To: Members of the Development Management Committee

Councillors: Chair – T McCarthy
Deputy Chair – J Richards
B Barr, J Davidson, G Friend, T Higgins,
L Hoyle, C Jordan, L Ladbury, L Murphy,
F Rashid and G Settle

20 March 2013

Development Management Committee

Thursday, 28 March 2013 at 6.30pm

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

Agenda prepared by Julie Pickles, Democratic and Member Services Officer – Telephone: (01925) 443212, Fax: (01925) 656278,
E-mail: jpickles@warrington.gov.uk

A G E N D A

Part 1

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

Item
1. Apologies for Absence
   To record any apologies received.
   
2. Code of Conduct - Declarations of Interest
   Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
   
   Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.
3. Minutes

To confirm the minutes of the meeting held on 7 March as a correct record.

4. Planning Applications (Main Plans List)


5. Results of Planning and Enforcement Appeals

5.1 12 Acton Avenue, Appleton

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

7 MARCH 2013

Present: Councillor T McCarthy (Chair)
Councillors B Barr, J Davidson,
G Friend, T Higgins, L Hoyle, C Jordan,
L Murphy, F Rashid, J Richards and G Settle

DM101 Apologies for Absence

No apologies for absence had been received.

DM102 Code of Conduct – Declarations of Interest

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<tr>
<th>Councillor</th>
<th>Minute</th>
<th>Reason</th>
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<tbody>
<tr>
<td>Councillor G Settle</td>
<td>DM 104</td>
<td>Councillor Settle was the Chairman of the Warrington Nature Conservation Forum, the group had objected to the application</td>
<td>Cllr Settle stood down from the committee and spoke in opposition to the application, he did not take part in the discussion or the vote thereon</td>
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<tr>
<td>Councillor T Higgins</td>
<td>DM 108</td>
<td>Councillor Higgins represented the area as a Ward Member but had not taken part in any discussions in relation to this application</td>
<td>Cllr Higgins remained in the meeting and took part in both the discussion and voted thereon</td>
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DM103 Minutes

Resolved,

That the minutes of the meeting held on 14 February 2013 were agreed as a correct record and signed by the Chair.

DM104 Outline application for 150 dwellings, refurbishment of sports pitches, land off Mill Land (Part of Peel Hall Farm) and land at Windermere Avenue and Grasmere Avenue, Winwick

The Executive Director of Environment and Regeneration submitted the report to seek a resolution to confirm the Council’s position at a forthcoming public inquiry as a result of non-determination of the outline planning application.

It was noted that Satnam Millenium Limited had lodged an appeal with the Planning Inspectorate against the non-determination planning application by the Council.
The Executive Director of Environment and Regeneration submitted the report with a recommendation that outline planning application be refused on the basis set out in the attached detailed report and that the Planning Inspectorate be informed of the Council’s position.

Representations were heard in support of the Officer recommendation.

Resolved,

That outline planning application be refused as recommended

DM105 Planning Applications

Resolved,

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

DM106 2012/19959 – Tree Elms, Station Road, Penketh, Warrington, WA5 2UG – Proposed construction of 30 bed dementia care unit with associated landscaping and 39 car parking spaces (re-submission of application 2011/18189)

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

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

Resolved,

That application 2013/19959 be refused as recommended

DM107 2012/20795 – Site of Former Leisure Centre, Chiltern Road, Warrington, WA5 9SX – Proposed construction of a super market, two retail units, drive-thru restaurant and a Public House together with the formation of new vehicular site access points, car parking, servicing and landscaping

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

Representations were heard in support of the Officer recommendation.

Resolved,

That application 2012/20795 be approved as recommended
Agenda Item 3

DM1082012/21007 – Land at Marsh House Lane, Marsh House Lane, Warrington, WA1 3QU – Proposed construction of 108 affordable dwellings comprising 31 apartments for the elderly and 77 dwellings together with associated works

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

Representations were heard in support of the Officer recommendation.

Resolved,

That application 2012/21007 be approved as recommended – subject to an amended condition 6 as agreed by the Environment Agency on 6th March 2013

DM1092012/21081 – Former George Howard Scrapyard and 94 Folly Lane, Folly Lane, Warrington, WA5 0NF – Proposed 78 affordable homes of mixed tenure and demolition of adjacent dwelling (94 Folly Lane)

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

A motion was put to the committee to refuse the application. This motion was agreed.

Resolved,

That application 2012/21081 be refused contrary to the officer recommendation, for the following reasons;-

1. the applicant had not sufficiently demonstrated that the proposal would not lead to adverse congestion and traffic flows on local highway network (in particular at the junction of Folly Lane and Longshaw Street) and accordingly it is considered that the proposal would have a detriment impact on highway safety. For these reasons the proposal does not accord with Policies QE6 and MP1 of the Warrington Core Strategy, saved Policy LUT2 of the Warrington UDP and Paragraph 32 of the National Planning Policy Framework Statement and,

2. the applicant had not provided sufficient detail / information to demonstrate that the proposal would suitably include a mixed tenure of affordable residential properties and accordingly it is considered that the proposal would not accord with Policy SN2 of the Warrington Core Strategy that states “50% of the required affordable provision should be for social rent and 50% for intermediate housing”
DMC 110 Exclusion of the Public (Including the Press)

Resolved,

That, members of the public (including the Press) be excluded from the meeting by reason of exempt information considered in the course of the following item of business being within Category 1 of Schedule 12A to the Local Government Act 1972.

DMC 111 Unauthorised Siting of Caravans at Cartridge Lane, Grappenhall and Thelwall, Warrington

The Executive Director of Environment and Regeneration submitted a report to outline the options available to the committee in terms of taking enforcement action relating to the unauthorised siting of caravans at Cartridge Lane, Grappenhall and Thelwall, Warrington.

Resolved,

That the Local Authority serve an enforcement notice, requiring the removal of caravans / pitches over and above those previously given temporary consent, furthermore the committee noted that it would be possible for an enforcement appeal (if pursued) to be considered alongside the planning application appeal.

Signed……………………

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

## Thursday 28th March 2013

Start 18:30

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<tr>
<th>Item</th>
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<th>App number</th>
<th>App Location/Description</th>
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</table>
| 1    | 2    | 2012/20943 | FIELD OFF TANNERY LANE, PENKETH, WARRINGTON  
Proposed timber stable block, associated yard area and access track | Approve |
| 2    | 17   | 2013/21119 | New World Site, Thelwall Lane, Latchford, Cheshire, WA4 1NL  
Proposed substitution of house types to plots 53-55 & 253-271 and the construction of 13 new 2 storey dwellings | Approve |
| 3    | 36   | 2013 21340 | LAND TO THE SOUTH OF THE M62, WEST OF JUNCTION 8, OMEGA SOUTH, WARRINGTON  
Proposed distribution warehouse development with associated access, landscaping, estate roads, HGV and car parking, attenuation pond and other ancillary development | Approve subject to a Sec 106 Agreement |
Application Number: 2012/20943
Location: Field off Tannery Lane, Penketh, Warring
Ward: PENKETH AND CUERDLEY
Development: Proposed timber stable block, associated yard area and access track
8 Week expiry date: 17th January 2013
Applicant: Mr R Towell
Recommendation: Approve subject to Conditions

Conditions:
- Development to commence within 3 years
- In accordance with approved plans
- Materials to match those specified in application, i.e. timber boarding, corrugated sheet roof
- Private use only - no commercial use
- On site turning area to be made available and retained
- Westbound visibility splays of 2.4 metres x 42 metres to be provided and retained
- Recommendations of Ecological Assessment to be adhered to

Reason for Referral
- This application is presented to Committee as it is the subject of an objection from Penketh Parish Council. More than 10 objections have been received from the public.

Description
- Proposal is for a stable block (4 stables and a tack room) with access track and yard area.
- The application is a resubmission of two previous applications, one withdrawn and one refused in 2012.
- The latter application was refused by Members in June 2012 for the following reason – ‘The proposed development would result in the intensification of a substandard access which has insufficient visibility and encroaches on a public right of way. The proposal would not subsequently integrate efficiently with the highway network and is therefore contrary to policy DCS1 of the Warrington UDP’.
- The location of the proposed stable is similar to the previous application. The main difference from the previous proposal is the
revised access arrangements aimed at addressing the previous reason for refusal.

- The proposed building has an ‘L’ shaped footprint situated at the northern western corner of the field.
- Access would be via a stone access track from the north eastern corner of the field.
- The materials of construction of the stable are timber boarding and a corrugated sheet roof.
- Other parts of the field are in use as a small holding.

Location

- The site is situated within the Green Belt. Tannery Lane marks the boundary between the urban area to the north and the Green Belt to the south.
- To the opposite side of the road are residential properties facing across the field which has a slight southwards downward gradient.
- A residential care home is situated approximately 80m to the east.
- The site is within a designated Major Wildlife Corridor.

