Some positive weight should be given to the economic and visual benefits of the site redevelopment, and as the site is reasonably accessible for a rural area, there are no significant constraints in respect of sustainability. With the recommended conditions, the environmental aspects of the proposal are acceptable in respect of drainage, land quality, and noise impact, having regard to the proximity of the nearby kennels facility. Similarly the biodiversity implications of the proposal can be suitably controlled, and the introduction of managed wildflower meadows and other areas of managed landscaping positively contributes to biodiversity and landscape character objectives.

The proposal would entail the removal of unsightly buildings, contamination, tipping and made ground from the site, and lead to additional landscaping and biodiversity enhancement – to which moderate weight should be attached.

Overall it is considered that the proposal would deliver 14 new housing units – to help meet and identified need for quality retirement housing - any negative impact of which does not demonstrably outweigh the benefits of the development.

Recommendation

Approve subject to conditions, and subject to a S106 Agreement to secure a sum of £70530 for off-site affordable housing

Conditions & Reasons

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

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

2. The development shall be carried out in accordance with the following plans / documents:
   14-1105 A(10)-11 Rev F – Site Plan
   14-1105 A(10)-10 Rev E – Site Block Plan as Proposed
   SCP_15217_F02_RevB – Driveway Visibility
   M2587.02B – Landscaping Layout
   14-1105 A(10)-11 Rev C Arboricultural Impact Assessment
Reason: For the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE6 of the Warrington Core Strategy.

3. Prior to the commencement of the development (other than demolition and site clearance works), highway visibility splays of 2.4 metres by 58 metres to the North and 2.4 metres by 55 metres to the South at the amended site access junction onto Burford Lane shall be provided. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

Reason: Highway visibility at the existing site access junction is poor; the provision and retention of the required splays are needed in the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington

4. Prior to the occupation of the development, pedestrian intervisibility splays of 2 metres by 2 metres shall be provided on both sides of each driveway for all new dwellings. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

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

5. Prior to the occupation of the development, the parking and turning areas to serve the development shall be laid out and hard surfaced in accordance with approved drawing no. 14-1105/A(10)-11 revision F, and made available for use and retained as such thereafter.

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

6. Prior to the commencement of the development (other than demolition and site clearance works), full construction details of the site access road, including the amended site access junction and pedestrian crossing points with tactile paving, shall be submitted to and approved in writing by the Local Planning Authority. The site access road shall be implemented in accordance with the approved details, and made available for use prior to first occupation of the development and retained as such thereafter.

Reason - In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.
7. No development (other than demolition and site clearance works), shall commence until details of the proposed arrangements for the future management and maintenance of the proposed street within the development have been submitted to and approved in writing by the Local Planning Authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason – To ensure adequate future management and maintenance of the proposed street within the development in the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington.

8. Prior to the commencement of the development (other than demolition and site clearance works), a service management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the service management plan has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway and pedestrian safety in accordance with policies CS1; CS4; and QE6 of the Local Plan Core Strategy for Warrington and to ensure that adequate provision for refuse collection is made prior to agreeing the detailed construction details of the site access road which may influence whether the Council’s Waste Management Department or a private refuse contractor is used.

9. No dwelling shall have more than 3 bedrooms.

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

10. Prior to the occupation of the development, a scheme for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be implemented in accordance with the approved details, and made available for use prior to first occupation of the development and retained as such thereafter.

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

11. Prior to the commencement of use, the approved landscaping scheme shall be carried out not later than in the first planting season or seeding seasons following the completion of the development. Any planting which within a period of 5 years of implementation of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the
next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and mitigate the loss of existing landscaping. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place; Policy CC2 Protecting the Countryside.

12. Prior to the commencement of use, the scheme of biodiversity enhancement shall be implemented and retained thereafter.

Reason: In the interests of biodiversity. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place; Policy QE5 Biodiversity and Geodiversity Value.

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

Reason: To secure proper drainage and to manage the risk of flooding and pollution. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

14. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 10l/s.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

15. No development (other than demolition and site clearance works), shall commence until temporary protective fencing has been erected to protect trees to be retained. The fencing shall be retained during the period of construction and shall be removed upon full completion of the works. Within the protected area, there shall be no excavation for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids without the prior agreement of the Local Planning Authority. Any pruning and crown lifting shall be kept to the very minimum in order to retain the original shape and form of the trees.
present. Any work within root protection areas and protective fencing to be erected shall be in accordance with BS 5837:2012.

Reason: To ensure adequate protection of trees on site in the interests of visual amenity. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place.

16. Prior to the commencement of the development (other than demolition and site clearance works), hereby approved details shall be submitted in writing to the LPA for approval detailing the work methods to be employed to ensure that the construction of and accessways through/within the development and that the incorporation of any utility servicing does not harm the roots of the trees which are sited in close proximity. Details shall include the intended routes of services, required excavation depths and a method statement. The approved work methods shall then be implemented during the construction period.

Reason: To protect trees shown for retention as part of the finished development in accordance with policies CS1, QE6, and QE7 of the Local Plan Core Strategy for Warrington.

17. Prior to the first residential occupation of any of the units hereby approved, detailed measures for the private management and maintenance of all areas of wildflower meadow and all other areas of landscaped amenity space, pond and woodland within the site shall be submitted for approval to the local planning authority. Such measures as are approved shall be implemented as part of the development.

Reason – To ensure the approved landscaping and amenity areas are maintained and managed to a high standard as part of the finished development in accordance with policies CS1; QE3 and QE7 of the Local Plan Core Strategy for Warrington.

18. The following measures identified within the Preliminary Ecological Appraisal (UES, ref. UES01585/01, dated 25th September 2015) at section 4.2.1 shall be implemented in full:

- Any areas of dense vegetation within the development area should have their sward length reduced gradually in order to give any amphibians present time to move off site of their own accord.
- The mown / cleared area shall then be maintained with a short sward until the works on site have been completed.
- Any potential hibernacula shall be removed from the working area by a licenced GCN ecologist, and placed in a suitable area close to site.
- Hibernacula should include piles of rubble, bricks, loose soil, debris etc.
- No excavations should be left open overnight. If this is not feasible a plank should be left within the excavation at a 45 degree angle to allow amphibians to escape. Any open excavations should be checked for amphibians in the morning prior to start of works on site.
- Materials shall be stored on pallets off the ground in order to reduce the risk of amphibians sheltering underneath them.
- UES will remain on-call throughout the development and if any newts are encountered work on site is to stop immediately and UES are to be contacted.

Reason: To protect reptiles present on the site. This is in accordance with the following policies of the Warrington Core Strategy: Policy QE6 Environment and Amenity Protection; Policy QE7 Ensuring a High Quality Place; Policy QE5 Biodiversity and Geodiversity Value.

19. No individual park home building shall exceed 335 cubic metres in volume and the total volume of the development hereby approved shall not exceed a maximum of 4690 cubic metres.

Reason – Permission is granted on the basis that the volume of the proposed development is less than that of the buildings on the site which supported the previous horticultural use. This lower volume would be an improvement in terms of impact on the openness of green belt.

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

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

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

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

The site shall not be taken into use until the investigations, remediation and verification are completed. The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).
Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington; with paragraph 121 of the National Planning Policy Framework (March 2012), and with Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with policies CS1 and QE6 of the adopted Local Plan Core Strategy for Warrington; with paragraph 121 of the National Planning Policy Framework (March 2012), and with Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

22. The park homes shall be constructed to at least the standard indicated within paragraphs 5.1 and 5.2 for Glazing (achieving Airborne sound insulation of not less than Rw 31dB), Wall Construction (achieving Airborne sound insulation of not less than Rw 45dB) and Roof Construction (achieving Airborne sound insulation of not less than Rw 42dB) as detailed within the Azymuth Acoustic Report titled 'Noise Assessment Report, Proposed Residential Park Home Development, Former Willowpool Nurseries Site,
Reason – In the interests of the living conditions of future occupiers of the park homes in accordance with policies of the Local Plan Core Strategy for Warrington and with the Council’s adopted Design and Construction SPD and Environmental Protection SPD.

23. The applicant shall install acoustically treated mechanical ventilation to the proposed park homes in accordance with a scheme to be agreed with the Local Planning Authority. The scheme shall detail which homes will require alternative ventilation, the level of treatment applied to each home and will agree details of the proposed units which will then be considered for approval in writing by the LPA. Once approved, all agreed ventilation equipment shall be installed and commissioned prior to first occupation of the site and shall be maintained and retained thereafter.

Reason: - To protect the amenity of future occupiers from the effects of noise and to reduce the need to open windows thereby rendering acoustic protection provided from the building structure as ineffective in accordance with policies of the Local Plan Core Strategy for Warrington with the Council’s adopted Design and Construction SPD and Environmental Protection SPD.

24. The park homes shall only be occupied by those aged 55 and over.

Reason - The impact of the proposal has been assessed as acceptable on the basis of this age group of occupants. The local planning authority would need to review this position if it were to materially change and to consider appropriate mitigation for any changed impact.

**Informatives**

1. The local planning authority sought to agree an extension to the determination period in order to allow additional time to resolve issues, and so is considered to have acted positively in accordance with paragraph 187 of the NPPF.

2. Smoke Control Area Informative:-
The proposal site is located within a smoke control area - The Warrington BC No 4 (Lymm) Smoke Control Order 1977. As such, any solid fuelled heating devices would need to be exempted appliances burning fuels approved for that device only. Any such device would have to be installed by a HETAS qualified engineer.

Supplementary Planning Document Advice:-
For further advice concerning Contaminated Land Assessments, Air Quality Assessments, Odour Assessments, Noise or Lighting requirements, please refer to the Environmental Protection Supplementary Planning Document for further detail.
(http://www.warrington.gov.uk/downloads/download/1212/spd_environmental_
For further verbal advice please contact Mrs Angela Sykes regarding Contaminated Land on 01925 442557, Mr Richard Moore regarding Air Quality on 01925 442596 or Mr Steve Smith regarding Odour, Noise or Lighting on 01925 442589.

Working Hours For Construction Sites:-
In the interests of residential amenity, the applicant/agent/developer is strongly advised to adopt the following recommended construction/demolition hours for all works on site.

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

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

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

Lighting:-
Any external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:
Institution of Lighting Professionals
Regent House
Regent Place
Rugby
CV21 2PN
https://www.theilp.org.uk/home/

Park Homes Licence:-
The site will require a park homes licence which is issued by the Environmental Health Office. The licence has a number of requirements which will need complying with in relation to spacing of homes, provision of facilities and boundary requirements, hard standings, lighting, maintenance of areas etc. Some of these issues would need to be included as part of any detailed design for the site so it is advised that the applicant should establish what the local requirements actually are to ensure the submitted plans are compliant with the licence and therefore can be taken as accurate for the planning permission review.
Appendix

Photographs of the Site
DEVELOPMENT CONTROL COMMITTEE DATE Thursday 28th April 2016

ITEM 3

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2015/27007</th>
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</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Site of former Bridge Inn and Elm Tree Public House, Land off Phipps Lane, Burtonwood, Warrington</td>
</tr>
<tr>
<td>Ward:</td>
<td>Burtonwood and Winwick</td>
</tr>
<tr>
<td>Development</td>
<td>Outline Planning - Outline application for up to 18 residential units and associated infrastructure with all matters reserved except for access</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>01-Dec-2015</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Ventures</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>29-Feb-2016</td>
</tr>
</tbody>
</table>

Reason for Referral

Objection from Cllr Joyce.

Human Rights

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

Site & Proposals

Site

The application site covers approximately 0.4 hectares on the site of the former Bridge Inn and Elm Tree public houses and associated car park. The buildings have now been demolished and the site cleared and temporarily fenced in places for safety and security purposes.

The site is located in a prime position within the village to the North West of Warrington town centre and at present it is accessed off Phipps Lane but also is bounded by Chapel Lane and a belt of woodland. Burtonwood is defined in the LPCS as a Local Centre and contains a mix of key facilities, including post office, catholic primary school and library. The site has good links to public
transport to Warrington and St. Helen’s. The village of Burtonwood is a an Inset Village with the Green Belt in the LPCS and the bowling Green of the former Bridge Inn pub is identified in the 2012 Open Space Audit.

Proposal

The application is seeking to develop the site with a residential scheme (Use Class C3) comprising up to 20 dwellings and associated housing. The precise details of the dwelling mix and house type are being reserved. This application is suggesting that the site will accommodate a mixture of 2, 3 and 4 bedroom semi-detached and terraced properties as shown on the submitted indicative site layout plan. Six dwellings are proposed to be accessed directly from Phipps Lane, four dwellings are proposed to be accessed directly from Chapel Lane, and the remaining dwellings are proposed to be accessed from a new access road off Phipps Lane.

The dwellings have road frontage and are designed as two storey traditional dwellings to provide a uniformity and continuity to the street scene. Initial elevations have been submitted to demonstrate how the scheme will respond to the local vernacular and it is anticipated that traditional materials local to the area will be adopted.

The proposed site layout plan (drawing no. M3926/sk/04 revision b) is an indicative layout. It would therefore be subject to change as part of any future reserved matters application if the current outline application was approved.