Relevant History

- Ref. 2012/19417 Proposed stable block with new access road, fencing and gates – Withdrawn 26th March 2012
- 2012/19820 Proposed stable block (resubmission of application 2012/19417) – Refused 14th June 2012

Main Issues and Constraints

- Green Belt
- Impact Upon Living Conditions
- Highways
- Ecology

Key policy/guidance checklist

- Policy DCS1 Development Control Strategy
- Policy LUT20 Parking
- Policy REP10 Noise
- Policy REP11 Odours
- Policy GRN1 Green Belts
- Policy GRN2 Environmental Protection and Enhancement
- Policy GRN3 Development Proposals in the Countryside
- Policy GRN18 Key Biodiversity Habitats and Priority Species
- Policy GRN20 Wildlife Corridors
- Policy GRN21 Protection of the Nature Conservation Resource
### Appraisal

| GRN1 | GREEN BELT | The proposal involves the construction of a new building within the Green Belt. NPPF (para. 89) identifies the types of development that can be appropriate within the Green Belt, which includes the provision of appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The site of the stable to the corner of the field is adjacent to a 2m hedge. It is modest in size relative to the nearby built form and considered commensurate with the concession identified within NPPF constituting an appropriate facility for outdoor recreation. It would not conflict with any of the purposes of including land within the Green Belt, i.e. lead to unrestricted sprawl, merging of neighbouring towns, encroachment, adversely effecting setting of an historic town, or discouraging recycling of derelict / urban land. Provision of four stables is not of a commercial scale and further planning permission would be required for additional stables or establishment of a commercial use. Similarly planning permission would be required to change the use of the building in the future to a house or other use, and the current design is for a functional stable of timber construction. It is not considered that the future use of the stable as a residential dwelling is a viable proposition due to the materials of construction. |
| GRN2 | Environmental Protection and Enhancement | |
| GRN3 | Development Proposals in the Countryside | |
| DCS1 | Development Control Strategy | |
| IMPACT UPON LIVING CONDITIONS | Noise | The proposed stable building would be visible from several of the houses (39, 41, 43 and 45 Roeburn Way) on the opposite side of Tannery Lane. It is generally accepted however that the planning system cannot protect a private right to a view. No weight is subsequently given to any perceived loss of view from the windows of these properties. Whereas an individual's view over neighbouring land of some distant object, building or scenery carries little significance, this is distinct from the more immediate dominance of a building. Where a development would interfere with the outlook from windows, to the extent that the building would appear unduly intrusive and oppressive, there is no doubt that this is an important and legitimate consideration. The key test in the current circumstances is whether the building would result in a significant reduction in the level of amenity that an adjoining property could ‘reasonably’ expect to enjoy. The proposed building would present a blank timber wall approximately 12m in length parallel with these properties |
| Policy REP10 | | |
| Policy REP11 | Odours | |
| Policy DCS1 | Development Control Strategy | |
at a distance of approximately 24m. At this distance it not considered that the proposal would harm the outlook from the adjacent properties to a material extent:

- as a benchmark, this separation is in excess of the minimum separation standard between dwelling houses, and therefore the introduction of a two storey dwelling at this distance would theoretically be in accordance with the development plan – this would obviously impact upon outlook more so than the current proposal;
- the presence of hedging along the boundary would screen the building upto approximately 2m – predominantly only the roof would be visible hipped away from the boundary;
- the scale and height of the building at 2.9m to ridge would not be excessive or dominant;
- the gradient of the land would mitigate its impact with the field level lower than adjacent road level.

In summary, the combination of the above elements is considered sufficient to allow the building to be accommodated without causing a significant loss of outlook to the adjacent residential properties.

There are no objections to the proposal from the Environmental Health Department. The proposed position of the manure trailer should adequately protect residential amenity from issues relating to odour from manure storage and fly problems over summer months. The detail of the construction of the stables combined with the orientation of the stables to face away from residential properties would also minimise the likelihood of noise from the stabled horses impacting on residential amenity.

The access to the stable from the north east corner of the field would be constructed as a stone ‘twin track’ at wheel base widths thus minimising the amount of hard surface. The revised proposal also makes adequate provision for drainage with surface drains and a soakaway.
Background
Highway Officers raised objections to the previous application (ref. 2012/19820) as the proposed vehicle access to serve the stables relied upon the use of a Public Right of Way adjacent to the site.

The applicant has addressed this issue by proposing to utilise an existing vehicle access point from the site onto Tannery Lane, to the west of the Public Right of Way. This ensures that traffic movements now do not conflict with the right of way. This also allows for improved access arrangements and sightline visibility which accords with ‘The Manual for Streets’.

Impact Upon Network
As the proposed stables would be for private use, the activity associated with them would be of low intensity. The average number of vehicle movements would be in the region of one or two trips via car or small van per day by the applicant, and vet/farriers/dentist visits once every 7/8 weeks via car or small van, and use of a manure trailer every 6 weeks.

Other parts of the field are in use as a small holding which generates one or two trips via car/small van per day by the applicant. It is anticipated that the proposed stable use would be complimentary to the small holding operation and existing vehicle movements associated with the site are subsequently unlikely to increase to any material extent as a result of the stable use. The proposal would not have any materially greater impact on the local highway network than existing operations at the site.

Highway Safety
The Council’s accident records for the junction of Station Road and Tannery Lane have been reviewed. This review has confirmed that there have been no recorded personal injury accidents in the vicinity of the site within the last 10 years.

The revised application makes provision for the following:

- use of an existing 4m wide agricultural vehicle access;
- removal of the existing vehicle access gates to ensure that a vehicle and horsebox can enter the site and stand clear of the highway in one manoeuvre;
formation of an 11m x 10m on site parking and
turning area, sited in the north-east corner of the
field, which would allow a vehicle and horsebox to
manoeuvre on site and exit the site in a forward
direction;

construction of the stone ‘twin track’ access from the
on site turning area, leading to the stables and yard
area;

formation of a concrete yard area, fronting the
stables and tack room, also allowing on site
provision for vehicle turning manoeuvres;

achievable westbound visibility splays of 2.4m x 42m
at the sites junction with Tannery Lane;

excellent eastbound visibility with splays of 2.4m x
65m from the sites junction with Tannery Lane to the
northern stretch of Station Road, and 2.4m x 80m to
the eastern stretch of Station Road.

In summary the previous reason for refusal “...substandard
access which has insufficient visibility and encroaches on a
public right of way”, has now been satisfactorily addressed.

Owing to the site’s proximity to a known great crested newt
breeding pond an assessment has been required with
regards to the developments potential impact to European
Protected Species. An Ecological Assessment Report,
carried out by TEP August 2012, was submitted which was
carried out at the appropriate time of year and to nationally
recognised standards by suitably qualified persons and
there is no cause to disagree with the findings of the
survey.

The report highlights that the development site is within
180m of a pond with a low great crested newt population.
Surveys during 2012 did not result in any great crested
newts being found at the pond in question. The
development site only provides limited terrestrial habitat for
great crested newts, with these factors combined the
potential risk to any animals being impacted is very low.
The TEP report recommends that ‘Reasonable Avoidance
Measures’ are carried out with regards to any
construction/development. Subject to this approach being
adhered to the proposal is acceptable from an ecological
perspective.
Responses to consultation

Environmental Health:
No objections
Manure storage location and orientation of building satisfactory to address amenity considerations - full comments attached at appendix

Highways:
No objection
Revised details address previous highway issues - full comments attached at appendix

Nature Conservation Officer:
No objections
Comments reiterated from previous application - precautionary measures should be undertaken related to great crested newts – full comments attached at appendix

Responses to Notification:
Penketh Parish Council:
Objection:
The Parish Council wish to object to this Application on the following grounds:

- The area concerned has history of visibility problems on a hazardous blind corner with a number of accidents recorded; further increase in traffic would make this an accident hotspot. This area is already congested due to school drop offs, buses and walkers. Further to this vehicles have a habit of coming out of Station Road and onto Tannery Lane without stopping at the junction.

- There is no drainage or utilities on site.

- The area is an important part of Greenbelt land between the Borough’s of Halton and Warrington and needs to be protected.

- It is speculated that this application is to put a structure on the land, prior to the Localism Bill which will take a more lenient view for the barns to be turned into residential dwellings.

- As this land was recently bought at Auction it is speculated that this application is to put a structure on the land, prior to the Localism Bill which will take a more lenient view for the structure to be turned into residential dwellings.

- The Penketh Parish Council wish to advise that residents attended December’s meeting to express their objections to another application on Greenbelt land.

Comment: See policy appraisal above.