Planning History

83-92 various applications to extend the pub and the parking area
80-97 various applications to erect a sub station
2014/23171 – Nomination as an asset of community value (withdrawn)
2014/24974 – Prior approval demolition of Elm Tree Inn (approved)

Planning Policies

National Planning Policy Framework (NPPF)
Paragraph 14 – “presumption in favour of sustainable development”
Paragraph 17 – Core land use planning principles
Chapter 4 – Promoting sustainable transport
Chapter 6 – Delivering a wide choice of high quality homes
Chapter 7 – Requiring Good Design
Chapter 8 – Promoting healthy communities
Chapter 9 – Protecting Green Belt Land
Chapter 11 – Conserving and enhancing the natural environment

Planning Practice Guidance (PPG)
Paragraphs 29 & 30
Local Plan Core Strategy (LPCS)
Policy CS1 Overall Spatial Strategy Delivering sustainable Development
Policy CS2 Overall Spatial Strategy Quantity and distribution of development
Policy CS3 Overall Spatial Strategy mainatinning a 10 year forward supply of housing land
Policy SN1 Distribution and nature of new housing
Policy SN2 Securing Mixed and inclusive neighbourhoods
Policy QE3 Green Infrastructure
Policy QE4 Flood Risk
Policy QE5 Biodiversityy and Geodiversity
Policy QE6 Environment and amenity protection
Policy QE7 Ensuring a high quality place
Policy QE8 Historic environment
Policy MP3 Active travel
Policy CC1 Inset and Green Belt Settlements

Supplementary Planning Documents (SPD)
Construction and Design
Environmental Protection
Car Parking Standards for new development
Planning Obligations

Notification Responses

5 letters received regarding the following:

- Too many houses proposed on the plot
- Currently too much traffic on Phipps Lane and Chapel Lane and will make this worse
- Will add to the traffic to and the from M62
- Proposed terrace would detract from Burtonwood
- Prefer properties to back on to Phipps Lane
- Chapel Lane and Phipps Lane junction busy
- Parking
- Flooding due to increased hard surface areas
- Overdevelopment of the site
- Only one access point required

Consultation Responses

Cllr John Joyce Ward Councillor – Objection on the following grounds with request for a site visit to take place at school opening and closing time:

- I have problems with development plots D & C.
- The danger to pedestrians especially children going to and from school due the movement of vehicles from the proposed houses
- I object to access from the sites onto Chapel Lane.
- I object to a crossing being sited outside the Post Office and Chemist including any Zig Zag lines.
- The finished development must not have any effect on the day to day
business of the two shops especially the current provision on Chapel Lane for customers to park outside the shops. To prevent on road parking double yellow lines should be installed outside the two houses approx. 50 metres from the junction of Chapel Lane and Phipps Lane.

- I agree with the restrictions on the height of any wall, fence or hedge on the two plots.
- There is also a planning condition on this site for public car parking.
- I hope you have sent this planning application to the Burtonwood and Westbrook Parish Council for its comments

Cllr Terry O’Neill – Welcome the development of the site although concerned about:

- Highway safety of access and egress onto Chapel Lane
- The properties are too close to the junction with two busy shops opposite and a school crossing patrol for both of the primary schools

WBC Flood Risk
No objections.

WBC Environmental Protection
No objections subject to the following conditions/informatives

1) Contaminated land both preparatory works and completion
2) Noise insulation scheme
3) Environmental Protection SPD
4) Working hours for construction sites
5) Installation of lighting schemes

WBC Highways
In view supporting information provided with the application there is no highway objection to the proposals subject to the following conditions:

1) At reserved matters stage, visibility splays of 2.4 metres by 43 metres shall be provided at the new site access junction onto Phipps Lane and retained as such thereafter. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.
2) At reserved matters stage, a revised site layout for the development to show the following information shall be submitted to and approved in writing by the Local Planning Authority:
   - 2m wide footway adjacent to the entire development site frontage on Chapel Lane and Phipps Lane, including the removal of any redundant vehicular accesses;
   - 2m wide footways on both sides of the new site access road and around the turning head;
   - Site parking provision to fully comply with the Council’s adopted parking standards;
   - Adequate width driveways, footpaths to dwelling entrances and footpaths to the rear of dwellings to comply with the Council’s Design Guide and adopted parking standards; and
   - External electric vehicle charging points (one per plot).
The development shall not be occupied until the site has been laid out and constructed in accordance with the approved details, and shall be retained as such thereafter.

3) At reserved matters stage, a plan showing pedestrian intervisibility splays of 2 metres by 2 metres on both sides of each driveway for all new dwellings, or front boundary treatments at a maximum height of 0.6m, shall be submitted to and approved in writing by the Local Planning Authority. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

4) No driveway shall be located closer than 9m to the nearest tangent point of the Chapel Lane/Phipps Lane junction.

5) At reserved matters stage, a scheme of pedestrian crossing points at the Chapel Lane/Phipps Lane junction shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian crossing points shall be implemented in accordance with the approved details prior to the occupation of the development and retained as such thereafter.

WBC Education
No objection however contribution to primary and secondary schools required

WBC Arborist
No comments received at the time of writing the report

United Utilities
No objection subject to the following conditions:

Foul Water
Condition 1 – Foul and surface water shall be drained on separate systems.

Surface Water
Condition 2 – Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

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

The development shall be completed, maintained and managed in accordance with the approved details.
Environmental Agency
No comment refer to standing advice

Observations

Land Use Principle
The proposal is for the development of up to 20 dwellings with some plots having driveways located directly off Chapel Lane and Phipps Lane, and others situated off a new access road off Phipps Lane. The site was previously occupied by the Bridge Inn and Elm Tree public house which have subsequently been demolished. The site lies within the centre of the village of Burtonwood which is identified as an Inset Village with the Green Belt in the LPCS and the bowling green of the former Bridge Inn pub is identified in the 2012 Open Space Audit.

The NPPF is clear in its intention to boost the supply of new housing by emphasising the presumption in favour of sustainable development. The proposed scheme utilises an existing site within the village that has been vacant for a number of years and it will help deliver a supply of new houses in a sustainable location.

The range of type and size of dwelling will provided benefit the local housing market and represents a logical infill scheme within the settlement boundary. The proposals will also help to contribute to the supply of housing across the Borough. The proposal is consistent with the overall spatial strategy of the Local Plan and the scale and distribution of new housing as set out in Policy SN1 and Policy SN2.

Affordable Housing
In line with Policy SN2 30% of the development of the will be required to be affordable housing as defined in the LPCS and current Government guidance as site is located outside of Town Centre and Inner Warrington. At this stage the applicant has indicated a range of 2, 3 and 4 bed properties and it will be defined at the Reserved Matter application stage. A condition is recommended to secure this provision.

Design Considerations
Design is a reserved matter – but it is accepted that dwellings with design and appearance to suit their setting could be delivered at that stage in line with the Construction and Design SPD.

Flood Risk
The site lies wholly with Flood Zone 1 with low probability of flooding. The use to residential would be more venerable as per the Environment Agencies use categories.

A Flood Risk Assessment has also been provided which concludes as follows:
Analysis of Environment Agency flood level data for Phipps Brook confirms that the existing expected to remain free from flooding in the 1 in 100 year flood event. Whilst the 1 in 100 year climate change modelled flood levels and the 1 in 1000 year modelled flood levels have not provided for Phipps Brook, given the level of the crest of the river bank and the topography across the site, it is reasonable to assume that the site is located entirely within Flood Zone 48.

In accordance with guidance provided within Warrington Borough Council’s SFFRA, finished floors should always be set to a minimum of 300mm above the adjacent roads to reduce the const of localised flooding.

The 300mm freeboard allowance is also considered appropriate to mitigate for the uncertain hydraulic modelling and mitigate any potential flood risk from this watercourse.

As the site is a brownfield development, in accordance with Warrington Borough Council’s P 4, runoff rates from the site will not exceed existing rates including for a 30% reduction.

It is proposed that discharge of surface water from the site is achieved by connection to Phipps Brook, located to the north of the site. Several outfalls were observed along the river bank of Phipps Brook; however, a detailed assessment of the on-site drainage system will be required to establish connection exists.

The indicative surface water strategy confirms there is sufficient space within the development to accommodate the attenuation required based on a below ground system.

If a new outfall is to be established to Phipps Brook, further consultation will be required with order to obtain Flood Defence Consent.

In conclusion, the proposed scheme complies with the NPPF and PPG with respect to flood appropriate development at this location. It has been demonstrated that surface water can be managed appropriately in accordance with the NPPF.

As a result the proposal is not considered to satisfy concerns relating to Flood Risk subject to condition ensuring the development is carried out to the submitted Flood Risk Assessment.

Highways
Drawing no. 35356/5501/001 shows highway visibility splays of 2.4m x 41m at the proposed site access junction for the new access road off Phipps Lane, which is below the required standard of 2.4m x 43m for 30mph roads, and the splays would encroach into the application site. However, it would be possible for adequate splays of 2.4m x 43m to be achieved in both directions subject to the provision of a planning condition to ensure nothing above 0.6m in height would be provided within the splays. The proposed site access junction would be approximately 55m away from the Chapel Lane/Phipps Lane junction which is considered acceptable in terms of highway safety. Adequate visibility splays of 2.4m x 43m are already available within the adopted highway boundary at the Chapel Lane/Phipps Lane junction.

The width of the existing adopted footway varies in width along the site frontage, on both Chapel Lane and Phipps Lane, and is a minimum of around 1.4m. A planning condition would be required for footways at least 2m wide to be provided adjacent to the entire development site frontage, whilst maintaining the existing kerbline, with the removal of any existing vehicular
accesses no longer needed reinstated with full height footway. This would assist pedestrian movements along the footway and improve visibility for pedestrians crossing the Chapel Lane/Phipps Lane junction. The widened sections of footway would need to be adopted by the Council via a S38 Highway Agreement.

Drawing no. M3926/sk/04 revision b) shows that the proposed carriageway for the new access road off Phipps Lane would be 5m wide with 6m junction radii. This would be wide enough to accommodate two-way traffic, would allow access and on-site turning by refuse and emergency vehicles and is in accordance with the Council’s adoptable highway standards. WBC Highways will not support refuse collection for properties accessed off the new cul-de-sac to be undertaken from Phipps Lane as suggested by the applicant as it would be contrary to the Council’s Design Guide. 2m wide footways on both sides of the new access road and around the turning head would be required, as opposed to the 1.8m wide footway shown on one side and the 1m wide service strip on the other side, which can be secured via a planning condition. A Section 38 Highway Agreement would be required for the new road to be adopted by the Council.

There is no highway design guidance for a minimum spacing between driveways and junctions or other accesses/premises. The proposed driveway for plot 3 on Chapel Lane is 9m away from its junction with Phipps Lane (measured to the tangent point) as shown on the indicative layout plan (drawing no. M3926/sk/04 revision b). There is currently a school crossing patrol that operates on Chapel Lane in this area between the Phipps Lane junction and the proposed plot 3 driveway. In order to ensure that the proposals would not adversely affect the safety and operation of the school crossing patrol, a planning condition would be required to ensure that no driveway on Chapel Lane would be located closer to Phipps Lane than shown, and for a scheme, such as dropped kerbs and tactile paving, to be submitted by the applicant to define the precise location of the school crossing patrol and assist pedestrian crossing movements across the junction along both Chapel Lane and Phipps Lane.

It would be preferable for the development frontage to be open plan. Failing this, pedestrian intervisibility splays of 2m x 2m would be needed on either side of all the new driveways, or front boundary treatments no higher than 0.6m, to ensure that highway visibility for motorists exiting from the driveways would not be adversely affected. A planning condition would be required to achieve this.

There are existing signs and lighting columns adjacent to the site that may need to be relocated, at the full expense of the developer, to facilitate the vehicular accesses to the site. The existing positions of the signs and lighting columns should be shown on the site layout plan submitted as part of any future reserved matters application to demonstrate which would require relocating.

- Parking Provision
The indicative layout (drawing no. M3926/sk/04 revision b) shows 4 no. 2 bedroom houses, 14 no. 3 bed houses and 2 no. 4 bed houses. The Council’s recently adopted parking standards require the following parking provision to meet the parking demand of both residents and visitors:

- 2 allocated plus 0.2 unallocated (shared) spaces per 2 bedroom house;
- 2 allocated plus 0.3 unallocated spaces per 3 bedroom house;
- 3 allocated plus 0.3 unallocated spaces per 4 bedroom house.

The indicative layout shows a significant under provision of parking which is unacceptable. Additional parking provision to fully comply with the parking standards therefore needs to be shown on an amended site layout plan for any future reserved matters application. A planning condition is required to secure this. It is highly likely that this would result in a reduction of the number of plots that can be provided on the site. The proposed layout should limit the lengths of dropped kerbs for driveways to protect pedestrians on the footway from vehicle overrunning.

The applicant has stated the intention to provide unallocated parking on-street. However, it should be noted that the provision of on-street parking within 15m of any junction, close to a bus stop, or which would restrict highway visibility or cause an obstruction would not be acceptable. Vehicles currently park on Chapel Lane adjacent to the shops opposite the site. Unallocated parking to serve the development cannot be located on Chapel Lane as the parking standards state that a carriageway must be at least 7.5m wide to accommodate on-street parking on both sides which is unachievable. Dwellings accessed from Chapel Lane would therefore require additional on-plot parking rather than unallocated on-street parking.

To comply with the Council’s Design Guide, driveways should be 3.3m wide. Alternatively, 2.5m wide driveways would be acceptable if a separate footpath at least 0.9m was provided from the highway to the dwelling. All driveway spaces should be at least 5m in length, with a further 1m length required if the front door is to be accessed behind the driveway. The minimum car parking space dimensions are 2.5m x 5m in the parking standards.

The parking standards for houses require 1 cycle parking space per bedroom. In order for cycles to be able to be stored in rear gardens, it needs to be demonstrated that footpaths to the rear of dwellings would be provided which has not been shown for some of the plots on the indicative site layout. A planning condition is needed to secure this which may result in a reduction in the number of plots or changes to the house types. Bin storage should also be considered in the reserved matters application, with access provided to the rear of the property or to a designated location to ensure that bins are not stored on the driveway or footway.

The application states that there may be difficulties with providing electric vehicle charging points for certain plots, as required by the parking standards, but this could be dealt with at a later date as part of a future reserved matters
application. The provision of such can therefore be secured via a planning condition.

- Traffic Generation

The traffic that would be generated by the development has been estimated by the applicant using the industry standard TRICS database. It identifies an average of 5 two-way vehicle trips per day for each dwelling (ie. 2/3 arrivals and 2/3 departures) which would be a total of 100 two-way trips per day for the proposed 20 dwellings. During the busiest (AM) peak hour there would be a total of 15 two-way trips for 20 dwellings which equates to around 1 vehicle every 4 minutes. This is a low level of traffic which should not have a significant impact on the adjacent highway network.

The applicant identified a total of 236 two-way vehicle trips per day for the two existing pubs combined using TRICS. The traffic that would be generated by the development per day therefore represents a decrease in vehicle trips compared to the previous uses on the site and is considered to be acceptable.

There have been no traffic accidents in the last 3 years on Chapel Lane or Phipps Lane adjacent to or in the vicinity of the site. The Council’s Road Safety Team has been consulted on the application and has not raised any objection.

Residential Amenity
The proposal does not have an adverse impact on adjacent neighbours residential amenity as a result of overlooking. Although the relationship on plot 1 and Elm Tree Cottage will need to assessed in more detail at the Reserved Matter application.

Natural and Historical Environment
The NPPF and the LPCS are clear that new developments should not have an adverse impact on the historic and natural environment and should contribute to and enhance the natural and local environment. The submitted Ecological Appraisal has confirmed that no parts of the site are covered by any ecological designations and at present there is limited diversity on the site. The Phase 1 site investigations has been undertaken and there are no insurmountable ground condition constraints. The introduction of new landscaping and gardens will result in biodiversity gain on the site.

Green Infrastructure and Open Space
A bowling green was once present associated with the former Bridge Inn public house, and this was identified with the Council’s Open Space Audit. This is now disused the loss of the open space is required to be justified as per the NPPF and the LPCS. The Bridge Inn Bowling Club sold the land which demonstrates that there is no interest in using the land and no demand for the facility in the local area. The applicant has also carried out an open space assessment and demonstrated that the site performs no open space function in its current use and is also surplus to requirements and its loss is therefore justified in accordance with paragraph 74 of the NPPF.
Section 106 Agreement
Family dwellings in this location are likely to generate the need for additional primary school places. The value of a potential financial contribution from the applicant will not be known until the final design of the development is confirmed, at reserved matters stage. A condition is recommended which requires a suitable mechanism to deliver such provision when the detailed scheme is known.

Summary
The site is previously developed and situated in a suitable location within the existing residential area close to the defined centre of the village. The proposal complies with the relevant policies of the LPCS and contribute to the social, economic and environmental well-being of the wider area. It is considered that, subject to conditions, the site is considered suitable for residential development with no undue harm caused to the amenity of nearby properties, or the character and appearance of the area. Subject to suitable conditions the proposal is acceptable in terms of highway impact.

Recommendation
Approve subject to Conditions

Conditions & Reasons

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the later.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990

2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details and any subsequently approved reserved matters.

Approved drawing list:
Site Access Layout 35356/5501/001

The following drawings are indicative only and show one possible way in which the site could be developed:
Indicative Layout M3926 SK 04 Rev B
Contextual Layout and Floor Plans M3926 SK 05 Rev A
Street Scenes M3926 PL 06

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

3. At reserved matters stage or prior to commencement of development (whichever is the soonest) a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the
local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

1. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
2. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
3. the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no Registered Provider involved);
4. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
5. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order that the proposal accords with Policy SN2 of the Warrington Core Strategy and the National Planning Policy Framework. A pre-commencement condition is necessary as they type/tenure and number of affordable housing units may have impacts in terms of layout. If this were left to prior to occupation stage it may be too late to re-consider matters of layout.

4. a) Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the day of this permission:

(i) layout;
(ii) scale;
(iii) appearance, and;
(iv) landscaping.

b) The reserved matters shall be carried out as approved.

c) Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

5. At reserved matters stage, visibility splays of 2.4 metres by 43 metres shall be provided at the new site access junction onto Phipps Lane and retained as such thereafter. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

Reason: In the interest of highway safety in accordance with Warriington Local Plan Core Strategy Policies CS1, QE6, QE7 & MP1

6. At reserved matters stage, a revised site layout for the development to show the following information shall be submitted to and approved in writing
by the Local Planning Authority:

- 2m wide footway adjacent to the entire development site frontage on Chapel Lane and Phipps Lane, including the removal of any redundant vehicular accesses;
- 2m wide footways on both sides of the new site access road and around the turning head;
- Site parking provision to fully comply with the Council’s adopted parking standards;
- Adequate width driveways, footpaths to dwelling entrances and footpaths to the rear of dwellings to comply with the Council’s Design Guide and adopted parking standards; and
- External electric vehicle charging points (one per plot).

The development shall not be occupied until the site has been laid out and constructed in accordance with the approved details, and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 & MP1

7. At reserved matters stage, a plan showing pedestrian intervisibility splays of 2 metres by 2 metres on both sides of each driveway for all new dwellings, or front boundary treatments at a maximum height of 0.6m, shall be submitted to and approved in writing by the Local Planning Authority. Nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within the splays.

Reason: In the interest of highway safety in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 & MP1

8. No driveway shall be located closer than 9m to the nearest tangent point of the Chapel Lane/Phipps Lane junction.

Reason: In the interest of highway safety in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 & MP1

9. At reserved matters stage, a scheme of pedestrian crossing points at the Chapel Lane/Phipps Lane junction shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian crossing points shall be implemented in accordance with the approved details prior to the occupation of the development and retained as such thereafter.

Reason: In the interest of highway safety in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 & MP1

10. No development shall commence until the following conditions have been satisfied and discharged by the LPA and written approval to commence development works has been issued by the LPA. All requirements to be completed in accordance with the following guidance references: CLR11
(Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

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

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

PRA is the minimum requirement. DQRA only to be submitted if GQRA findings require it. The investigation(s) and risk assessment(s) must be undertaken by competent persons and all findings must form the subject of a written report.

B: SUBMISSION OF A REMEDIATION & VERIFICATION SCHEME: If required by Section A, a remediation scheme must be agreed with the LPA to ensure the site is suitable for the intended use and mitigate risks to human health, controlled waters and environmental receptors. Proposals should be derived from the Remedial Options Appraisal and form the subject of a written Remediation & Verification Strategy Report, detailing proposed remediation measures/objectives and how proposed remedial measures are to be verified/validated. All must be agreed in writing with the LPA.

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 Local Plan Core Strategy and Paragraph 121 of the National Planning Policy Framework. A pre-commencement condition is imposed as it is imperative that all human risks are considered at an early stage and that plans and proposals properly consider these matters from the outset.

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

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

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

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

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

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

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

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

12. A scheme for insulating the building envelope from noise sources both within and outside the properties shall be submitted to and approved by the LPA before development commences. This scheme must achieve the internal noise levels set out below and include any transportation, industrial, commercial and entertainment noise.

The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals - the effect of partially open windows needs detailed consideration to meet internal noise criteria.

Noise criteria for residential:
* Bedrooms night time (23.00 to 07:00) 30 dB Laeq, 8hr
* Individual noise events not to exceed 45 dB LAMAX no more than 10-15 times per night (WHO Guidelines For Community Noise 1999)
* Living Rooms day time (07:00 to 23:00) 35 dB Laeq, 16 hr
* Gardens and terraces (daytime) 55 dB LAeq

Reason: To ensure a satisfactory standard of living environment for incoming occupiers

In accordance with Policy QE6 of the Local Plan Core Strategy and paragraph
13. Foul and surface water shall be drained on separate systems.

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

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

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

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

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

15. A scheme for insulating the building envelope from noise sources both within and outside the properties shall be submitted to and approved by the LPA before development commences. This scheme must achieve the internal noise levels set out below and include any transportation, industrial, commercial and entertainment noise.

The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals – the effect of partially open windows needs detailed consideration to meet internal noise criteria.

Noise criteria for residential:
1) Bedrooms night time (23:00 to 07:00)  30 dB Laeq, 8hr
2) Individual noise events not to exceed  45dB LAMAX no more than 10-15 times per night
(Whole Guidelines For Community Noise 1999)
3) Living Rooms day time (07:00 to 23:00)  35 dB Laeq, 16hr
4) Gardens and terraces (daytime)  55dB LAeq

Reason: To ensure a satisfactory standard of living environment for incoming occupiers.

In accordance with: Policy REP10 of the adopted Local Plan (23 January
2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); and Paragraph 123 of the National Planning Policy Framework (March 2012); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

16. No development shall take place unless and until suitable mechanism has been entered into, to deliver measures to mitigate the impact of the development on the number and availability of schools places in the Borough.

Reason – To provide the necessary mitigation for the impact of the development in accordance with Warrington Local Plan Core Strategy Policies CS1, CS2, SN1, SN6, Planning Obligations SPD and the NPPF

Informatives

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

2. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

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

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Public sewers cross this site and we may not permit building over the,. We will require an access strip widths of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with
John Lunt, Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

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

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

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

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

4. In order for the new site access road and turning head to be adopted, an agreement under Section 38 of the Highways Act 1980 will need to be entered into with the Council. The applicant should contact the Council’s highway adoption engineer, Chris Bluck (telephone no. 01925 442688) to action

5. In the interests of residential amenity, the applicant/agent/developer is strongly advised to adopt the following recommended construction/demolition hours for all works on site. Works audible at or beyond the site boundary, should not occur outside of Monday to Friday 08.00hrs to 18.00 hrs, Saturday 08.30hrs to 13.30hrs and at no time on Sundays or Public/Bank Holidays.

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

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

6. The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:

Institution of Lighting Professionals
7. In respect of condition 18; the applicant has agreed a Section 106 agreement heads of terms document and so therefore the Council is likely to require such an agreement in order to satisfy condition 18.


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

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

9. This permission gives no consent whatsoever for any particular layout or design of dwellings. These have been submitted for indicative/illustrative purposes only at this outline stage.
Appendix 1

Proposed plan showing access

Site plan
ITEM 4

Application Number: 2016/27213

Location: Land at Junction of Thewlis Street &, Old Liverpool Road, Warrington, WA5 1AJ

Ward: Bewsey and Whitecross

Development
Variation of Condition (Major) - Proposed variation to Condition 2 (Approved Plans) to increase the store footprint with changes to highways plans including parking allocations from original planning application 2014/24841

Date Registered: 18-Jan-2016

Applicant: Lidl UK GmbH

8/13/16 Week Expiry Date: 17-Apr-2016

Reason for referral

The Council own the freehold for the site.

Human Rights

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

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

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

Site

- Vacant site on the edge of the town centre to the south of the Sankey Way roundabout
- Area consists of commercial and residential to the north, commercial to the east and south and residential to the west. Lovely Lane Neighbourhood Centre is located further to the north
- The site has been partially cleared. Previously pioneer species had
heavily colonised the area with the dominant species being Willow, Alder and Silver Birch with an underlying shrub layer of mainly Buddleia and Bramble

- Site has an area of 0.85 hectare
- Land levels vary throughout the site with a noticeable drop by approximately 0.5m from West to East and the land outside the site drops from the road towards the site
- Existing access point noted to the east opposite the Bowling Green Pub
- Boundary treatment consists of a 2m high wall to the west, 1m high wall to the south and 1.8m high railings to the east and mixed 1m high wall and planting to the north
- Nearest neighbouring properties to the site boundary are located 20m away to the west

Proposal

- The proposal seeks to vary condition 2 (approved plans) attached to previous planning approval 2014/24841 to increase the footprint of the store with changes to the parking and internal layout
- Planning approval 2014/24841 gained consent for the erection of a retail food store and restaurant with drive through facility with associated works and creation of a new access point onto Old Liverpool Road
- Lidl has recently introduced a new store concept that seeks to deliver a step-change in the quality of the building and its operational efficiency. Accordingly, it is proposed to upgrade the proposals for Thewlis Street to deliver this new concept, which will be the first of its kind in the UK. The applicant states that the new store will offer an identical range of goods to that which already has planning permission, but will do so within a higher quality and more spacious shopping environment that seeks to maximize energy and operational efficiencies to the benefit of both staff and customers.
- The food retail store would have a floor space of 2,402m2
- The proposals will be served by 124 parking spaces and access will be taken from either Thewlis Street or Old Liverpool Road, with all vehicles existing to Old Liverpool Road
- The Lidl building would be between 5.3m and 7.8m high with a sloping pitch roof.
- Opening hours of the Lidl will be 8am-8pm Monday to Saturday and 10am-5pm on Sundays
- The table below shows the difference between the approved and proposed schemes:

<table>
<thead>
<tr>
<th></th>
<th>Approved</th>
<th>Proposed</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length</td>
<td>54.8m</td>
<td>58.8m</td>
<td>+4m</td>
</tr>
<tr>
<td>Width</td>
<td>42.8</td>
<td>44m</td>
<td>+1.2m</td>
</tr>
<tr>
<td>Height</td>
<td>14m</td>
<td>14m</td>
<td>0m</td>
</tr>
<tr>
<td>Gross</td>
<td>1930sqm</td>
<td>2402sqm</td>
<td>+472sqm</td>
</tr>
<tr>
<td>Floorspace</td>
<td>1294</td>
<td>1436</td>
<td>+142sqm</td>
</tr>
<tr>
<td>------------</td>
<td>------</td>
<td>------</td>
<td>---------</td>
</tr>
<tr>
<td>Sales Floorspace</td>
<td>124</td>
<td>124</td>
<td>0</td>
</tr>
</tbody>
</table>

**Relevant Planning History**

- 93/31316 – Retail food store with parking (refused)
- 97/35917 – Outline application for mixed use development to include industrial, business, distribution, retail, leisure, recreational and associated infrastructure (withdrawn)
- 2014/24841 – Proposed construction of retail food store, restaurant with drive through facility with associated works and new access point (approved)

**Planning Policies**

**National Planning Policy Framework (NPPF)**
Paragraphs 23-27 – Ensuring the Vitality of Town Centres
Paragraphs 29-41 – Promoting Sustainable Transport

**Local Plan Core Strategy (LPCS)**
- Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
- Policy CS2 Overall Spatial Strategy – Quantity and Distribution of Development
- Policy CS7 Strategic Location – The Town Centre
- Policy CS9 Inner Warrington
- Policy CS10 Strategic Proposal – Waterfront and Arpley Meadows
- Policy PV5 Enhancing the Town Centre Economy
- Policy SN4 Hierarchy of Centres
- Policy SN5 New Retail and Leisure Development within Defined Centres
- Policy SN6 Sustaining the Local Economy and Services
- Policy SN7 Enhancing Health and Well-being
- Policy QE6 Environment and Amenity Protection
- Policy QE7 Ensuring a High Quality Place
- Policy QE8 Historic Environment

**Supplementary Planning Guidance**
Design and Construction
Hot Food Takeaway
Environmental Protection
Other
Warrington Means Business (not adopted)

Notification Responses
1 letter of objection received:
   • Traffic
   • Litter

2 letters of support received:
   • Pleased to have a supermarket in close proximity

Consultation Responses
Ward Councillors
No comments received

Burtonwood and Westbrook Parish Council
No comments received

WBC Highways
No objections subject to the imposition of the following conditions:
   1) Car parking management plan
   2) Provision of a revised access onto Old Liverpool Road and swept paths
      of HGV movements
   3) Servicing management plan
   4) Scheme of cycle parking, motorcycle parking and electric vehicle
      charging points
   5) No more than 1930sq m of the foodstore should be used for sales
      floorspace

WBC Environmental Protection
No objection

WBC Arborist
No comments received

WBC Community Employment Learning and Skills
No comments received

Archaeology
No objection subject to the imposition of a condition requiring an
archaeological investigation prior to commencement of development

Environment Agency
No comments received

United Utilities
No comments received
HSE
Do not advise against the granting of permission

Observations
Retail Assessment

To access the impact of previous application 2014/24841 on the vitality/viability of the Town Centre and Neighbourhood Centre, the Council employed the services of a planning consultant M T Town Planning who specialises in retail planning, to provide an independent review of the Retail Assessment. The report concluded the impact of the proposal on Lovely Lane NC was not likely to be significant adverse, as per the NPPF.