Neighbours: Letter of support and a petition of 102 signatures with supporting comments praising use of the site for keeping of animals, also statement from applicant:

We provide a safe home for vulnerable adults and as we are all aware, animals are great healers. We are trying to maintain the land as ecologically
friendly, providing our family with fresh free range eggs and a plot to grow our own vegetables. Due to complaints made in regards of noise with cutting the grass, a more eco and neighbour friendly way of keeping the grass down has been used with our flock of sheep that will be lambing in April. We are friendly, and welcome the community to come and see our animals. I hope that you enjoy seeing and being involved as a community in our lambing.

Positive points in our application as follows:

- Off road highway turning and parking for one vehicle;
- Gate being removed in order to maximise highway safety;
- Stone access track with grass growing through the middle to give disability access;
- Four stables, L shaped with a dark corrugated roof, height reduced so that only the roof will be visible to the neighbouring community;
- The proposed stables are for own usage only.

Neighbours: Letters of objections from 130 properties (some individual letters with majority standard signed letters)

1. Green belt land and should be protected.
2. Would be a commercial use rather than personal use.
3. Will change to a house in the future.

Comment: See policy assessment above (GREEN BELT)

4. Loss of view.
5. Additional hard surface would give rise to flooding.
6. Use of field by disabled people irrelevant.
7. Environmental health issues with noise and smells.

Comment: See policy assessment above (IMPACT UPON LIVING CONDITIONS)

9. Revised plans have made access more dangerous.
10. No parking for visitors.
11. Turning area not big enough.
12. Conflict with users of the adjacent footpath.

Comment: See policy assessment above (HIGHWAYS)

13. No services connected to the site.
14. Errors on application forms.
15. Not enough grazing land for horses with sheep on the field.

Comment: Absence of services for a stable building of little weight in current circumstances – errors on the application forms are not considered to be of such significance as to justify withholding planning permission – amount of grazing land appears sufficient
Conclusions and reasons for recommendation/decision

The proposed stable building is considered to represent appropriate development in the Green Belt being of a relatively modest size without causing harm to openness or character or conflicting with the objectives of including land within the Green Belt. It is a sufficient distance away from residential properties, and would not have a material impact upon their outlook or general amenity. The submitted ecological assessment is accepted and it is agreed that there would be no adverse implications for great crested newts. The unacceptable access arrangements proposed within the previous applications have been revised with provision of a 4m wide vehicle access to the west of the Public Right of Way from the site onto Tannery Lane to serve the stable, as well as sufficient sightline visibility in both directions either side of the application sites junction with Tannery Lane. The proposal is thus now considered to be in accordance with the relevant provisions of the development plan.
Appendix One

Environment Health

I have considered the application and have no objection to the proposal as submitted.

The additional detail including the re-siting of the manure trailer should adequately protect residential amenity from issues relating to odour from manure storage and fly problems over summer months.

The detail of the construction of the stables combined with the orientation of the stables to face away from residential properties again should minimise the likelihood of noise from the stabled horses impacting on residential amenity.

Natural Environment Officer

Thank you for consulting me on the application for the above site, having reviewed the submitted information I have the following comments. The Natural Environment and Rural Communities Act (NERC) 2006 places a duty on Local Authorities to have regard to the conservation of biodiversity in exercising their functions. In the context of planning applications, conserving Biodiversity includes restoring and enhancing species populations, as well as protecting them. When this duty is taken into consideration with the NPPF, as an authority Warrington Borough Council need to ensure that when granting any planning permission it would not conflict with these policies. The results of any surveys and landscape master plans would be used to determine this when considering any planning permission.

One of the key aspects of NPPF 11: Conserving & Enhancing the Natural Environment is that planning decisions should aim to conserve and enhance biodiversity and incorporates it into and around developments. Where a planning decision would result in significant harm to biodiversity and geological interests which cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented adequately mitigated against, or compensated for, then planning permission should be refused.

Public authorities have a Duty to have regard to the conservation of biodiversity in exercising their functions. This Duty was introduced by the Natural Environment and Rural Communities Act and came into force on 1 October 2006. Through the NPPF the Government has indicated that local authorities should take steps to further the conservation of habitats and species of principal importance through their planning function and promote the preservation, restoration and re-creation of ecological networks.

The Conservation of Habitats and Species Regulations 2010 Implement the Habitats Directive. Schedule 2,40 (1) of the Regulations makes it an offence to deliberately capture, kill or disturb a member of a European Protected Species or to damage or destroy the breeding site or resting place of such an
animal. These Regulations require all local planning authorities in the exercise of their functions to have regard to the provisions of the Habitats Directive so far as they might be affected by those functions.

Owing to the site’s proximity to a known great crested newt breeding pond an assessment was required with regards to the development’s potential impact to this European Protected Species. An Ecological Assessment Report, carried out by TEP August 2012, was submitted which was carried out at the appropriate time of year and to Nationally Recognised standards by suitably qualified persons. I have no cause to disagree with the findings of the survey.

The report highlights that the development site is within 180m of a pond with a low great crested newt population. Surveys during 2012 did not result in any great crested newts being found at the pond in question. The development site only provides limited terrestrial habitat for great crested newts, with these factors combined the potential risk to any animals being impacted is very low.

The TEP report (Section 6.0) recommends Reasonable Avoidance Measures are carried out with regards to any construction/development. I would agree that this is a suitable cautious approach and these recommendations should be attached as conditions to any permission minded to be granted.

Condition regarding EPS - Works should be timed to avoid periods when amphibians may be present within the site. Excavations and laying of concrete bases and shingle paths should be undertaken between November and February 2013 (inclusive) when amphibians are unlikely to be active and present within the site. Materials, such as bricks, and metal should not be stored directly on the ground but should be stored on pallets or off the ground to prevent amphibians seeking shelter within the materials.

Informative - The applicant is reminded that should great crested newts be found at any point, works should cease until an assessment can be made regarding a European Protected Species License. Planning permission for a development does not provide a defence against prosecution under the Habitats Directive 2010.

Highways

Background

The application seeks approval for the erection of a timber stable block, consisting of 4 individual stables and a tack store, sited within the north-west corner of an agricultural field, off Tannery Lane.

Previous Applications

Highway Officers raised objections to previous application 2012/19820 as the proposed vehicle access to serve the stables relied upon the use of a Public Right of Way adjacent to the site. Accordingly the previous application was refused on the following grounds:
“The proposed development would result in the intensification of a substandard access which has insufficient visibility and encroaches on a public right of way. The proposal would not subsequently integrate efficiently with the highway network and is therefore contrary to policy DCS1 of the Warrington UDP.”

The applicant has addressed this issue by proposing to utilise an existing vehicle access point from the site onto Tannery Lane, to the west of the Public Right of Way. This ensures that traffic movements now do not conflict with the right of way. This also allows for improved access arrangements and sightline visibility which accords with ‘The Manual for Streets’ standards as detailed under ‘Internal Access Arrangements’ below.

Supporting Information and Design and Access Statement

The application forms confirm that the proposed stables will purely be for private use and as such will therefore be a relatively low intensity use. Supporting statements within the application also clarify the average likely number of vehicle movements associated with the stable use, as one or two trips via car or small van per day by the applicant, vet/farrier/dentist visits once every 7/8 weeks via car or small van and use of a manure trailer every 6 weeks.

Additional information also confirms that the field is currently in use as a small holding which generates one or two trips via car/small van per day by the applicant. Should this proposal be approved, the proposed stable use will be complimentary to the small holding operation and therefore, existing vehicle movements associated with the site are unlikely to increase as a result of the stable use.

As such it is anticipated that the proposed stable use is therefore unlikely to have any materially greater impact on the local highway network than existing operations at the site.

Highways Accident History

The Council’s accident records for the junction of Station Road and Tannery Lane have also been reviewed. This review has confirmed that there have been no recorded personal injury accidents in the vicinity of the site within the last 10 years.

Internal Access Arrangements

The submitted site layout plan (Drawing No.1811112) demonstrates provision of the following:

- An existing 4m wide agricultural vehicle access will be utilised to serve the proposed stable use on Tannery Lane.
• Removal of the existing vehicle access gates to ensure that a vehicle and horsebox can enter the site and stand clear of the highway in one manoeuvre.

• Formation of an 11m x 10m on site parking and turning area, sited in the north-east corner of the field, which will allow a vehicle and horsebox to manoeuvre on site and exit the site in a forward direction.

• Construction of a circa 2.2m wide stone access track from the on site turning area, leading to the stables and yard area, proposed within the north-east corner of the site.

• Formation of a concrete yard area, fronting the stables and tack room, also allowing on site provision for vehicle turning manoeuvres.

The submitted sightline visibility plan (Drawing No.1841112) demonstrates provision of the following:

• Achievable westbound visibility splays of 2.4m x 42m from the application sites junction with Tannery Lane.