As part of the current application the applicant has provided a supporting statement which advises in principle, the provision of additional non-sales floorspace does not trigger a requirement to assess the proposal against the sequential or retail impact policy tests. Indeed, it would be unreasonable to seek to redirect the proposed staff welfare facilities, for example, to a different site within a town centre. Accordingly, the additional non-sales floorspace proposed is inextricably linked to the approved foodstore and cannot be delivered in isolation. Similarly, the additional non-sales floorspace will not have any effect on the vitality or viability of any town centre.

Whilst 142m² additional sales floorspace is proposed, this will provide a sales area that is approximately 1m wider than that previously approved together with more circulation space on entry to the store. The store will offer an identical range of goods to that previously approved.

In terms of the sequential approach, the policy test cannot be applied to the additional sales floorspace in isolation. Lidl is not able to implement its deep-discount business model from a store of just 142m² net floorspace. Accordingly, any alternative development opportunities to deliver a discount foodstore either within or closer to a town centre must be capable of accommodating the whole of the proposed store (i.e. 2,402m² gross).

The Applicant has previously undertaken a thorough assessment of alternative development opportunities in support of the approved development, with the Local Planning Authority concluding in June 2015 that there were no sequentially preferable sites to accommodate a Lidl store of 1,930m² gross. Since the time of this previous decision, there have been no material changes in circumstance to warrant a different conclusion being drawn. For example:

- There are no new vacancies within or closer to Warrington Town Centre that are of a suitable scale to deliver the proposed Lidl store
- There are no new opportunities to deliver a Lidl store within Lovely Lane Neighbourhood Centre or any other designated centre within the previously accepted area of search
- The Bridge Street regeneration scheme in Warrington Town Centre is
progressing and remains unavailable to deliver a Lidl store

- Asda has still not responded to requests for confirmation whether the former Time Out restaurant site in Westbrook District Centre is available.

The only new opportunity that has been identified is Unit H4 at Cockhedge Retail Park, which comprises a vacant retail unit of 1,884m² floorspace. Whilst available, the unit is smaller than the approved Lidl store (1,930m² gross) and, therefore, is not suitable to deliver a store of increased scale (2,402m² gross). Whilst policy requires a flexible approach to format and scale to be adopted, it would be unreasonable to require Lidl to abandon the larger approved store at Thewlis Street scheme in favour of a smaller store at Unit H4 at Cockhedge.

Notwithstanding this, Unit H4 is located directly opposite Lidl’s Fennel Street store and is, therefore, not suitable to deliver a new Lidl store.

In conclusion, there are no suitable and available sites to deliver the proposed store within or closer to a defined town centre.

With regard to the impact test, the larger store hereby proposed will offer an identical range and choice of goods to the approved store, with the only difference between the proposed and approved stores being slightly wider aisles between goods displays and a larger circulation space on entry to the store. The proposed store will not generate a turnover in excess of the approved store and, therefore, will not give rise to any materially different impacts on any town centre that those previously accepted by the Local Planning Authority. The impact has, therefore, already been accepted by the Council as falling within acceptable limits and there is no need to reassessment.

The proposed revisions to the previously approved scheme do not give rise to any other planning policy matters that require further consideration.

Planning permission has previously been approved to deliver a new Lidl store at Thewlis Street. It is proposed to vary relevant planning conditions in order to permit the delivery of a new Lidl store concept, which is slightly larger than that previously approved. The proposed variations of condition essentially comprise changes to the drawing references stated in the relevant conditions.

As a result it has been demonstrated that the delivery of the new store concept will not have any significant adverse impacts on either the Town Centre or Neighbourhood Centre. Therefore there are no reasons for the Local Planning Authority to take a contrary view to that taken when application 2014/24841 was approved.

Impact on Policy CS10 – Strategic Proposal Waterfront and Arpley Meadows

The Local Plan Core Strategy Policy CS10 and the Warrington Means Business Document (not adopted) identifies the application site is located on
a potential highway route that was identified as an access supporting the
delivery of the Warrington Waterfront scheme. However this issue was
considered at length as part of the previous application.

As planning permission has already been granted for the development of the
site, the principle remains acceptable.

**Highways**

The proposals include an increase in gross floor area from the extant 1930 sq
m foodstore to 2402 sq m which would allow for increased space within the
Lidl building for retail sales. The applicant has stated there will be no increase
in the number of products sold within the building, that the revisions are
required in order to deliver Lidl’s most up to date store concept design which
has evolved in response to enhancing operational efficiencies, making best
use of the store building and in response to the need to deliver high quality
design.

The extant foodstore and KFC drive through required 136 car parking spaces
to meet the Councils car parking standards and was approved with 124 car
parking spaces, as it was accepted there would be some shared use of the
spaces across the site. The scheme also provided 7 disabled spaces, 5
enlarged parent and child bays, 2 motorcycle parking bays and cycle
infrastructure. 3 secure cycle lockers were provided each for Lidl and for KFC
and there were 8 short stay cycle parking spaces for the Lidl and 8 short stay
cycle parking spaces for the KFC.

The proposals would increase the Lidl stores GFA by 472 sq m which would
require an additional 30 car parking spaces within the site, an additional 3
cycle parking spaces and an additional motorcycle parking space. The original
plans for this application proposed to reduce the number of car parking
spaces within the site, however the number of spaces is now proposed to be
retained at the existing number of 124.

However, the LHA is concerned that the proposals do not provide adequate
car parking to support the increased size of store and therefore requests a
condition is placed on the proposed store to ensure that the sales area is not
increased in size from the previously approved sales floor area.

The proposals include two car parking spaces located in close proximity to the
Old Liverpool Road frontage. It is the LHA’s view that these have limited
visibility due to their location and therefore the applicant has proposed to mark
and sign these out as staff parking spaces only which should be secured by
condition, these should also be managed by a car parking management plan
which was previously requested for the extant permission.

For a car park of 124 car parking spaces, 7 disabled parking spaces and 5
enlarged parking spaces should be provided that are 3.6m x 6m in
dimensions. The proposals include 7 disabled parking spaces and 5 enlarged
parking spaces marked out as parent and child spaces. However, whilst the
enlarged spaces are wide enough to meet the Councils standards at 3.6m wide, the spaces proposed are just 5m in length which doesn’t comply with the Councils dimension standards.

The Councils car parking standards state there is a requirement for 5% of the car parking spaces to be covered by electric vehicle charging points or enabled for simple retro fitting at a later date. Therefore 6 car parking spaces should be covered or enabled to meet this standard and this should be secured by condition, the proposals have indicated 5 car parking spaces to be enabled for electric vehicle charging, it is unclear if any points will be available for use prior to the opening of the store.

The proposals include a pedestrian route through the site which incorporates dropped kerbs and tactile paving which provides an accessible route through the site.

To meet the Councils parking standards for cycle parking for the increased floorspace, 17 cycle parking spaces should be provided for the Lidl Store. The proposals include 16 short stay cycle parking spaces for visitors which are designed to the Councils dimension standards and provided along the store frontage, a further staff entrance is provided to the rear of the store which provides access to the warehouse for Lidl Staff with bikes, an area for staff to secure their bikes within the store should be provided.

To meet the cycle parking standards for the KFC the provision of 6 cycle parking spaces are required. The proposals include 6 short stay cycle parking spaces and 3 long stay cycle parking lockers to the rear of the store which meets the standards.

7 Motorcycle parking spaces are required to meet the standards for the revised Lidl store and an additional 2 spaces are required for the KFC. 6 spaces have been proposed within the site which falls short of the requirements, however, it is considered that there is adequate space within the site to provide these to meet the standards. The spaces should be provided with secure lockable points.

The extant proposals included a servicing management strategy that detailed that the HGV’s servicing Lidl would manoeuvre into the service bay alongside the store and that vehicles servicing the KFC would service within a row of parking bays within the site and therefore car parking spaces would have to be managed to ensure the service area required was available at the times of servicing. The revised arrangements work in a similar way, however, it is noted that the swept paths provided show large service vehicles passing over the centre line within the access road of the site and it is the LHA’s view that this could cause a safety issue within the site and therefore amendments to the access at Old Liverpool Road junction is required along with a swept path to demonstrate this works safely. A car parking management strategy and a service management strategy should be provided as part of the proposals.

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

As a result it is not expected that the proposed alterations would result in a significant increase in customer visits to the premise or result in a significant requirement for increased parking provision.

However it is considered necessary to control the sales area to 1,294sqm as previously approved, to prevent the creation of additional sales area at a later date through the internal re-arrangement of space which in turn would result in an increase in customer visits and parking demand.

Impact on Character/Appearance of the area

The principle of the development of the site for the erection of a retail food store and restaurant with drive through facility has already been established as part of the previously approved application 2014/24841. Therefore it is only the changes to the design and appearance which can be considered.

The proposal seeks the following changes to the 2014/24841 approval:

- Slight increase in the overall footprint and floor area (see table below comparing approved and proposed).

<table>
<thead>
<tr>
<th></th>
<th>Approved Store</th>
<th>Proposed Store</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross Floor space</td>
<td>1,930sqm</td>
<td>2,402sqm</td>
<td>+472sqm</td>
</tr>
<tr>
<td>Sales Floor space</td>
<td>1,294sqm</td>
<td>1,436sqm</td>
<td>+142sqm</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>124 spaces</td>
<td>124 spaces</td>
<td>0 spaces</td>
</tr>
</tbody>
</table>

- Extension of the footprint of the approved building on the northern, southern and south western elevations. However would not project any further forward than the building previously approved. Therefore is not considered to cause any material harm to the character/appearance of the area. See plan below showing the proposed footprint overlaid into the existing footprint (approved footprint highlighted in yellow)
• Introduction of a new mezzanine floor however this will be contained in the roof space.

• Slight revision in the external appearance with an increase in the amount of glazing, full width of the shopfront to be glazed from floor to eaves and rotating the layout of the roof between the north and south elevations. This would not result in any increase in height to that previously approved (see below approved/proposed drawings)

Approved north elevation with the proposed north elevation below that
Approved east elevation with the proposed east below that

Approved south elevation with proposed south elevation below
The approved vehicular access to the site will remain as approved and no changes are proposed to the KFC drive-through restaurant element of the approved development.

As a result it is not considered that the proposed alterations would cause any material harm to the overall character/appearance of the area over and above any impact caused by the previously approved application.

**Residential Amenity**

The principle of the development of the site for the erection of a retail food store and restaurant with drive through facility has already been established as part of the previously approved application 2014/24841. Therefore it is only the changes to the design and appearance which can be considered.
The proposed alterations would not result in the building being sited any closer to existing neighbouring properties and would retain the previous interface distances.

The closest neighbouring properties are sited to the West (Lancaster Street) and North-West (Sankey Way) and they would be sited 20m away to the site boundary and 21m away to the Lidl building.

The proposed buildings would face the side elevations of these properties which serve their windowless side elevations with the exception of No. 32 Lancaster Street which has a 90-degree orientation to other properties on Lancaster Street and therefore sits fronting the development site and therefore contains a mixture of primary and secondary facing windows. The main facing windows on the west elevation have also been removed with the exception of a high level window.

The height of the Lidl building would remain as approved (between 4.2m and 7.9m high).

No changes are proposed to the KFC building.

As a result the proposed is not considered that the proposed amendments would cause material harm to living conditions through loss of outlook, light, oppressive impact and loss of privacy.

Issues of noise and opening hours have already been addressed as part of the previous application by relevant planning condition restricting opening/closing hours. Despite a slight increase in floor area, the proposal is aimed at introducing a new store concept only with the increase relating to the non-sales area. As a result it is not expected that the proposed alterations would result in any significant increase in customer numbers or general noise and disturbance over and above that of the previously approved application.

**Important Landscape Features**

The majority of trees/planting on site has already been removed following the approval of the previous planning permission. Therefore subject to condition requiring replacement planting it is considered an opportunity to provide replacement planting to enhance the appearance of the area.

**Archaeology**

Cheshire Historic Environmental Records notes that part of the development is shown as having been occupied by a glue factory and it is therefore likely that below ground remains have survived and fragmentary footings may still be present above ground.

The proposed development is likely to result in the destruction of any surviving remains therefore if any development is permitted, relevant ground works should be undertaken to identify and record any archaeological
deposits present, which can be secured by condition.

Summary

The impact on the Town Centre & Lovely Lane Neighbourhood Centre is not considered to be significantly adverse. The amended design is considered to assimilate well into the locality by bridging the gap between existing developments, respecting the existing pattern of built form and would be sufficiently distinctive. The amended layout is considered to allow the safe movement of traffic and pedestrians and the proposal is also considered to provide suitable separation to neighbouring properties with adequate controls over working hours to prevent any harm to the living conditions. Finally the proposal is also considered to provide regeneration benefits by developing this currently vacant/derelict key gateway site. A number of supportive representations have been submitted by the local community and this also weighs in favour of the proposal as part of the balancing exercise. The application, as amended, is therefore recommended for approval.

Recommendation

Approve subject to Conditions

Conditions & Reasons

1. The net retail sales area of the retail unit hereby permitted shall not exceed 1,294 sqm. For the purposes of this condition, the net sales area is defined as the sales area within a building (i.e. all internal areas accessible to the customer), but excluding checkouts, lobbies, concessions, restaurants, customer toilets and walkways behind the checkouts.

Reason: In the interest of highway safety to prevent the creation of additional sales area at a later date through the internal re-arrangement of space which in turn would result in an increase in customer visits and parking demand in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, MP1, Warrington Parking Standards in New Development SPD and the NPPF

2. Apart from the development and mezzanine hereby approved no internal alterations shall be carried out to the building to increase the gross internal floor area of the development, including the introduction of additional mezzanine floors.

Reason - For the avoidance of doubt and to prevent a departure from the present size of retail sales floor area hereby permitted which could affect the vitality and viability of Warrington Town Centre and in the interests of the proper planning of retail floor space within the Borough in accordance with Policy CS6, SN4 and PV5 of the Warrington Core Strategy, saved Policy TCD1 of the Warrington UDP and the National Planning Policy Framework.

3. The development shall be carried out in accordance with the following documents:
The planning application forms, design and access statement and additional information received by Warrington Borough Council on {26th November 2014}


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

4. The approved employment scheme approved as part of application 2014/24841 shall be fully implemented throughout the development process.

Reason: In order to accord with Policy PV3 of the Warrington Core Strategy. A pre-commencement condition has been imposed as the Local Authority would wish to maximize local employment opportunities at both construction and post construction stage(s).

5. The use hereby permitted shall not be open to customers except between the hours of:

- Approved Lidl food retail store 8.00am to 9.00pm Mondays to Saturdays and 10.00am to 5.00pm on Sundays
- KFC restaurant 7.00am to 11.00pm Mondays to Saturdays and 7.00am to 10.30pm on Sundays

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

6. During the first planting season following the commencement of development hereby approved the landscaping details as indicated on the approved plans shall be carried out to the satisfaction of the local planning authority. Any trees, plants or shrubs so planted which die or are felled,
uprooted, wilfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

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

7. None of the building(s) hereby approved shall be constructed until written and photographic details of the external roofing and facing materials (including manufacturer’s details) shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples

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

8. The approved delivery management plan submitted by SCP and dated 15.6.15 shall be fully implemented at all times.

Reason: In order that service vehicles can move within the site at ease and to accord with Policy QE6 of the Warrington Core Strategy

9. The Litter Management Plan approved as part of application 2014/24841 shall be implemented in full prior to the first use of the development hereby approved and shall be in full operation thereafter.

Reason: To prevent litter throughout the site and beyond in accordance with Warrington Local Plan Core Strategy Policies CS1 & QE6, Environmental Protection SPD and Hot Food Takeaway SPD

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

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

11. Prior to the occupation of the development, a plan detailing the provision of a revised access onto Old Liverpool Road and swept paths of HGV movements shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the amended access has been laid out and hard surfaced in accordance with the approved details, and shall be retained as such thereafter.
12. No building shall be occupied or used until such time as a Travel Plan has been submitted to and approved by the Local Planning Authority. The plan shall include measures for the management of car use and on-site car parking and a strategy to secure and sustain decreases in car use for travel to, from and at work and increases in car sharing, public transport use, cycling and walking. The Plan shall specify a plan period and contain relevant surveys, reviews and monitoring mechanisms and identify targets, timescales, phasing programme and management responsibilities.

13. All vehicle deliveries to the site shall take place via the eastern site access junction with Old Liverpool Road as shown on drawing number SCP/13335/ATRD09 Rev D. No deliveries to the site shall take place via the western site access junction with Thewlis Street.

14. Prior to occupation of the site, the internal highway markings and no entry signage at the Thewlis Street access shown on proposed access plan drawing SCP/13335/D09 Rev D shall be provided. The internal highway markings and no entry signage shall be retained thereafter, unless otherwise agreed in writing with the Local Planning Authority.

15. The development hereby approved shall be completed, maintained and managed in accordance with the scheme for the disposal of foul and surface waters as approved as part of application 2014/24841.

16. Development works of any kind shall not begin until the following conditions have been satisfied and discharged by the LPA and written approval to commence development works has been issued by the LPA. All requirements to be completed in accordance with the following guidance references: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

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

PRA is the minimum requirement. DQRA only to be submitted if GQRA findings require it. The investigation(s) and risk assessment(s) must be undertaken by competent persons and all findings must form the subject of a written report.

SUBMISSION OF A REMEDIATION & VERIFICATION SCHEME: If required by Section A, a remediation scheme must be agreed with the LPA to ensure the site is suitable for the intended use and mitigate risks to human health, controlled waters and environmental receptors. Proposals should be derived from the Remedial Options Appraisal and form the subject of a written Remediation & Verification Strategy Report, detailing proposed remediation measures/objectives and how proposed remedial measures are to be verified/validated. All must be agreed in writing with the LPA.

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

In accordance with: Policy REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); and Paragraph 121 of the National Planning Policy Framework (March 2012).

17. Occupancy or use of the development shall not be permitted until the following conditions have been satisfied and discharged by the LPA. All requirements to be completed in accordance with the following guidance references: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

REMEDIATION & VERIFICATION: The remediation scheme approved by the LPA shall be carried out in accordance with the agreed Remediation Strategy and remedial works shall be verified in accordance with the agreed Verification Strategy. Following completion of all measures, a Verification/Validation/Completion Report must be produced and submitted to the LPA for approval.

REPORTING OF UNEXPECTED CONTAMINATION: Unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area. Contamination must then be characterised by intrusive investigation and risk assessment reporting, with remediation/verification measures (if required) being agreed with the LPA. An updated Remediation & Verification Strategy Report must then be submitted to the LPA for approval and procedures followed as per Section A of this Condition.
LONG-TERM MONITORING & MAINTENANCE: If required as part of the agreed remediation scheme, monitoring and/or maintenance of remedial measures may be required to be carried out post-completion of development works and in accordance with the Model Procedures for the Management of Land Contamination (Ref: CLR11) guidance document, published by DEFRA and the Environment Agency. Following completion of all works, findings must form the subject of a written report and be submitted to the LPA for approval.

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

In accordance with: Policy REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); and Paragraph 121 of the National Planning Policy Framework (March 2012).

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

Reason: In the interest of protecting residential amenity in accordance with Warrington Local Plan Core Strategy Policies CS1 & QE6 and Environmental Protection SPD

19. Suitable provision shall be made on site for the storage and collection of commercial refuse. Any refuse stored within a building shall be kept in a well ventilated room not directly connected to any food preparation area. If possible the room should be held under slight negative pressure by the provision of mechanical ventilation. External bin stores shall be located a suitable distance away from the nearest sensitive receptors.

Reason: In the interests of residential amenity in accordance with Warrington Local Plan Core Strategy Policies CS1 & QE6 and Environmental Protection SPD

20. All floor floating operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. In addition, prior to the commencement of development the applicant shall submit a method statement, to be approved by the Local Planning Authority. The floor floating work shall be undertaken in accordance with the approved method statement:

The method statement shall include the following details: Details of the
method of floor floating, Days / hours of work, Duration of the floor floating operations (expected starting date and completion date), Prior notification to the occupiers of potentially affected properties, Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint

Reason: In the interests of residential amenity in accordance with Warrington Local Plan Core Strategy Policies CS1 & QE6 and Environmental Protection SPD

21. The development hereby approved shall be carried out strictly in accordance with the scheme of archaeological works approved as part of application 2014/24841.

Reason: In accordance with Warrington Local Plan Core Strategy Policies CS1 & QE8 and NPPF paragraphs 126-141

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

Reason: To prevent an increase in background noise levels and protect the amenity of any residents in accordance with Warrington Local Plan Core Strategy Policies CS1 & QE6 and Environmental Protection SPD

23. Prior to the commencement of any works on site, the applicant shall provide in writing a Construction Environmental Management Plan (CEMP) to the LPA for written approval. The CEMP shall review all construction operations proposed on site and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary: Proposed locations of Site Compound Areas, Proposed delivery hours to site, Proposed Construction Hours, Acoustic mitigation measures, Control of Dust and Air Quality on site and consideration for joining a Considerate Contractors Scheme. The CEMP shall consider in each case issues relating to noise, dust, odour, control of waste materials and vibration. Once approved in writing, All identified measures within the CEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint. Any changes to the identified CEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented.

Reason: To protect residential amenity from adverse impacts on amenity through noise, dust, air quality and general disturbance over a prolonged build and demolition process in accordance with Warrington Local Plan Core
24. Prior to the commencement of trading on site, the applicant shall submit a scheme to the Local Planning Authority to install electric car charging infrastructure to the site. The infrastructure shall provide either working charging bays or provide facilities for simple retrofitting of bays to facilitate at least 5 percent of the site’s parking spaces when required. Once the scheme has been approved in writing, the scheme shall be implemented prior to the commencement of trading on site.

Reason: To provide renewable energy and energy efficiency in accordance with Warrington Local Plan Core Strategy Policies CS1, QE1, QE2 & QE7

25. No buildings hereby approved shall be constructed until a scheme to include a traffic regulation order on Old Liverpool Road has been submitted to and approved by the Local Planning Authority. The Traffic Regulation Order shall be fully implemented prior to first use/occupation of the buildings hereby approved.

Reason: In the interests of highway safety and to accord with Policies CS1, MP1, QE6 and QE7 of the Local Plan Core Strategy

26. Prior to the occupation of the development, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the car parking management plan has been implemented in accordance with the approved details and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policies CS1, QE6, MP1 and QE7 of the Local Plan Core Strategy

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

Reason: In the interest of highway safety in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7 and MP1

Informatives

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

2. The applicant can discuss further details of the site drainage proposals
with Neil O'Brien at wastewaterdeveloperservices@uuplc.co.uk. Any further information regarding Developer Services and Planning visit our website at www.unitedutilities.com/builders-developers.aspx

A public sewer crosses this site and UU will not permit building over it. UU will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of Sewers for Adoption, for maintenance or replacement.

Therefore a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with (name) Developer Engineer at wastewaterdeveloperservices@uuplc.co.uk as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.

3. A water main/trunk main crosses the site. As we need access for operating and maintaining it, we will not permit development in close proximity to the main.

You will need an access strip of no less than 2.5 metres, measuring at least 2.5 metres either side of the centre line of the pipe.

The applicant must comply with our standard conditions, a copy of which is enclosed, for work carried out on, or when crossing aqueducts and easements.

This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense.

Any necessary disconnection or diversion required as a result of any development will be carried out at the developer's expense. Under the Water Industry Act 1991, Sections 158 & 159, we have the right to inspect, maintain, adjust, repair or alter our mains. This includes carrying out any works incidental to any of those purposes. Service pipes are not our property and we have no record of them.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999.

Should this planning application be approved, the applicant should contact our Service Enquiries on 0845 746 2200 regarding connection to the water mains or public sewers.

4. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities assets and the proposed development. United Utilities offer a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 0870 751 0101 to obtain
Due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

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

6. For further advice concerning Contaminated Land Assessments, Air Quality Assessments, Odour Assessments, Noise or Lighting requirements, please refer to the Environmental Protection Supplementary Planning Document for further detail.

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

7. Waste on site:

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

Under the Code of practice: Excavated materials that are recovered via a treatment operation can be re-used on site providing they are treated to a standard such they are fit for purpose and unlikely to cause pollution

Treated materials can be transferred between sites as part of a hub and cluster project

Some naturally occurring clean material can be directly transferred between sites.

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

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

If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid delays on 03708 506 506 or enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised.

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

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

8. In order to construct the amended pedestrian and vehicular access arrangements on Thewlis Street and Old Liverpool Road, a S.278 agreement with the Council will be required. To action, the applicant is advised to contact John Drake of the Council’s Public Realm team on 01925 442668

9. It should be noted that the current application to vary condition 2 attached to approved application 2014/24841 does not vary the time limit for implementation which is 3 years from the date shown on the decision notice for the 2014/24841 approval

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

Proposed site plan

Proposed Lidl elevations and floor plan
Proposed boundary treatment

Proposed site finishes
Floor plan of Lidl

Photo montage of the proposed Lidl store

New Store Concept LOF - Lidl
2015
Store Construction
Appendix 2 – Photographs

Photo showing the nearest residential properties facing the site to the west

Photo showing the western boundary taken from Lancaster Street
Photo showing the northern boundary of the site

Photo showing the southern boundary
Photo of the site when entering the town from Sankey Way to the west

Photo showing the site when leaving the town via Sankey Way to the east
ITEM 5

Application Number: 2016/27298
Location: 119A, Orange Grove, Poulton-With-Fearnhead, Warrington, WA2 0DS
Ward: Poulton North
Development Full Planning- Proposed change of use from office use B1 to Private nursery facility D1
Date Registered: 28-Jan-2016
Applicant: Bright Futures Day Nursery
8/13/16 Week Expiry Date: 23-Mar-2016

Reason for Referral to Committee
The planning application site and car park are owned by Warrington Borough Council.

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

Site and Proposal
The application site includes a single storey building (measuring 10 metres by 16 metres and of single storey height) and includes part of the “Jolly Falstaff’s” existing car park. The proposal would involve internal alterations to create a staff room, kitchen toilets stores, reception baby room, toddlers area and pre-school areas. Both the building and car park are owned by Warrington Borough Council.
Planning permission is sought for the change of use of the building into a childrens day nursery (within use class D1) with the adjoining “Jolly Falstaff” car park to be utilised for staff and visitor parking. The building would accommodate (on an average day) between 30 – 40 children, with a maximum of 60 children able to be accommodated. A total of 2 full time and possibly 2 part time staff would also work within the building. The proposed hours of opening would be between Monday and Friday (7.30am to 6.00pm). Vehicular access to the car park is gained via Blackbrook Avenue and Blackbrook Square.

A community centre and public house (the “Jolly Falstaff”) are located directly to the north and south respectively. The existing building is of brick and tile construction and is surrounded by landscaping on all sides. The last known occupants of the premises were Golden Gates Housing.

Single storey residential properties are located immediately to the west whilst two-storey dwellings are situated to the east (to the opposite side of Blackbrook Avenue).