This accords with guidance contained within ‘The Manual for Streets’ for a 30mph highway.

It is noted that the existing site access on Tannery Lane benefits from excellent eastbound visibility, with splays of 2.4m x 65m from the application sites junction with Tannery Lane to the northern stretch of Station Road and 2.4m x 80m to the eastern stretch of Station Road. This has been confirmed using the Councils GIS Mapping System.

Summary
The previous reasons for refusal “…substandard access which has insufficient visibility and encroaches on a public right of way” have all now been satisfactorily addressed as follows:

• Use of an existing 4m wide vehicle access to the west of the Public Right of Way, from the site onto Tannery Lane to serve the stable use.

• The existing vehicle access on Tannery Lane, proposed to serve the stable use, benefits from sufficient sightline visibility in both directions either side of the application sites junction with Tannery Lane.

Therefore, as the applicant has confirmed that the proposed stables will purely be for private use and taking into account the above internal access arrangements, the proposals are acceptable from a highway perspective.

In view of the above, no highway objections are raised to the proposals, however, should approval be granted, we would request that the following conditions are applied:
• **The proposed development will be constructed as per approved site plan (Drawing No.1811112) and shall not be varied without the written consent of the LPA.**

• **The proposed stables hereby approved shall remain for private recreational purposes only, and there shall be no commercial use without the prior express consent of the local planning authority.**

• **The on site turning area in the north east corner of the field will be made available for use to serve the stables in accordance with approved site plan (Drawing No.1811112) and retained as such thereafter unless otherwise agreed in writing with the LPA.**

• **Westbound visibility splays of 2.4 metres x 42 metres shall be provided at the application sites junction with Tannery Lane and nothing shall be subsequently erected or allowed to grow to a height in excess of 0.6 metres within them in accordance with sightline visibility plan (Drawing No.1841112). The visibility splays shall be implemented prior to first use and shall be retained thereafter.**

**Informative:**

*An extended dropped crossing will be required to facilitate the existing vehicle access and the applicant will therefore need to liaise with the Council’s Public Realm section on 01925 442505 prior to undertaking any works in the highway.*
This application is being referred to the Development Management Committee because the proposal is for a major development.

Proposal

- The application proposes to alter the layout and design of previously approved houses at plot nos. 53 - 55 and 253 – 271, and provide an additional 13 new dwellings on the New World development site.
- The proposed revised and additional dwellings comprise a mix of detached and semi-detached two storeys dwellings of similar design, height, scale and materials to the already completed dwellings on the New World / Morris Homes site.
- The proposed dwellings would comprise either 3 or 4 bedrooms and each would include private rear garden and parking space for at least 2 vehicles.
• It is proposed to add 5 additional dwellings in the northwest corner of the site with 3 of the dwellings facing on to the area of the public open space.
• The layout of a section of the northeastern part of the site would be redesigned with 8 further dwellings being partially sited on the area of public open space.

Location

• The application site comprises two areas within the northern part of the New World Development site off Thelwall Lane, Latchford.
• The New World site is located to the east of Latchford and immediately to the north of the Manchester Ship Canal and to the south of the River Mersey.
• The site borders urban green space as designated in the UDP to the northwest, open space to the north and an industrial site to the east.
• Two storey dwellings at Pichael Nook border the application site along its west boundary and recently completed two storey detached dwellings are located along Powder Mill Road to the south of the site. Recently completed dwellings are also located adjacent to the northeast corner of the site.

View north along Powder Mill Road

Existing completed dwellings along Powder Mill Road
View towards rear of dwellings along Pichael Nook
Existing completed dwellings in the northwest corner of the site

View of part of application site in northeast part of the New World Site
Relevant History


- 2005/06423 – Resubmission of previously approved outline planning application for mixed use development (including approximately 450 dwellings, B1 units, neighbourhood centre, public open space) incorporating an amended vehicular access position – Approved subject to 106 13.09.2006.


- 2009/14707 – Proposed amendments to parts of site previously approved in detail under 2007/11944 to comprise revisions to siting, design and external appearance of apartments, number of residential units reduced from 485 to 424 and landscaping – Approved - 02.07.2009.
• 2009/15189 - Full planning application for 56 dwellings and one shop unit (proposed revisions to parts of layouts previously approved under 2007/11944 and 2009/14707) – Approved – 03.12.09.

• 2010/17050 - Proposed amendments to parts of site previously approved in detail under 2007/11944 to comprise revisions to siting, design, landscaping and external appearance, substitution of house types affecting plots 116-131 consisting of 18 no. 2 storey 2 & 3 bedroom semi detached/mews dwellings. Approved – 24.11.10.


Main Issues and Constraints

• Principle of Development / Planning Obligations
• Impact on Open Space
• Impact on Amenity of neighbours
• Highway Safety / Parking Provision
• Impact on Character of Area / Streetscene
• Impact on Nature Conservation
• Impact on Land Contamination
• Land Drainage / Flood Risk Issues

Key policy/guidance checklist

Policies relate to Warrington Unitary Development Plan unless otherwise stated. Regard has also been had to the National Planning Policy Framework, where relevant. As the Warrington Core Strategy has been submitted and is at an advanced stage and sets out the future direction of planning policy within the Borough substantial weight has also been given to the relevant policies in the submitted Core Strategy.

<table>
<thead>
<tr>
<th>Principle of Development / Planning Obligations</th>
<th>Development Control Strategy</th>
<th>Housing Development Restrictions</th>
<th>Planning Obligations</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCS1</td>
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<tr>
<td>HOU2</td>
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<td>DCS2</td>
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</table>

- The site is located within the New World development site which forms part of a large mixed use housing development on previously developed land.
- The proposed additional dwellings would not result in any additional dwellings on the site over the amount (485) previously approved in 2008, planning permission reference 2007/11944.
- Furthermore, it is not considered that an additional 13 dwellings would significantly prejudice the
| Emerging Core Strategy Policy | Councils 5 and 10 year housing land supply.  
<table>
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<tbody>
<tr>
<td>SN1</td>
<td>• Therefore, the proposed development is not considered to result in an over supply of housing in accordance with policy HOU2 and would accord with the future direction of planning policy within the submitted Core Strategy.</td>
</tr>
<tr>
<td>NPPF</td>
<td>• With regards to the relevant planning obligations for the New World Development site, it is noted that the original planning permissions (2004/02824 and 2005/06423) for the whole site were subject to a Section 106 Agreement including appropriate financial contributions. The developer has fulfilled all of its covenants within this legal Agreement.</td>
</tr>
<tr>
<td>Planning Obligations SPD</td>
<td>• As the resultant number of dwellings would not exceed that previously granted planning permission on the site reference 2007/11944, it is not considered reasonable to require further financial contributions over and above those already paid.</td>
</tr>
<tr>
<td>Managing Housing Supply SPD</td>
<td>• It is also nevertheless noted that additional affordable houses have been provided on the New World Site over the level of affordable housing previously approved. The New world site now comprises 30.5% of affordable homes significantly over the 20% originally approved.</td>
</tr>
<tr>
<td>Affordable Housing SPD</td>
<td>• Having regard to the above, it is considered that the proposal would form a sustainable development, would not prejudice the Councils future housing supply, and make adequate provision would accord with policies HOU1, HOU2, DCS1 and DCS2 of the UDP.</td>
</tr>
</tbody>
</table>

**Emerging Core Strategy Policy**

- SN1
- NPPF
- Planning Obligations SPD
- Managing Housing Supply SPD
- Affordable Housing SPD

**Distribution and Nature of Housing**

| Distribution and Nature of Housing | Councils 5 and 10 year housing land supply.  
<table>
<thead>
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<td></td>
<td>• Having regard to the above, it is considered that the proposal would form a sustainable development, would not prejudice the Councils future housing supply, and make adequate provision would accord with policies HOU1, HOU2, DCS1 and DCS2 of the UDP.</td>
</tr>
<tr>
<td>Impact on Open Space / Landscape</td>
<td>Complies with policy and guidance:</td>
</tr>
<tr>
<td>---------------------------------</td>
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</tr>
<tr>
<td>HOU4</td>
<td>• It is noted that the proposed additional dwellings would be partially sited on land previously left as public open space within the original planning permission for the site.</td>
</tr>
<tr>
<td>GRN10</td>
<td>• The amount of public open space left over within the whole New World Site would be below the minimum levels required set out in policy HOU4 of the UDP.</td>
</tr>
<tr>
<td>Open Space and Recreation Provision SPD</td>
<td>• The applicants have submitted supporting information including an improved indicative landscaping plan highlighting that the quality of the LEAP and public open space will be improved by way of improved footpath links, enhanced natural habitats around the ponds, with additional viewing platforms and jetty's. In addition to an existing bowling green and local area Of play (LAP) on the western side of the development.</td>
</tr>
<tr>
<td>Landscaping design guide for new developments SPD</td>
<td>• The applicants also highlight that the proposals result in an open space of provision of 33.13m² per dwelling. The applicant also highlights that there are other incidental areas of open space including tree lined boulevards, road squares and arrival points and boundaries of the site.</td>
</tr>
<tr>
<td></td>
<td>• Furthermore, the applicants highlight that the site is adjacent to existing open areas of Woolston Eyes Nature Reserve, Paddington meadows, Bridgewater Avenue, Cardinal Newman School, the Twiggeries and the Trans Pennine Green Corridor.</td>
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<tr>
<td></td>
<td>• The applicants have also referred to the Council's Open Space Audit Position Statement of 2012 which indicates a net increase of 107 Hectares in the Borough as a whole.</td>
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<td>• In addition, that in partnership with</td>
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</table>
Plus Dane Housing an additional 28 affordable dwellings have been provided resulting in a provision of 30.5% of affordable homes on the site.