**Relevant Planning History**

93/30213 – Application for estate office – approved

2014/24340 – Certificate of Lawfulness application for confirmation of use of existign building for uses within Use Class A2 - approved

**Planning Policy**

National Planning Policy Framework (NPPF)

Unitary Development Plan (UDP)
Policy DCS1 Development Control Strategy
Policy LUT20 Parking

Warrington BC Car Parking Standards

**Notification Responses**

Neighbours – None received

**Consultation Responses**

Warrington BC (Environmental Health)
No objections subject to informatives

Warrington BC (Highways)
Adopted car parking standards require 1 parking space member of staff plus 1 space per 4 children attending. The applicant has indicated that on average the building is likely to accommodate between 30 and 40 children (with 2 full time and 2 part time staff), with a maximum of 60 children on site at any one time.
To cater for the maximum number of children proposed, the adopted standards would require a total of 19 spaces to be provided. The applicant would need to demonstrate that the proposed parking area can accommodate the number of spaces required by the standards.

**Observations**

**Residential Amenity**
Nearest residential properties are located at Orange Grove (8 metres from the building), to the west. The proposed development also includes a small outdoor (32 metres$^2$) play area which would again be located just over 8 metres away from the nearest dwellings. Bearing in mind that the majority of activities would occur within the building, coupled with the fact that the proposed hours of use are purely during the daytime (when existing ambient noise levels are at their highest), it is not considered that the living conditions of the nearest neighbours would be harmed as a result of the proposed use.

**Highways**
The proposals include the use of the existing car park located within the curtilage of the nearby public house. The car park is currently owned by Warrington Borough Council and would be leased to the applicant if planning permission is approved. The car park is able to accommodate 20 parking spaces, (which is in excess of the number required by the car parking standards). A condition would be attached to any planning permission requiring the formal marking out of the spaces as the existing car park is currently hardsurfaced but unmarked. The car park to be utilised by the applicant forms part of a larger car park (also owned by Warrington Borough Council) which serves the existing public house. The larger car park would also be physically available to be used by the patrons of the nursery. The peak hours for the use of the nursery (in the mornings and afternoons) would not clash with the peak hours of use of the adjoining public house and its use in association with the nursery would not therefore lead to an increase in on street car parking locally.

The car park is located only 14m from the existing building and is considered to be easily accessible in relation to the building itself.

**Recommendation**
Approve subject to Conditions

**Conditions & Reasons**

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

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details.

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

3. The building shall not be used for the development hereby approved until details have been submitted to and approved (in writing) by the local planning authority indicating the marking out of the car parking area. The approved details shall be implemented prior to the first use of the building and be thereafter retained.

Reason: To ensure adequate car parking provision is provided in accordance with Warrington Borough Councils' adopted car parking standards and Policy QE6 of the Warrington Core Strategy.

**Informatives**

1. Historical mapping indicates a former potentially contaminative land use that may affect the (re)development of the site. The site was formerly used as RAF Padgate military training camp (CL0091). The Applicant/Developer should ensure that the appointed Contractors and Building Control Officers are made aware of the above, so that adequate precautions can be taken to protect Construction Workers, future Site Users and the wider public from land contamination and/or ground gas issues associated with the site and vicinity. Contamination encountered during works must be reported immediately to the LPA and works halted within the affected area.

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

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

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

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

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

Contact: For more advice and guidance on recommended
construction/demolition hours or construction/demolition methods, please contact an officer from Public Protection on 01925 442589.
Appendix 1
Existing internal layout

Proposed internal layout
ITEM 6

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2016/27565</th>
</tr>
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<tbody>
<tr>
<td>Location:</td>
<td>Culcheth Scout Centre, Jackson Avenue, Culcheth and Glazebury, Warrington, WA3 4EJ</td>
</tr>
<tr>
<td>Ward:</td>
<td>Culcheth, Glazebury and Croft</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Proposed erection of paladin style security fence with gated access to rear car park of scout centre</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>15-Mar-2016</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Rathbone</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>09-May-2016</td>
</tr>
</tbody>
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**Reason for Referral**

Council ownership

**Human Rights**

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

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

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

**Site and Proposal**

- Proposal seeks to erect a 2.4m high security fence with gates access to the rear car park of the scout centre. The original description of development advised that palisade fencing was proposed, however this has now been changed to paladin style fencing
- Detached scout building
- Situated off Jackson Avenue in a mixed commercial and residential area with residential properties to the north and south and commercial premise to the east and west
- Nearest residential property is sited 11m away to the south
- Boundaries are currently served by low level planting except the
western boundary which consists of 2-5m high planting/trees with the parking area facing the rear courtyard areas of the surrounding commercial premise

- The site constraints as per the Local Plan Core Strategy are Inset Village

**Relevant Planning History**

- 82/13802 – Toilet and kitchen (approved)
- 87/20764 – Scout headquarters (approved)
- 93/30071 – Single storey store room extension (approved)

**Planning Policies**

**National Planning Policy Framework (NPPF)**

**Local Plan Core Strategy (LPCS)**

- Policy CS1 Overall Spatial Strategy – Delivering Sustainable Development
- Policy CS2 Quality and Distribution of Development
- Policy QE6 Environment and Amenity Protection
- Policy QE7 Ensuring a High Quality Place
- Policy SN6 Sustaining the Local Economy and Services
- Policy CC1 Inset and Green Belt Settlements

**Notification Responses**

No comments received

**Consultation Responses**

**Ward Councillors**

No comments received

**Culcheth with Glazebury Parish Council**

No objection but query if the gate height will be compatible with the fence

**Environmental Health**

No objections subject to the imposition of an informative regarding contaminated land

**Highways**

No objection

**Observations**

**Principle**

The proposal seeks to install fencing to secure the exiting scout building. This would improve the security to allow the smooth running of the premise to the benefit of the local community. In line with the presumption of favour of sustainable development as per the NPPF, the proposal is considered
acceptable in principle.

**Design/Appearance**
The proposed fencing would be paladin style which has a slim profile and would be finished in green which would prevent the proposal being overly prominent and would assist to blend in with the existing boundary planting.

As a result the proposal is not considered out of keeping with this commercial setting and would not cause material harm to the character/appearance of the area.

**Residential Amenity**
The nearest residential property is sited 11m away to the south with private land separating the site to the residential property. This separation distance, along with the screening to be provided by the boundary planting would prevent any significant harm to living conditions.

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

**Highways**
Set back from the adopted highway. No loss of existing parking provision and the proposal seeks merely to improve the security of the building and is not expected to result in a significant increase in travel to and from the site.

Therefore no material harm to highway safety.

**Landscape features**
The plans show the fencing to be sited inside the boundary, therefore no loss of existing planting.

**Summary**
The proposal is considered to be acceptable, subject to appropriate conditions, as it accords with Warrington Borough Council Local Plan Core Strategy Policies CS1, CS2, QE6, QE7, CC1 & SN6 and the National Planning Policy Framework. This is by reason of the proposal being considered acceptable in light of the presumption in favour of sustainable development as advocated by the NPPF with appropriate design, no perceived detrimental impact upon the character/appearance of the area, surrounding neighbours or existing off-street parking.

**Recommendation**

Approve subject to Conditions

**Conditions & Reasons**

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

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

3. Historical mapping indicates a former potentially contaminative land use that may affect the (re) development of the site. The land directly adjacent to the site was formerly used as Smithy (CL0014). The Applicant/Developer must ensure that the appointed Contractors and Building Control Officer are made aware of the above, so that adequate precautions can be taken to
protect Construction Workers, future Site Users and the wider public from land contamination and/or ground gas issues associated with the site and vicinity. Contamination encountered during works must be reported immediately to the LPA and works halted within the affected area.

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

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.
Appendix 1 – Photographs

Photograph showing the rear of the site (southern boundary)

Photograph showing the eastern boundary
ITEM 7

Application Number: 2016/27571

Location: Callands Primary School, Callands Road, Burtonwood and Westbrook, Warrington, WA5 9RJ

Ward: Westbrook

Development
Full Planning - Proposed demolition of 3 No. existing mobile buildings to allow a new build 2No. reception classroom building. Internal alterations to reposition the existing ICT classroom to the external elevation forming a new internal corridor, with alterations to the existing main school kitchen to form new access and a new build store room off the main hall to accommodate the dining tables.

Date Registered: 04-Mar-2016

Applicant: Warrington Borough Council

8/13/16 Week Expiry Date: 28-Apr-2016

Reason for Referral
This application is being referred to the Planning Committee as the application site is Council owned land.

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

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

Site and surroundings
This application relates to Callands Primary School which is located on Callands Road in Burtonwood and Westbrook.
The school site comprises the main school building and three modular classroom buildings together with associated hard and soft play areas and a car park which has 18 spaces.

The application site is located within a mixed use area; there is a public house and a community building which incorporates a Sure Start Centre located to the north, there are residential properties and a residential care home located to the south, there is an area of car parking located to the east and there is open land to the west.

The proposal

The 3 modular classroom buildings located to the rear of the main school building will be removed and replaced by a new building which will provide 2 new classrooms together with associated storage, kitchen and toilet facilities. The building would incorporate an area of covered outdoor space.

The new building would have a footprint of 19.6m by 15.3m (including the area covered by the canopy) and it would measure 2.5m in height at the eaves and 5m in height with a pitched roof.

The building would be located on the grassed playing area at the rear of the hard surfaced play area, in a similar position to two of the existing modular classrooms.

In order to provide a third classroom an element of the main school building would be remodelled, a single storey extension which has a footprint of 3.2m by 2.9m and measures 2.5m in height with a flat roof would be installed on the southern elevation of the main school building (adjacent to the parking area) and minor alterations undertaken to the northern, southern and western elevations. Specifically an existing window in the western elevation of the building would be removed and replaced by a slightly larger window, a set of double doors in the northern elevation would be removed and replaced by a new window and new set of double doors would be installed in the southern elevation in order to provide an emergency exit from the hall/dining room.

The applicant has confirmed that three part time members of staff (equivalent to 1 full time person) would be employed at the site as a result of the proposal; however the number of classrooms and the number of pupils attending the school would not increase. The school would remain as a two from entry school, with a maximum of 420 pupils being taught in 13 classrooms.

Vehicular access to the site, which is shared with the adjacent care home, is from Callands Road. Parking for staff is provided within an 18 space car park located to the south of the school building, with parents and visitors using the public parking provided to the front of the school and the adjacent commercial units and/or parking in the neighbouring residential streets. The proposal would not alter the parking and access arrangements at the school site.
Relevant site history

2003/00045 - Boundary Wall & Fence – Approved 2.7.2003

A00/42373 - Proposed erection of extension for four classrooms with link – Approved 25.1.2001

99/39719 - Classroom extension – Approved 9.7.1999

96/34880 - Proposed single class mobile with staff room and toilets, removal of three twin classes, one single class and two toilet blocks – Approved 12.6.1996

95/34355 - Application to reinstate existing fire damaged school – Approved 21.2.1996

95/33421 - Proposed single mobile classroom – Approved 12.5.1995

93/31269 - Proposed single class mobile – Approved 23.12.1993

92/29292 - Proposed erection of single mobile classroom – Approved 9.9.1992

85/18057 - Application for reserved matters for planning clearance for one form entry primary school – Approved 15.4.1986

84/16606 - Outline planning clearance for the erection of 1f.e. county primary school – Approved 4.1.1985

Planning Policies

National Planning Policy Framework
Core planning principles
Chapter 4 – Promoting sustainable transport
Chapter 7 – Requiring Good Design
Chapter 8 – Promoting Healthy Communities
Chapter 11 – Conserving and enhancing the natural environment

Local Plan Core Strategy
CS1 – Delivering Sustainable Development
CS2 – Quantity and Distribution of development
SN6 – Sustaining the Local Economy and Services
QE3 – Green Infrastructure
QE5 – Biodiversity and Geodiversity
QE6 – Environment and Amenity Protection
QE7 – Ensuring a high quality place
MP1 – General Transport Principle
MP7 – Transport Assessments and Travel Plans
Consultation Responses

Environmental Protection
No objections subject to the attachment of two conditions relating to ground contamination.

Recommend that informatives are attached in order to advise the developer of the appropriate hours of construction and requesting them to consider implementing dust suppression measures throughout the development together with further informatives offering advice in relation to external lighting and ground contamination.

Highways
Note that the proposals would not increase the number of classrooms at the site, the number of pupils attending the school or the number of full time staff employed at the school before advising that they consider that the increase in part time staff from 41 to 44 is negligible.

Note that the existing vehicular and pedestrian accesses to the site are located off Callands Road and neither would be changed as part of the development. State that the access is 5m wide and can accommodate two-way traffic, with highway visibility at the junction onto Callands Road being adequate in both directions within the adopted highway boundary.

Note that the school has an existing car park which has 18 spaces (used exclusively for staff parking), with parents using the adjacent car park and the surrounding streets to park at school opening and closing times. Advise that the level of onsite parking would be retained as existing and they consider this to be acceptable as there would be no increase in classrooms at the site before stating that there should be no change in pick-up and drop-off movements, or additional traffic generated, as there would be no increase in pupil numbers for the development.

In view of the above, they have confirmed that no new highway issues should arise as a result of the proposals, and consequently they have no objection to the application on highway grounds.

WBC Flood Risk
Confirm that they have no objections to the proposal.

Sport England
Advise that it is their policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.
They confirm that they have reviewed the proposal and the majority of the new building will be on the site of the modular buildings that will be removed, stating that the proposed development therefore results in only a minor encroachment onto the playing field. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, they have advised that they do not consider that the development would reduce the sporting capability of the site. As such they confirm that they are satisfied that the proposed development broadly meets the intention of the following Sport England Policy exception:

_E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site._

On this basis they confirm that they do not wish to raise an objection to the application.

**Notification Responses**

Burtonwood and Westbrook Parish Council
No comments received to date

Ward Councillors
No comments received to date

Neighbours
No letters of representation have been received in response to this application

**Observations**

**Principle**

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities before advising that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or (c) the
development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Policy SN6 states that the Council will support the retention and improvement of viable community facilities.

The proposed development would provide improved teaching facilities at the site, however the new build classroom building would be built partially on land which is/could be used as a playing field.

Sport England have been consulted on the application and they have confirmed that they have no objections to the proposal as they are satisfied that the proposed development broadly meets the intention of the Sport England Policy exception E3 of their playing pitch policy as the proposal would only result in a minor encroachment onto the playing field, with the development not reducing the sporting capacity at the site due to the nature of the playing field and its ability to accommodate a range of pitches.

Having regard to the support of local and national policy for the provision and improvement of educational facilities and given that Sport England have raised no objections to the development there are no in principle issue with the proposal, providing the development is acceptable in terms of its visual impact, its relationship to neighbouring residents, and its impact upon the highway network and in all other regards – the development would improve the teaching facilities at an existing school site, without compromising the sports facilities provided at the site.

Visual Amenity

One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17). Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment - good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CS1 of the Warrington Borough Council Core Strategy identifies the need to deliver high standards of design that have regard to local distinctiveness.

Policy QE7 of the Warrington Borough Council Core Strategy states that development proposals should reinforce local distinctiveness and enhance the character, appearance and function of the street scene, local area and wider townscape. It also advises that any new development should harmonise with the scale, proportions and materials of adjacent and existing buildings and maintain and respect the landscape character of the area where they are
located.

The 3 modular classroom buildings located to the rear of the main school building will be removed and replaced by a new building which will provide 2 new classrooms together with associated storage, kitchen and toilet facilities and an area of covered outdoor space. The new building would have a footprint of 19.6m by 15.3m (including the area covered by the canopy) and it would measure 2.5m in height at the eaves and 5m in height with a pitched roof.

In order to provide a third classroom an element of the main school building would be remodelled, a single storey extension which has a footprint of 3.2m by 2.9m and measures 2.5m in height with a flat roof would be installed on the southern elevation of the main school building (adjacent to the parking area) and minor alterations undertaken to the northern, southern and western elevations. Specifically an existing window in the western elevation of the building would be removed and replaced by a slightly larger window, a set of double doors in the northern elevation would be removed and replaced by a new window and new set of double doors would be installed in the southern elevation in order to provide an emergency exit from the hall/dining room.

The existing school building is a single storey structure and consequently it is considered that the proposed scale and massing of the new building and the proposed extension is acceptable.

The new classroom building is a simple, functional structure, which would be of a comparable design and appearance to the existing school building, with the unit being of a brick construction with a tiled roof. Similarly the proposed single storey extension would respect the design and external appearance of the host building, albeit that it would have a flat roof due to the difficulties of using a pitched roof in this area. The single storey extension would be viewed in the contact of an existing flat roofed outbuilding and it would have limited visibility from public vantage points as it would be partially screened by the main school building and the outbuilding. The external alterations would be undertaken using materials that match those used in the construction of the main school building.

For these reasons, subject to the attachment of a condition that requires the use of matching materials the proposal is considered to be in accordance with policies CS1 and QE7 of the Warrington Borough Council Core Strategy and the design policies in the National Planning Policy Framework as the introduction of the new building, the extension and the works to the elevations would not cause undue harm to the character and appearance of the existing school building or the visual amenities of the area generally.

Residential Amenity

One of the 12 core planning principles of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17).
Policy CS1 of the Warrington Borough Council Core Strategy identifies the need to safeguard public amenity.

Policy QE6 of the Warrington Borough Council Core Strategy identifies that consideration should be had to the need to respect the living conditions of existing neighbouring occupiers in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

The application site is located within a mixed use area – there is a public house and a community building which incorporates a Sure Start Centre located to the north, there are residential properties and a care home located to the south, there is an area of car parking located to the east and there is open land to the west.

The proposed new build unit would be located at least 32m from the common boundary with the residential units on Newborough Close and over 50m from the care home.

The proposed single storey extension would be located over 40m from the common boundary with the properties on Newborough Close, being sited in a position where it is screened from these properties by the existing school building. It would be located over 35m from the care home, again in a position where it is screened by the existing outbuilding.

Having regard to the relationship between the proposed new build development and the neighbouring properties it is not considered that the proposal would result in neighbouring land users experiencing a loss of amenity by virtue of a loss of light, privacy and/or overbearing impact.

In respect of noise and disturbance the applicant has confirmed that three part time members of staff (equivalent to 1 full time person) would be employed at the site as a result of the proposal; however the number of classrooms and the number of pupils attending the school would not increase. Consequently it is not considered that the proposal raises any issues with regard to noise and disturbance as the proposal would not significantly alter or intensify the use of the school site. The Council’s Environmental Health officer has not raised any objections to the proposal.

For these reasons it is not considered that the proposal would have any significant adverse impact upon the residential amenity enjoyed by neighbouring residents. The proposal is therefore considered to be in accordance with policies CS1 and QE6 of the Warrington Borough Council Core Strategy and the amenity policies in the NPPF.

Parking and highway safety

Policy CS1 of the Warrington Borough Council Core Strategy identifies the need protect public safety.
Policy QE6 of the Warrington Borough Council Core Strategy identifies the need to consider the effect and timing of traffic movements to, from and within the site, and whether adequate car parking is proposed in order to ensure that any new development does not have an adverse impact upon highway safety.

Policy MP1 of the Warrington Borough Council Core Strategy states that in order to secure sustainable development the Council will support proposals where they adhere to locally determined car and cycle parking standards.

Policy MP7 of the Warrington Borough Council Core Strategy states that the Council will require all development to (a) demonstrate that it will not significantly harm highway safety and (b) show that all trips generated by development can be adequately served by Warrington’s Transport Network. Where a development will have a significant impact on the transport network policy MP7 advises that appropriate mitigation measures, including any necessary transport infrastructure, will need to be put in place before the development is used or occupied.

Vehicular access to the site, which is shared with the adjacent care home, is from Callands Road. Parking for staff is provided within an 18 space car park located to the south of the school building, with parents and visitors using the public parking provided to the front of the school and the adjacent commercial units and/or parking in the neighbouring residential streets. The proposal would not alter the parking and access arrangements at the school site.

The applicant has confirmed that three part time members of staff (equivalent to 1 full time person) would be employed at the site as a result of the proposal; however the number of classrooms and the number of pupils attending the school would not increase.

The Council’s highway officer has reviewed the proposal and advised that the proposed development should not result in an increase in parking demand or the number of pick-up and drop-off movements as there would be no significant increase in staffing levels, with the number of pupils attending the school being unchanged. Having regard to this, the fact that the access to the site and the refuse collection and servicing arrangements would remain unchanged the highways officer has stated that they have no objections to the proposal.

Having regard to the comments of the Council’s highway officer it is not considered that the proposal raises any highway safety issues and therefore the proposal is considered to be in accordance with policies QE6, M1 and M7 of the Warrington Borough Council Core Strategy.

Trees

Policy QE3 states that the Council will seek to protect and enhance the quality of the Borough’s green infrastructure.

There are a number of trees on site, none of which are protected by a Tree
Preservation Order.

In order to facilitate the introduction of the new classroom building one tree would be removed. However, given the number of trees both on and off site which provide dense coverage along the sites northern boundary, it is not considered that the loss this tree would have a significant adverse impact upon the treescape of the area. As such it is not considered that this tree should constrain the development.

With regard to replacements for the tree that would be felled it is not considered reasonable or necessary to request replacement planting as the site already has a good tree-stock.

For these reasons the proposal is therefore considered to be in accordance with policy QE3 of the Warrington Borough Council Core Strategy and the Conserving and enhancing the natural environment chapter of the NPPF.

Ecology

Policy CS1 identifies the need to sustain and enhance the borough's biodiversity.

Policy QE3 seeks to improve the quality of existing provision of local networks and corridors to increase its value as a habitat for biodiversity.

Policy QE5 of the Warrington Borough Council Core Strategy states that the Council will work with partners to ensure and where possible enhance sites of recognised nature and geological value.

Having regard to the location of the application site within an urban area bounded on all sides by built form, with the proposed works being contained within the curtilage of the school site it is not considered that the proposal would adversely affect the ponds located within 250m of the site. It is not therefore considered that the proposal would have a significant adverse impact upon ecology and therefore the scheme is considered acceptable in this regard.

Recommendation

Approve subject to Conditions

Conditions & Reasons

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

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

2. The development hereby approved shall be carried out in accordance
with the following approved plans –
Site location plan – drawing A201-A02
Proposed site plan – drawing A201-A02
Proposed plans and elevations new build unit – drawing A201-A06
Proposed roof plan – drawing A201-A08
Proposed plans and elevations refurbishment – drawing A201-A07
Proposed demolition detail – drawing A201-A05
Proposed drainage scheme – drawings A201-A17 and A201-A18

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

3. All materials to be used in the approved scheme shall match those used in the construction of the existing school building and shall not be varied without the prior written approval of the Local Planning Authority

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

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the
vicinity) during development works and after completion in accordance with Policy QE6 of the Local Plan Core Strategy and Paragraph 121 of the National Planning Policy Framework.

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with Policy QE6 of the Local Plan Core Strategy and Paragraph 121 of the National Planning Policy Framework.

Informatives

1. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council’s web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.
2. The proposed development lies within a coal mining area. Property specific summary info on any surface and underground mining activity can be obtained from the Coal Authority - 0845 762 6848 www.coal.gov.uk

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

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

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

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

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

5. The external lighting should be designed and installed by competent persons. The system should be designed according to best practice in respect of glare, light spill and efficiency. Advice can be obtained from:
Institution of Lighting Professionals
Regent House
Regent Place
Rugby
CV21 2PN
https://www.theilp.org.uk/home/

6. The applicant is advised to contact the Contaminated Land Team to discuss the feasibility of using the Screening Assessment Form to reduce the level of involvement for the Contaminated Land Pre-commencement condition. Please contact Mrs Angela Sykes on 01925 442557 for further discussions on this measure.

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

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

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

8. With effect from 1 April 2009, Government legislation introduced new national procedures for the discharge of conditions relating to planning permissions. Where planning permission is granted subject to conditions, it is the responsibility of the applicant, or any subsequent developer, to ensure that the terms of all conditions are met in full at the appropriate time. For each request to discharge one or more conditions, the relevant forms and fee should be submitted to Warrington Borough Council. Please see www.planningportal.gov.uk/uploads/appPDF/M0655Form027_english_en.pdf and www.planningportal.gov.uk/PpApplications/genpub/en/StandaloneFeeCalculator or to download forms and obtain fee information. It should be noted that any number of conditions, relating to the same planning application, can be discharged at one time and therefore will only incur the one applicable fee. If conditions are discharged individually, a fee will be payable for each request made.
Appendix 1 – Plans

Proposed site plan

Plans and elevations for new classroom block

East Elevation

North Elevation

West Elevation

South Elevation
Application Number: 2016/27840

Location: Land Adjacent to Dallam Playing Fields, and St Marks Church, Longshaw Street, Bewsey and Whitecross, Warrington, WA5 0DY

Ward: Bewsey and Whitecross

Development Full Planning - Proposed Bewsey and Dallam Hub building comprising new three storey building to provide fitness, leisure, community wellbeing facilities including a Learner and Therapy Pool and Smart Library services; new car park, associated lighting and landscaping.

Date Registered: 08-Apr-2016

Applicant: Livewire CIC

8/13/16 Week Expiry Date: 02-Jun-2016

Reason for Referral

Council land ownership.

Human Rights

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

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

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

Consultation

The application is being referred to the planning committee inside the consultation deadline which does not expire until 10th May 2016. The applicant has requested the earliest possible consideration of this application be DMC – as the funding for the proposal is dependent on the scheme having full planning permission.
The application is a resubmission of the recently approved scheme for the Hub, but seeks to alter the overall dimensions of the building. Given that the amended proposal is similar in nature to the approved scheme - and given the absence of objections for the previous scheme - it is requested that this revised application is heard by members in advance of the consultation deadline.

To ensure that consultees and other interested parties are not disadvantaged by this approach, it is requested that DMC resolve to approve the application - but with any decision being held until such time that the consultation deadline has passed. If formal objections are then received the application would be referred back to DMC for further consideration.

**Site and Proposal**

- Resubmission of approved application 2015/27149, to reduce the total amount of overall floorspace to reflect proposed changes to the internal layout – as shown in the floorplan extracts below
- The redesign will enable the project to proceed more quickly and reduce costs, which have been achieved, through minor redesign and removal of an internal staircase, enabling a more flexible design to be adopted. The original design concept has been maintained, following consultation with NHS England, the community health and wellbeing offer has been integrated further into the design of the building
- As previously, the revised building would comprise a new three storey building to provide fitness, leisure, community wellbeing facilities including a therapy pool and hydro suit and smart library services, car park and associated lighting and landscaping
- The table below shows the difference between the approved and proposed schemes:

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<th>Approved</th>
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<tr>
<td>Length</td>
<td>25m</td>
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<td>20.2m</td>
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<td>Floor area</td>
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<td>Parking spaces</td>
<td>42 spaces</td>
<td>38 spaces</td>
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- Site plan of the approved scheme to the left and the proposed scheme to the right:
The land is Council owned and the proposal aims to provide community and fitness facilities. On the ground floor there will be community and well-being spaces, community room, multiuse room, library, café and social space. On the first floor at fitness suite and further community and well-being spaces. On the second floor a dance studio which will also be a multi-use flexible space and changing accommodation. Each floor will contain toilets and assessable facilities.

The revised proposal will provide 38 (+1 including delivery bay) car parking spaces, 4 motorcycle spaces, 11 cycle spaces and 1 ambulance space.

Currently a vacant plot compromising part of a hard surface area and natural vegetation. Site area totals 0.30 hectares.

Situated to the north of the Dallam Brook in a predominantly residential area with residential properties, play area and church building to the north, residential to the south and open space to the east and west.

Nearest residential properties to the north sited 100m away and 46m away to the south.

No significant variation in land levels noted.

Low quality planting noted to the site boundaries along with 2m high concrete fencing to the side boundaries.

Site constraints as per the Local Plan Core Strategy are Critical Drainage Area, Flood Zones 2&3, Previously Contaminated Land, Historic Landfill, Pipelines, Green Links, Bank Width Planning and Coal Consultation.