- Whilst the applicants highlight 84 of the dwellings are 1 or 2 bedroom flats and their demands would have negligible demand for open space, it is considered that the lack of on any private amenity would conversely raise the importance of local and usable public open space.

- Having regard to the above, it is noted that the majority of the dwellings on the site include their own private gardens and a Locally Equipped Area of Play would be provided at the site. The proposed revised layout also includes the siting of dwellings fronting on to the public open space providing for improved natural surveillance, and enhanced safety of the open space and LEAP. In addition it is noted that the areas of indicative open space that would be lost would be at the margins of the area of open space.

- In addition, it is noted that the site sits on the urban fringe of Warrington, and sits adjacent to large areas of public open space along the River Mersey immediately to the north and east, areas designated as urban green space and a public park to the west.

- Therefore, given the provision on the site, its location and close proximity to large amounts of open space to the north, east and west it is considered that the dwellings at the site are accessible to adequate amounts of public open space within the vicinity.

- It is also noted that the
development has secured increased numbers of affordable homes for the residents of Warrington of 30.5% well in excess of the 20% proportion required and originally proposed at the site.

- With regards to the impact on the surrounding landscape, the proposed dwellings would be sited sufficient distance from the urban green space to the north, east and west to not cause any impact on the character, appearance and qualities of the surrounding landscape and green space.

- Having regard to the above, the proposed development is considered to provide sufficient public open space and would not harm the character and openness of the surrounding landscape, in accordance with policies HOU4 and GRN10 of the UDP.

<table>
<thead>
<tr>
<th>Amenity of Area / Surrounding Occupiers</th>
<th>Complies with the stated policies on the basis of the following;</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCS1</td>
<td>• The proposed revised housing layout would accord with the minimum separation distances set out in policy HOU13 and have been designed to ensure adequate daylight, privacy and outlook to the existing and future occupants.</td>
</tr>
<tr>
<td>HOU3</td>
<td>• The siting of the dwellings in the northwest corner of the site would be largely the same as that previously approved and would therefore not cause any significant additional harm to the neighbouring residents at Pichael Nook and Powder Mill Road.</td>
</tr>
<tr>
<td>HOU13</td>
<td>• The two separate sites form part of a large new housing development which is currently under construction, and it is noted that the site is located adjacent to occupied dwellings on the site.</td>
</tr>
</tbody>
</table>
Therefore, an informative has been included with respect to construction hours.
Having regard to the above, it is not considered that the proposal would result in any significant harm to the amenity of neighbouring residents by way of loss of outlook, daylight, and privacy and would provide appropriate levels of amenity for future occupiers. Therefore, the proposed development is considered to accord with policies DCS1 of the UDP.

<table>
<thead>
<tr>
<th>Highway Safety / Parking Provision</th>
<th>Parking</th>
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<tbody>
<tr>
<td>LUT2</td>
<td>Parking</td>
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<tr>
<td>LUT20</td>
<td>Parking</td>
</tr>
<tr>
<td>Appendix 5 (Car Parking Standards)</td>
<td>Parking</td>
</tr>
</tbody>
</table>

Complies with policy and guidance:
- The proposed amended and layout of houses is not considered to have any impact on the movement of traffic or cause conflict between users of the highway.
- The layout, footpaths and roads follow similar designs and dimensions as those on the existing site.
- It is not considered that the addition of 13 dwellings on the site would generate any significant additional traffic along the immediate and surrounding highway network.
- Given that as a result of the proposed development there would be no more dwellings than that originally approved in 2008 (2007/11944) it is not considered that there would be no significant strategic highways issues as a result of the proposed development.
- Some minor amendments have been made to the layout and widths of accesses following the comments of the Highways Authority. The Highways Authority, have not raised any objections to the proposed development.
Given the above, it is considered that the proposals would provide adequate parking provision and would not cause any significant conflict between vehicular and pedestrian users of the highway, in accordance with policies LUT2 and LUT20 of the UDP.

<table>
<thead>
<tr>
<th>Design, Scale and Impact on Character and Appearance of Streetscene</th>
<th>Complies with policy and guidance:</th>
</tr>
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<tbody>
<tr>
<td>HOU2</td>
<td>• The application site is part of a modern housing development comprising a mix of two and three storey dwellings following common design traits.</td>
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<tr>
<td>HOU3</td>
<td>• The mix of two storey detached and semi-detached dwellings would provide for a similar layout and density to the existing dwellings on site, and is considered to both sympathetic to the surrounding area and provide a sustainable density.</td>
</tr>
<tr>
<td>DCS1</td>
<td>• The proposed dwellings would be of two storeys in height, and of traditional appearance using brick and tile facings. The proposals include 6 different house types providing sufficient variety in the streetscene and roofscape.</td>
</tr>
<tr>
<td>HOU6</td>
<td>• The proposed scheme includes improvements to the previous scheme through removal of blank frontages and increased natural surveillance.</td>
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<tr>
<td>Design and Construction SPD</td>
<td>• Having regard to the above, it is considered that the proposed revised house types and additional dwellings would satisfactorily blend in with the surrounding completed dwellings, and be of sympathetic scale, design and materials to the surrounding area.</td>
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<td>• As a result the proposed</td>
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<tr>
<td>Impact on Nature Conservation</td>
<td>Complies with policy and guidance:</td>
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<tr>
<td>GRN20</td>
<td>• The New World development site</td>
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<tr>
<td>Emerging Core Strategy</td>
<td>is located immediately to the</td>
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<tr>
<td>QE5</td>
<td>south of a major wildlife corridor</td>
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<td>NPPF</td>
<td>along the River Mersey.</td>
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<tr>
<td>Biodiversity and Geodiversity</td>
<td>• The proposed development is</td>
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<td>located within the previous</td>
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<td>envelope of the New World</td>
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<td>Development site, and would not</td>
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<td>extend any nearer to the</td>
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<td>important habitats along the</td>
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<td>Mersey Valley to the northeast</td>
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<td>and northwest of the site than</td>
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<td>the previously approved</td>
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<td>development.</td>
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<td>• It is noted that the proposed</td>
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<td>development would extend the</td>
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<td>built form closer to an existing</td>
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<td>pond in the north corner of the</td>
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<td>New World development site.</td>
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<td>However, it is noted that the</td>
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<td>proposed development would still</td>
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<td>retain a gap of 17 metres to the</td>
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<td>pond from the nearest point to</td>
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<td>the southwest and 29 metres at</td>
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<td>the nearest point to the dwellings</td>
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<td>to the east.</td>
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<td>• In addition, it is noted that</td>
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<td>there would be intervening</td>
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<td>landscaped open space comprising</td>
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<td>newly planted hedgerows, additional</td>
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<td>tree planting and retained</td>
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<td>existing trees between the</td>
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<td>proposed dwellings and the</td>
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<td>existing pond.</td>
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<td>• As a result, it is considered</td>
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<td>that there would be adequate buffer</td>
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<td>between the proposed development</td>
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<td>and the existing ponds for there to</td>
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<td>be no significant harm on the habitat feature.</td>
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</tbody>
</table>
• No comments have yet been received by the Council’s Conservation Officer but inline with the consideration of previous permissions at the site, a condition has been recommended requiring the submission and approval of details of bird boxes to be provided at the site. A condition has also been included preventing any clearance of vegetation to be undertaken during the bird breeding season.

• Therefore, the proposed development is considered to accord with policies GRN20 of the current UDP and the policy guidance within the NPPF.

<table>
<thead>
<tr>
<th>Impact on Land Contamination</th>
<th>Complies with policy and guidance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>REP8</td>
<td>The proposed development comprises part of a much larger partially completed development site for which ground investigation, land contamination surveys, and mitigation measures have been approved by the Council and partially implemented on the site.</td>
</tr>
<tr>
<td></td>
<td>The Environmental Protection Team, have therefore not raised any objections subject to the completion of the agreed remediation strategy and submission of site verification report once completed.</td>
</tr>
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<td></td>
<td>Subject to an appropriately worded condition requiring the submission and approval of such, it is considered that the future occupants of the dwellings would be satisfactorily protected from land contamination, in accordance with policy REP8 of the UDP.</td>
</tr>
</tbody>
</table>

| Impact on Flood | • The application site is located |
Risk within flood risk Zone 2 and is therefore at medium risk of flooding.

- The Environment Agency have raised no objections to the proposed development subject to a condition requiring the submission and approval of flood proofing measures to the dwellings.
- With regards to surface water run-off a condition has been recommended requiring details of the drainage systems to be provided for the amended and additional dwellings.
- Therefore, the proposed development is considered to be in accordance with policies REP4 and REP5 of the UDP.

<table>
<thead>
<tr>
<th>Risk</th>
<th>Protection of Flood Plain Surface water run-off and Sustainable Drainage Systems</th>
</tr>
</thead>
</table>

Responses to consultation

**Parish Council**
No response by 13/03/13

**Highways Authority**
12/02/13

"The application proposes the substitution of house types to plots 53-55 & 253-271 and the construction of 13 new 2 storey dwellings.

Proposed site plan drawing number 07034/01 Rev SS has been reviewed with the Councils Highways Adoption Engineer and the following comments are offered:

Six proposed units (477 to 482) are to be served from a private drive. However, the Council’s policy is that no more than 5 properties should be served from a private drive. We would therefore advise that the adoptable turning head to the south of these properties is brought further north so that only 5 properties are served from the private drive.

The proposed private drive in this location measures some 2.5m width by plot 480. It should be ensured that the proposed private drive measures at least 4.5m width along its length. This will then be sufficient to allow two vehicles to pass. This width should be ensured at the private drive serving properties 471 – 474 also.
In addition it is noted that the highway to the south of plots 271 – 274 could be amended to show a traditional rather than angular bend.

Furthermore, it is noted that front boundary treatments to plots 264 / 265 and 261 / 262 may affect forward visibility on the proposed access road. It would therefore be beneficial if low level planting (up to a maximum height of 0.6m) was ensured across front boundary treatments in these locations, and marked as such on the proposed site layout plan.

Subject to the above amendments, no highways objections are raised in respect of the proposals.

In addition the following informative is offered:

The proposed amended highway layout will require amendments to the existing S.38 agreement covering construction of the internal highways. To action, the applicant should contact Chris Bluck, the Council’s Highways Adoption Engineer, on 01925 442688.”

Comments on amendments to layout (26/02/13):

"I have reviewed the attached and this takes account of all points raised in our previous highways comments. Therefore as per our previous comments, no highway objections raised and informative regarding required amended S.38 agreement is recommended.

I would welcome if you could please ensure that the low height (< 0.6m) landscaping indicated on the attached plan affecting plots 261 / 262 and 264 / 265 (required for forward visibility) is provided and maintained, either by condition requiring accordance with plans or else by way of separate planning condition if you feel this is required."

Environmental Protection
21/02/13

No objections subject to condition requiring submission of site verification report, measures for reporting managing land contamination if found, and long term maintenance.

Nature Conservation Officer
Still awaiting comments as of 15/03/13.

Parks and Woodlands Team
Still awaiting comments as of 15/03/13.

Planning Policy Team
Still awaiting comments as of 15/03/13
**Arboricultural Officer**
Still awaiting comments as of 15/03/13

**Environment Agency**
07/03/13

“We have reviewed the submitted forms and plans relating to the reconfiguration of parts of the residential development on the above site. However none of the submissions relate to possible contamination on site or risks to controlled waters. We are aware of possible risks arising from the development but these have been dealt with through previous submissions and comments.

We note from the information that has been provided, some of the additional properties are on or close to the known historical waste disposal site that was operated during the lifetime of the previous industrial complex. Ground conditions in these locations may differ from other areas on site that have been subject to development.

The site is shown on the Environment Agency's Flood Maps as being within Flood Zone 2, which is medium probability of fluvial flooding. In order to manage the residual risk of fluvial flooding to the site, the proposed buildings should be of flood resilient construction.”

Public Responses to Notification -

A response was received raising objections to the proposed development for the following reasons:
- the development proposes to amend the driveway adjacent to plot no. 52 and as a result would cause the following issues:
  - Disruption to established household boundaries.
  - Movement of driveway to within 1 metre of front window.
  - Blockage and obstruction of view and light to from room.
  - Change from single dwelling use to shared driveway.
  - Effect on property prices and resale value in future.
  - Disruption of new building works.
  - Disruption from having multiple use of shared drive way.
  - Removal of parking space in front of house.

The following concerns were raised in a further email response:
- additional traffic generated by the new homes and on a blind bend may caused access and exiting problems, and harm highway safety.

Case Officers Comments:

An amended plan has been sought clarifying that the driveway arrangements serving the garage adjacent to plot no. 52 will not be altered by the proposed development. The objector has been contacted and furnished with the amended plan.
In terms of the loss of parking space in front of property, it is noted that this will be adopted by the Highways Authority in the future and there are no rights to park on the road. The impact on property prices is not a material planning consideration that can be taken account of in the determination of an application. It is not considered that sharing the existing double garage and driveway adjacent to plot no. 52, between 2 dwellings would cause any significant additional loss of amenity to the occupants of plot no. 52 than its use by a single household as previously approved.

The highway implications and safety issues have been addressed in detail in the section above and been considered by the Highways Authority who have raised no objections to the proposed development.

Conclusions and reasons for recommendation/decision

The proposed development is considered to be acceptable as it accords with the objectives of Warrington Borough Council Unitary Development Plan Policies DCS1, DCS2, HOU2, HOU3, HOU6, HOU13, HOU15, REP4, REP5, REP8, GRN10, LUT2, and LUT20, and the National Planning Policy Framework. In addition it accords with future local policy set out in policies SN1 and SN2 of the emerging Core Strategy. The proposal would provide a sustainable form of development, which would utilise a previously developed site and assist in meeting the housing need in the Borough. It is considered that there would be adequate provision of public open space, within and surrounding the site in addition to the private open space provided with each dwelling. Furthermore, the proposed development would not result in any significant harm to highway safety along the surrounding road network or cause any significant harm to the amenity of neighbouring dwellings and uses. Compliance with planning conditions will ensure that adequate habitat provision is made for birds, appropriate landscaping, drainage, and site remediation are undertaken. Therefore, it is recommended that planning permission be granted subject to conditions.
<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2013/21340</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Land to the south of the M62, west of Junction 8, Omega South, Warrington, Cheshire</td>
</tr>
<tr>
<td>Ward:</td>
<td>Whittle Hall, Westbrook</td>
</tr>
<tr>
<td>Development:</td>
<td>Proposed distribution warehouse development with associated access, landscaping, estate roads, HGV and car parking, attenuation pond and other ancillary development.</td>
</tr>
<tr>
<td>13 Week expiry date:</td>
<td>16th May 2013</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Omega Warrington Ltd</td>
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<tr>
<td>Recommendation:</td>
<td>Approve subject to Section 106 Agreement</td>
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</tbody>
</table>

**Conditions:**
- Standard Time limit -full 3 years
- Revised landscaping to be implemented
- Tree protection during construction
- Accordance with submitted drawings
- Use of agreed materials
- Provision of job and training opportunities
- Energy efficiency and renewable energy measures
- Retention of car, motorcycle and cycle parking
- Retention of visibility splays
- Landscape mounding along M62 boundary
- Implementation of agreed access road construction
- Construction details of access road with junction 8 to be implemented
- Travel plan to be agreed and implemented
- Traffic control system for junction 8 to be implemented
- Development in accordance with flood risk assessment
- Surface water regulation system to be implemented
- Details of overland flow routing to be agreed and implemented
- Land remediation
- Land remediation to be verified
- Remediation of any previously unidentified contamination
- Construction Management Plan to be agreed and implemented
- Surface water run-off working method statement to be agreed and implemented
- Scheme to remove suspended solids from surface water to be agreed and implemented
- Scheme for waste management during construction to be approved
Description

- A full application for a distribution warehouse and associated works – as set out above
- A single building of approx 56,000 sq m (including mezzanine, floorspace), 39 metres at its maximum height is proposed on a 25 ha portion of Omega South
- The building would be a new addition to the operator's current nationwide distribution network
- Access would be from a signal controlled junction from the existing spur from junction 8 of the M62; there would be a separate employee access from the new service road; HGVs would gain access to the operational area of the site via a gatehouse
- The new access road would run across the northern edge of the site, parallel with the motorway; the proposed new building itself would be approx 120 metres from the southern edge of the M62, at its nearest point
- Direct, formal pedestrian access to the site is not yet proposed
- Staff parking for 380 vehicles is proposed and there would be 250 spaces for HGVs
- Upon opening (in 2014), the distribution centre would operate with approximately 253 staff, and by 2024 it is anticipated that staff numbers could increase to 421
- The building would be part of an existing national network for the storage and distribution of a wide range of supermarket produce – at ambient (i.e. background) temperature with no refrigeration proposed - and would operate over a seven day continuous cycle
- The exterior of the building would be clad in panels of predominantly grey, graded coloration - with other materials and shades used in treatment of detail
- A Screening Opinion has been issued under the Environmental Impact Assessment (EIA) regulations 1999 (as amended), which sets out that the proposal is not EIA development in the view of the local planning authority

Location

- The generally flat, cleared 25 ha site is to the immediate south of the M62, within the wider Omega site – outside, but adjoining, the areas where outline planning permission is already in place – to the south of the M62
- The nearest residential properties are approx 300 metres away on Burtonwood Road
Relevant History

The site is outside the area where outline permission for the first phases of Omega was granted subject to conditions and Section 106 Agreement in June 2007 (2003/01449).