Relevant Planning History

- 88/22128 – Fencing and bowling green (approved)
- 96/35665 – Snooker room (approved)
- 97/36711 – Boiler room and store (planning permission not required)
- 2010/17000 – Play area (approved)
- 2015/27149 – Proposed Bewsey and Dallam Hub building comprising
new three storey building to provide fitness, leisure, community wellbeing facilities including a Learner and Therapy Pool and Smart Library services; new car park, associated lighting and landscaping (approved)

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Planning Policies

National Planning Policy Framework (NPPF)
Sustainable Development
Promoting Healthy Communities

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

Notification Responses

No comments received at the time of writing the report

Consultation Responses

Ward Councillors
No comments received at the time of writing the report

WBC Environmental Protection
No comments received at the time of writing the report
Previous comments raised no objection subject to the imposition of the following conditions/informatives
  1) Contaminated land
  2) External plant/equipment
  3) Lighting
  4) Dust control
  5) Food safety

WBC Highways
No objection subject to the imposition of following conditions:

  1) Car, cycle and motorcycle parking spaces to be provided and retained
  2) Servicing management strategy to be provided
  3) Details of site access & construction details to be provided

WBC Flood Risk
No comments received at the time of writing the report
Previous comments raised no objection subject to the imposition of a condition requiring submission of a detailed design for the drainage layout and attenuation

WBC Parks and Landscapes
No comments received at the time of writing the report
Previous comments advised that WBC is currently in the process of improving the meadows with the installation of pedestrian routes to link up with the wider greenspace network, refurbishment of the bridge structure and new tree planting. The land is not extensively managed but is presented as informal green space. Looking at the development proposal; it is apparent that the majority of the land take will be landscaped for public amenity use so I would not have any issue with the proposal

WBC Arborist
No comments received
WBC Ecology
No comments received at the time of writing the report
Previous comments raised no objection subject to the imposition of conditions regarding the following:
   1) Invasive species
   2) Lighting
   3) Protection of Dallam Brook
   4) Biodiversity Enhancement

WBC Street Lighting
No comments received at the time of writing the report
Previous comments raised no objection

Sport England
Do not wish to comment on this type of application

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

Environment Agency
No comments received at the time of writing the report
No comments received for the previous scheme

United Utilities
No comments received at the time of writing the report
Previous comments raised no objection subject to the imposition of conditions regarding foul and surface water drainage

Observations

Neighbourhood Hubs
The policy principles for this form of development and use in this location were confirmed as acceptable as part of the recently approved application.

Previously it was noted that policy SN4 of the Core Strategy advises that neighbourhood hubs should be sited in defined centres in the first instance. Where they cannot be provided in the centres they should be in sustainable locations where the development would support the accessible co-location of facilities and services.

As the site is sited just outside of the Longshaw Street Local Centre, the applicant’s business case - which sets out its locational justification – was accepted previously, and this continues to be acceptable in policy terms.

In short, it has been accepted that the current Community House facility in Bewsey and Dallam is not fit for purpose and is proposed to be demolished. It also continues to be accepted that Bewsey and Dallam has gradually lost many of the original community features it did have, including churches, shops, community centres and local community offices. It continues to be
accepted that not only is there a shortfall community/leisure use provision in this area, but that the existing uses are not suitably large enough to meet demand. It is agreed that to achieve the step change required in Bewsey & Dallam, a community hub is required to address the wellbeing and health inequalities within the area.

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

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

- The chosen site

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

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

Finally the Local Centre currently has just one D2 use and no D1 uses. Therefore the proposal will add to the overall diversity of uses in close proximity to the Local Centre.

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

Design/Appearance
The proposed development will be constructed using a steel frame. The revised building design will have a contemporary appearance with curtain walling to the second floor and facing brickwork.. As previously, at three storeys the building would be higher than surrounding residential properties, providing a view of the area from the upper floors and becoming a focal point.
for the community.

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

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

1) Function well and add to the overall quality of the area

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

2) Establish a strong sense of place

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

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

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

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

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

5) Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion are visually attractive as a result of good architecture and appropriate landscaping
The development will provide good natural surveillance given the use of large floor to ceiling height windows. The architecture will provide a functional building to serve the local community, with a well-designed, attractive exterior and an energy efficient building. The proposal also involves additional landscaping.

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

Residential Amenity
The development would be sited 100m away to nearest properties to the north and 46m away to the properties to the south. These separation distances would prevent any harm to living conditions through loss of outlook, overshadowing, oppressive impact or loss of privacy.

The separation distance to be provided along with the physical separation provided by the church to the north and brook to the south would prevent harm to living conditions through noise and disturbance. A condition is recommended to control opening/closing hours.

The proposal would not cause material harm to living conditions – especially if controls via other regimes such as premises licencing are available to prevent noise and disturbance at unsociable times.

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

The new proposals look to reduce the floorspace by 111 sq m and this would reduce the car parking requirements for parking by 4 spaces and the proposals look to reduce the number of parking spaces down to 38 which frees up some further outdoor space for landscaping.

6m aisle widths are provided within the site which is acceptable and the proposed car parking spaces comply with the Councils car parking dimension standard of 2.5m x 5m.
The proposals include 38 parking spaces incorporating a total of 5 enlarged and disabled spaces and an ambulance parking space and drop off / delivery bay is shown, swept paths have been submitted to demonstrate that the ambulance parking space can be accessed and egressed safely. The disabled / enlarged and ambulance spaces are shown closest to the main entrance to the building and a footway is shown around the edge of the building and through the car park from the spaces to access the main entrance. It is considered that with the provision of the drop off bay that the Councils car parking standards have been met across the site.

The proposed motorcycle parking is unchanged and should be provided with secure lockable points. The proposed motorcycle parking is located within the car park to the rear and in principle this is acceptable subject to the provision of secure lockable points which should be secured by condition.

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

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

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

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

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

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

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

The applicant would need to engage with WBC Highways through a road opening permit for the revised access point onto the public highway.
The applicant must ensure that adequate drainage facilities or permeable surfacing is used on the area of hard standing to ensure that localised flooding does not result from these proposals.

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

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

**Pond Buffer**
Dallam Brook is sited 8.5m away to the south of the site is separated from the development site by planting/fencing. The majority of the site is currently laid to hardcore. Subject to conditions suggested by the Council Ecologist it is not considered that the proposal would cause material harm from an Ecology point of view.

**Flood Risk**
Dallam Brook is sited 8.5m away to the south of the site is separated from the development site by planting/fencing. The majority of the site is currently laid to an impermeable hardcore surface. Subject to the conditions suggested by United Utilities and the Council’s Flood Risk Team, it is not considered that the re-development of the site would pose any concerns from a Flood Risk point of view.

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

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

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

**Summary**
The proposal is considered to be acceptable, subject to appropriate conditions, as it accords with Warrington Borough Council Local Plan Core Strategy Policies CS1, CS2, CS6, SN5, SN6, SN7, QE4, QE5, QE6, MP10 & QE7 and the National Planning Policy Framework. This is by reason of the out
of centre location being justified by the shortfall of community leisure facilities in the location and the wider community benefits of the proposal and the ability to co-locate services/facilities with appropriate design, with no perceived detrimental impact upon the character/appearance of the area, landscape features, ecology, flood risk, surrounding neighbours or existing off-street parking.

Recommendation

Approve – subject to conditions pending the expiry of the consultation period. If formal objections are received between the time of the recommendation and the consultation deadline, the application would need to go back before the planning committee for further consideration.

Conditions & Reasons

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

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

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

(a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on {21st December 2014}

(b) Submitted drawing No's:

- WSA.0329.P2.01.P1 Location Plan
- WSA.0329.P2.02.P1 Existing Site Plan
- WSA.0329.P2.03.P1 Proposed Site Plan
- WSA.0329.P2.04.P1 Proposed Ground and First Floor Plans
- WSA.0329.P2.05.P1 Proposed Second Floor and Roof Plans
- WSA.0329.P2.06.P1 Proposed Elevations
- WSA.0329.P2.07.P1 Proposed Sections AA, BB and CC
- WSA.0329.P2.08.P1 Proposed Sections DD, EE and GG
- WSA.0329.P2.09.P1 Annotated Site Plan 1of2
- WSA.0329.P2.10.P1 Annotated Site Plan 2of2
- WSA.0329.P2.11.P1 Proposed Site Entrance Showing Visibility Splays
- WSA.0329.P2.13.P1 Proposed Site Plan - Traffic Analysis 2of3
- WSA.0329.P2.14.P1 Proposed Site Entrance with Dropped Kerbs and Tactile Paving
- WSA.0329.P2.15.P1 Proposed Site Plan - Traffic Analysis 3of3

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

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

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

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

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

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

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

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

Reason: No details of these matters have been submitted with the application and bearing in mind the topography of the site and to accord with Policy QE6 of the Warrington Core Strategy and the Warrington Design and Construction SPD (2010).
7. Prior to commencement of development hereby approved Japanese knotweed (Fallopia japonica), Himalayan Balsam (Impatiens glandulifera) and Rhododendron shall be eradicated from the site and working methods shall be adopted to prevent the spread of this species in accordance with details that have first been approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reason: To prevent an increase in background noise levels and protect the amenity of any residents.

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

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

14. Prior to the commencement of the development hereby approved a detailed design for the drainage layout and attenuation shall be submitted to the LPA in writing for approval. The approved details shall then be implemented in full and retained hereafter unless otherwise agreed in writing with the LPA.
Reason - To prevent an increase in Flood Risk in accordance with Warrington Development Plan Policies CS1, QE4 and the NPPF

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

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

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

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

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

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

17. Prior to the occupation of the development, the car parking and turning areas to serve the development shall be laid out and surfaced in accordance with approved drawing no WSA.0329.P2.03. Revision P1, WSA.0329.P2.09 Rev P1, WSA.0329.P2.10 Rev P1 & WSA.0329.P2.11 Rev P1 and made available for use and retained as such thereafter.

Reason: In the interest of highway safety in accordance with Local Plan Core Strategy Policies CS1, MP1, QE6, QE7 and Warrington Parking Standards SPD

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

Reason: To provide a range of different transport modes to and from the site to reduce car alliance in accordance with Warrington Local Plan Core Strategy Policies CS1, QE6, QE7, MP1 and the Warrington Parking Standards SPD
19. Prior to the occupation of the development, a servicing management strategy including swept paths shall be submitted to and approved in writing by the Local Planning Authority. The hub shall not be occupied until the servicing management strategy has been implemented in accordance with the approved details, and shall be retained as such thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety in accordance with Policies CS1, QE6, MP1 and QE7 of the Warrington Local Plan Core Strategy

20. Prior to the first occupation of the development, the site access shall be laid out in accordance with approved drawing no WSA.0329.P2.14 Revision P1 & WSA.0329.P2.11 Rev P1 and highway construction details shall be submitted to and approved in writing by the Local Planning Authority. The access arrangements are to be implemented in accordance with the approved details, and shall be retained as such thereafter.

Reason: In the interest of highway safety in accordance with Policies CS1, QE6, MP1 and QE7 of the Warrington Local Plan Core Strategy

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

Reason: In the interest of highway safety in accordance with Policies CS1, QE6, MP1 and QE7 of the Warrington Local Plan Core Strategy

Informatives

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

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

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

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

5. The applicant should be advised that a Road Opening Permit needs to be obtained to provide the required amendments to the existing vehicular access to Longshaw Street and should liaise with John Ansell on 01925 442559.

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

Existing Site Plan

Approved and Proposed Site Plan
Approved and Proposed Second Floor Plans

Approved and Proposed Elevations
Appendix 2 – Photographs

View of the site from the road

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

View of the street scene to the North
## DEVELOPMENT MANAGEMENT COMMITTEE

Thursday 28th April 2016

### DECISIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>2016/27363</td>
<td>2A, Birchall Avenue, Culcheth and Glazebury, Warrington, WA3 4DG Householder-Proposed boundary treatment</td>
<td>Approve</td>
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<td>DEFER TO ALLOW DISCUSSION WITH APPLICANT</td>
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<tr>
<td>2</td>
<td>10</td>
<td>2015/26642</td>
<td>Willowpool Nurseries and Garden Centre, Burford Lane, Lymm, Warrington, WA13 0SH</td>
<td>Approve</td>
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<tr>
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<td>Full Planning - Proposed construction of 14 Park Homes along with associated parking, landscaping and access</td>
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<td>APPROVE AS RECOMMENDED</td>
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<tr>
<td>3</td>
<td>41</td>
<td>2015/27007</td>
<td>Site of former Bridge Inn and Elm Tree Public House, Land off Phipps Lane, Burtonwood, Warrington</td>
<td>Approve</td>
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<tr>
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<td></td>
<td>Outline Planning - Outline application for up to 18 residential units and associated infrastructure with all matters reserved except for access</td>
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<td>APPROVE SUBJECT TO CONDITIONS IN REPORT AS AMENDED BY THOSE CHANGES IN THE WRITTEN UPDATE REPORT</td>
<td></td>
</tr>
</tbody>
</table>
4  62  2016/27213  Land at Junction of Thewlis Street & Old Liverpool Road, Warrington, WA5 1AJ  Approve
Variation of Condition (Major) - Proposed variation to Condition 2 (Approved Plans) to increase the store footprint with changes to highways plans including parking allocations from original planning application 2014/24841
APPROVE AS RECOMMENDED

5  93  2016/27298  119a, Orange Grove, Poulton-With-Fearnhead, Warrington, WA2 0DS  Approve
Full Planning- Proposed change of use from office use B1 to Private nursery facility D1
APPROVE AS RECOMMENDED

6  101  2016/27565  Culcheth Scout Centre, Jackson Avenue, Culcheth and Glazebury, Warrington, WA3 4EJ  Approve
Full Planning - Proposed erection of paladin style security fence with gated access to rear car park of scout centre
APPROVE AS RECOMMENDED

7  108  2016/27571  Callands Primary School, Callands Road, Burtonwood and Westbrook, Warrington, WA5 9RJ  Approve
Full Planning - Proposed demolition of 3 No. existing mobile buildings to allow a new build 2No. reception classroom building. Internal alterations to reposition the existing ICT classroom to the external elevation forming a new internal corridor, with alterations to the existing main school kitchen to form new access and a new build store room off the main hall to accommodate the dining tables.
APPROVE AS RECOMMENDED

8  125  2016/27840  Land Adjacent to Dallam Playing Fields and St Marks Church, Longshaw Street, Bewsey and Whitecross, Warrington, WA5 0DY  Approve
Full Planning - Proposed Bewsey and Dallam Hub building comprising new three storey building to provide fitness, leisure, community wellbeing facilities including a Learner and Therapy Pool and Smart Library services; new car park, associated lighting and landscaping.
APPROVE AS RECOMMENDED