Main Issues and Constraints

- Principle
- Traffic/Transport
- Visual impact - details of layout, scale, external appearance and landscaping
- Environmental considerations; noise; land quality; potential impact on living conditions
- Other material considerations

Main policy/guidance checklist

The NPPF.
Policies DCS1; DSC2; DCS3; DCS7; GRN2; REP1; REP4; REP5; REP8; REP9; REP10; EMP1; EMP2; EMP3; GRN21; GRN22; LUT1; LUT3; LUT5; LUT7; LUT10; LUT20 of the adopted Warrington UDP.
Policies CS1; CS7; QE1; QE3; QE7; MP3 and MP4 of the emerging Local Plan Core Strategy.

Supplementary Planning Documents/Guidance

Design and Construction
Landscape design guide for new development
Planning Obligations
Travel Plans
Adopted Warrington UDP policies:

<table>
<thead>
<tr>
<th>UDP Policies: DCS1; LUT1; EMP1; EMP2; EMP3; CS Policies: CS1; CS7; QE1; QE3; QE7; MP3; MP4</th>
<th>Principle</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site is allocated for employment development on the adopted UDP Proposals Map and is designated as a Strategic Location as part of the emerging Local Plan Core Strategy (LPCS). It is agreed that the proposals accord with the principles of the NPPF and will support economic regeneration and growth. Substantial weight can also be attached to policy CS7 of the LPCS – which identifies the site as part of the wider Omega and Lingley Mere Strategic Location. Given this background, the proposal is considered to be acceptable as a matter of principle.</td>
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<thead>
<tr>
<th>LUT1; LUT3; LUT5; LUT7; LUT10; LUT20;</th>
<th>Traffic/Transport</th>
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<tr>
<td>Once within the application site, the new access road would run adjacent to the M62 before forming two individual site accesses with the proposed distribution centre. The application proposes to replicate the previously approved site access arrangements to Omega South from M62 junction 8. Predicted increased traffic levels at the Kingswood Road/Burtonwood Road signal junction, and at the Westbrook Way/Burtonwood roundabout, are within the typical daily variations of flows experienced on the local highway network. A road safety audit has been conducted by the Council, with the conclusion that mitigation can be implemented either as part of the detailed design of the connection with junction 8, or secured by way of condition. Proposed staff parking is well below the maximum cap set out in adopted parking standards – but is regarded as appropriate bearing in mind proposed staffing levels. The submitted travel plan has been reviewed, and is acknowledged to have shortcomings in terms of some usually expected aspirations. It is recognised, however, that the construction of a large distributive use such as this – in the</td>
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heart of an as yet undeveloped site will constrain current potential for sustainable modes of transport to be fully utilised, until such time as surrounding infrastructure and further development takes place. Nonetheless, the delivery of a pedestrian and cycle link to Omega Boulevard should be investigated.

S106 Agreement is needed to ensure that account is taken of the vehicular trips relating to this development, as part of the consented development on Omega north of the M62 – in terms of the previously agreed triggers for off site highway works and associated measures.

Visual impact - details of layout; scale; external appearance; landscaping; nature conservation

At a maximum of 39 metres in height, the new building would be noticeably higher than others which currently abut the Omega site, and those approved on the northern portion of Omega, north of the M62. A building of such height is needed to accommodate the operators racking, stock storage systems and cranes. By comparison, the height of the relatively nearby Royal Mail depot is 21 metres at its maximum.

The building would undoubtedly stand out and be visible from long distances, for example from residential areas and routes in Burtonwood village and from suburban Warrington. However, visibility of the building, in itself, does not amount to visual harm. In future, it should be borne in mind that the building would be surrounded by other large industrial and commercial units, and that this would form its setting in a new industrial/commercial environment. The building would be finished in “goosewing grey” cladding which would tend to match the prevailing sky colour and to provide some mitigation – in preference to a brighter shade.

Landscaping would be concentrated around the edges of the site. A main area of landscaping is shown along the boundary with the M62 - and this would link to an existing, woodland block and would be protected and enhanced as part of the project. Swales would deal with surface water run-off from roads and areas of hardstanding. There are a number of swales around the boundaries of the site and along the
access road and these form part of the overall drainage design. The swales would contribute to the wider landscape design and to potential habitat creation.

The existing and potential habitat value of the site has been surveyed and assessed with the conclusion that mitigation for habitat loss falls short of usual requirements – insofar as these application proposals are concerned. In this case, however, it is recommended that there is good scope to mitigate for habitat loss and to provide for enhancements – as part of the Masterplanning process which is currently underway for the balance of the Omega South site. However, any requirement to retain an extensive area of grassland habitat within Omega South itself would have significant impacts on the viability of future proposals. Instead, the applicants have undertaken to provide a package of mitigation consisting of off-site measures – including appropriately managed habitat to the west of Omega South.

| DCS1; GRN2; REP1; REP8; REP9; REP10; | Environmental considerations; noise; land quality; potential impact on living conditions | Subject to conditions – including those proposed both by WBC Environmental Protection and by the Environment Agency, it is considered that potential adverse impacts – including those from the construction phase – can be adequately mitigated. |
| REP4; BH14; GRN2; DCS1; GRN21; | Other material considerations | The use of energy efficiency measures - such as improved fabric performance, lighting and controls and other system efficiencies and control – would result in the building using 25% less energy and emitting 20% less carbon than if constructed to the usually applied standards (Approved Document L2). Photovoltaic cells will be installed to supply a minimum 10% of the building’s annual energy demand from renewable sources. The installation of this technology will result in a further energy and carbon emission saving. The proposed buildings will achieve BREEAM “Very Good” as a minimum. |
Responses to consultation (Full details on file)

WBC Planning Policy
No objection.

WBC Transport
No objection subject to conditions - and subject to the delivery of associated off-site highway improvements – based, as previously, on the exceedance of agreed trip generation triggers.

WBC Environmental Protection
No objection subject to conditions.

WBC Natural Environment
There is considered to be scope to provide adequate mitigation via the Masterplan for the remainder of Omega South; to deliver such provision via planning applications expected later in 2013 and by way of off-site mitigation including appropriately managed habitat to the west of Omega South.

WBC Flood Risk
No objection, subject to conditions recommended by the Environment Agency.

WBC Social Regeneration
Will work with promoter of the development and relevant parties to reach agreement for the provision of job/training opportunities for both the construction phase and in terms of end use opportunities.

Archaeology
No archaeological implications; no further mitigation is advised.

Highway Agency
No objection subject to conditions.

Environment Agency
No objection subject to conditions.

United Utilities
No objection subject to conditions.

Halton Borough Council
To be reported.

St Helens Council
To be reported.

Wigan Council
To be reported.
Responses to Notification (Full details on file)
Neighbours: Six letters of objection:
- until recently, plans on Omega south were for “low level elevation” office units – this proposal entails a huge 40 metre high over-bearing distribution centre building
- vast increase in industrial HGV traffic on local road network, which currently caters for domestic traffic to local housing and three schools
- schools are located almost adjacent to Omega South causing health and safety concerns for the hundreds of children who walk to those school on a daily basis
- vastly over-sized building in central location making its presence more prominent within the semi-rural aspect
- huge insult to the look of the land, and to local residential community
- increased noise from 24 hour operation
- loss of birdlife and habitat
- have been grossly mis-led by the Council – consultation events in the past have shown a hotel, offices, café areas etc
- air pollution
- insufficient consultation with neighbouring housing estates
- insufficient consideration of presence of the Pickett-Hamilton fort – a Scheduled Ancient Monument
- inadequate surface water disposal
- low or unskilled employment on Omega South is a betrayal of the promise to deliver quality career based employment opportunities
- EIA is required due to several potential adverse aspects of the proposal
- visually harmful external materials/appearance
- particle pollution

Comment:
- it is acknowledged that lower level buildings were mooted as part of the masterplanning of Omega South. The building would undoubtedly stand out and be visible from long distances, for example from Burtonwood village and from suburban Warrington. However, visibility of the building does not amount to visual harm. It is a matter for Members now to consider whether the height of the proposed building would be seriously harmful – it is the view of the Officers that such serious harm would not result
- the building has been designed with specific internal processes in mind – including precision stock control and product stacking, the use of automated cranes etc and this is acknowledged to have dictated the height of the proposed building
- HGV traffic would travel directly to and from the M62 via junction 8
- it is acknowledged that some noise from the building - including vehicle noise – would be experienced against the ambient noise from the M62
- mitigation for the acknowledged loss of ground nesting bird habitat will be secured by condition
- proposals for a hotel, offices etc will come forward as part of the Masterplan for Omega South – as will measures for the setting of the Pickett-Hamilton fort
- other phases of Omega South will deliver professional employment opportunities as originally envisaged
• the local planning authority is of the view that this is not EIA development

Conclusions and reasons for recommendation/decision

The site is allocated for employment development on the adopted UDP Proposals Map and is designated as a Strategic Location as part of the emerging Local Plan Core Strategy (LPCS). It is agreed that the proposals accord with the principles of the NPPF and will support economic regeneration and growth. Substantial weight can also be attached to policy CS7 of the LPCS – which identifies the site as part of the wider Omega and Lingley Mere Strategic Location. Overall, the proposal is considered to be acceptable and to be in accordance with adopted and emerging policies – including policy CS7 of the emerging Local Plan Core Strategy and with policies DCS1; DCS3; DCS7; GRN2; REP1; REP5; EMP3; GRN22; of the adopted Warrington UDP.
WARRINGTON BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

28th March 2013

Report of the: Executive Director Environment and Regeneration Services
Report Author: Daniel Hartley - Development Control Manager
Contact Details: Email Address: dhartley@warrington.gov.uk
Telephone: 01925 442809

Ward Members:

1. **SUMMARY PAPER – REPORT ON:**
   
   Results of Planning and Enforcement appeals as attached.

2. **Purpose of the Report:**
   
   To advise members of the results of appeal(s).

3. **Recommendations:**
   
   To note the report.

4. **Reason for Recommendation:**
   
   To inform Members of the result of an appeal.

5. **Confidential or Exempt:**
   
   Not applicable

6. **Financial Considerations:**
   
   None.

7. **Risk Assessment:**
   
   Not required.

8. **Equality Impact Assessment:**
   
   No equality impact assessment is considered to be required.

9. **Consultation:**
   
   Not relevant
10. **Clearance Details** *(Record of clearance of report)*:

<table>
<thead>
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<th>No</th>
<th>Date Consulted</th>
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<tbody>
<tr>
<td>Relevant Executive Board Member</td>
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<td>SMB</td>
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<td>No</td>
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<tr>
<td>Relevant Executive Director</td>
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<tr>
<td>Solicitor to the Council</td>
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<tr>
<td>S151 Officer</td>
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<td>No</td>
<td></td>
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<tr>
<td>Relevant Head of Service</td>
<td>Peter Taylor</td>
<td>Yes</td>
<td></td>
<td>18.3.13</td>
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</table>

11. **Background Papers**:  
Planning application and appeal decisions attached

**Contacts for Background Papers:**

<table>
<thead>
<tr>
<th>Name</th>
<th>E-mail</th>
<th>Telephone</th>
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<tbody>
<tr>
<td>Daniel Hartley</td>
<td><a href="mailto:dhartley@warrington.gov.uk">dhartley@warrington.gov.uk</a></td>
<td>01925 442809</td>
</tr>
</tbody>
</table>
Appeal Decision

Site visit made on 19 February 2013

by Brendan Lyons  BArch MA MRTPI IHBC
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 March 2013

Appeal Ref: APP/M0655/D/13/2190961
12 Acton Avenue, Appleton, Warrington WA4 5PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Peter Davies against the decision of Warrington Borough Council.
- The application Ref 2012/20846, dated 29 October 2012, was refused by notice dated 7 December 2012.
- The development proposed is a single storey extension to side.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension on the character and appearance of the house and of the surrounding area.

Reasons

3. Acton Avenue is a suburban residential road, of which this section is mainly lined with two-storey semi-detached houses. Among these is No.12, which occupies a wide plot at the corner of a narrow cul-de-sac. The house already has a substantial two-storey extension to the side, as well as single-storey extensions to the rear. It is now proposed to add a single-storey garage to the side of the two-storey extension, where there is an existing free-standing timber shed.

4. The existing extension is wide in comparison with the original house and is not set back from the original front wall. Because of its scale and bulk, it does not form a subordinate extension to the house, as advised by the Council’s Supplementary Planning Guidance (‘SPG’) 2: House Extension Guidelines, and has significantly affected the balanced appearance of the semi-detached pair.

5. The proposed extension, although only single-storey in height, would add further width to the frontage and would increase the dominance of extensions over the scale of the original house. The roof, which would be hipped to the front, would be at a much shallower pitch than both the main roof and that of the existing rear extension, so that the proposal would appear incongruous when seen in conjunction with them.

6. The proposal would increase the house’s prominence in the street scene. The extension would almost fill the width of what would originally have been a
generous plot. Perhaps due to the formation of the cul-de-sac, the side boundary of the plot steps in so that the street frontage is narrower than the rear. As a result, the proposed extension would appear constrained on the plot, reducing the space around the house at the junction.

7. The house stands at the end of a row of similar houses, but contrary to the Grounds of Appeal, not all of these houses have single-storey garages attached, and the garages that are there tend to have a parapet wall to the front. The appeal proposal would not be completing a strong existing pattern, and because of the property’s corner location would be more open to views from the front and side than the other houses.

8. The proposal would result in an adverse effect on the character and appearance of the house and on the wider area, contrary to the requirements for extensions set out in Policies DCS9 and HOU8 of the Warrington Unitary Development Plan and to the more general design objectives of Policy DCS1, as well as to the guidance of the SPG. These policies are consistent with the national policy guidance of the National Planning Policy Framework (‘the Framework’), which advise that good design is a key aspect of sustainable development, indivisible from good planning.

9. I note that a previous appeal for a similar proposal was dismissed in June 20121. The current Grounds of Appeal outline the changes made to the earlier proposal. The proposed front set-back of 300mm would not be greatly significant and would not succeed, as claimed, in breaking up the massing of the extended house. The shallower roof pitch would detract from the proposal. The house and its neighbours are not of exceptional architectural interest and do not form part of a conservation area, but the Framework’s objectives for high quality design apply to all development. The existing extension includes a garage. The benefit of the proposed additional garage would not outweigh the adverse impacts of the form of development now proposed.

10. For the reasons set out above, and having taken account of all representations made, I conclude that the appeal should be dismissed.

Brendan Lyons
INSPECTOR

1 Appeal Ref APP/M0655/D/12/2175818
<table>
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<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
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</thead>
</table>
| 1    | 2    | 2012/20943 | FIELD OFF TANNERY LANE, PENKETH, WARRINGTON  
Proposed timber stable block, associated yard area and access track  
DEFER – SITE VISIT                | Approve                          |
| 2    | 17   | 2013/21119 | New World Site, Thelwall Lane, Latchford, Cheshire, WA4 1NL  
Proposed substitution of house types to plots 53-55 & 253-271 and the construction of 13 new 2 storey dwellings  
APPROVE – ADDITIONAL CONDITION RE PUBLIC OPEN SPACE | Approve                          |
| 3    | 36   | 2013 21340 | LAND TO THE SOUTH OF THE M62, WEST OF JUNCTION 8, OMEGA SOUTH, WARRINGTON  
Proposed distribution warehouse development with associated access, landscaping, estate roads, HGV and car parking, attenuation pond and other ancillary development  
APPROVE SUBJECT TO REVISED PLANS AND CONDITIONS:  
- REDUCTION IN BUILDING HEIGHT BY 5 METRES  
- REVISED ROOF DESIGN & SCHEDULE OF EXTERIOR MATERIALS  
- DELETION OF SUGGESTED CONDITION RE: REPLACEMENT HABITAT AND INCORPORATION OF SUITABLE MEASURES IN S106 INSTEAD  
- ADDITIONAL CONDITION RE PROTECTION OF GREAT CRESTED NEWTS  
- MODIFICATION OF CONDITION RE HIGHWAY AGENCY REQUIREMENTS | Approve subject to a Sec 106 Agreement |