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

25 July 2012

Development Management Committee
Thursday, 2 August 2012 at 6.30pm

Council Chamber, Town Hall, Sankey Street, Warrington

Agenda prepared by Louise Murtagh, Democratic Services Officer –
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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**

Members are reminded of their responsibility to declare any personal or prejudicial interest that 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 12 July 2012 as a correct record.

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


**Part 2**

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

*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

12 JULY 2012

Present: Councillor T McCarthy (Chair)
Councillors J Carter (sub for G Settle), G Friend,
T Higgins, L Hoyle, L Ladbury, L Murphy, F Rashid,
J Richards and S Roberts (sub for J Davidson)

DM14 Apologies for Absence

Apologies for absence were received from C Jordan, J Davidson, L Ladbury
and G Settle

DM15 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

DM16 Minutes

Resolved,

That the minutes of the meeting held on 21 June 2012 were agreed as a
correct record and signed by the Chair.

DM17 Planning Applications

Resolved,

That following applications be deferred to enable a site visit to take place.
The applications would be brought before the Committee meeting on 2
August 2012:

2012/20007 - Bank Park Depot, Kendrick Street, Warrington WA1 1UZ
Proposed demolition of existing building and associated parking
and construction of part 2, part 3 storey office building with
associated parking, site entrance and landscaping.

2012/20011 - Bank Park Depot, Kendrick Street, Warrington WA1 1UZ
Application for conservation area consent for proposed
demolition of existing building and associated parking and
construction of part 2, part 3 storey office building with associated
parking, site entrance and landscaping

Site visit to take place on Friday, 27 July 2012.

DM18 2012/19826 – Plot 4 Barley Castle Trading Estate, Appleton Thorn,
Warrington, WA4 4SN - Proposed construction of class B8 storage
and distribution warehouse with ancillary office/welfare facilities,
creation of 39 delivery van parking spaces, 60 car parking spaces
and 3 disabled parking spaces, covered cycle store to accommodate 5 cycle parking stands, docking facilities for HGVs and delivery vans, refuelling and vehicle wash/maintenance area, associated manoeuvring and circulation hard standings, separate car parking and servicing entrances, erection of new means of enclosure and sliding entrance gates around site periphery, associated soft landscaping treatment, installation of lighting and miscellaneous associated plant, together with highway safety improvements along the existing service road (to include creation of safe pedestrian routes, crossing points and replacement of existing lighting), and the creation of a security control booth of 8m2 with associated vehicle barriers.

The Executive Director of Environment and Regeneration submitted the above application for approval subject to conditions including a Section 106 agreement.

This application had been deferred from the previous meeting of the committee held on 21 June 2012 to enable a site visit to take place.

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

Resolved,

That planning application 2012/19826 be approved subject to conditions including a Section 106 agreement.

DM19 Results of Planning and Enforcement Appeals

A report of the Executive Director of Environment and Regeneration set out the result of a recent appeal along with the Inspector’s findings and the Director’s subsequent comments:

<table>
<thead>
<tr>
<th>Application/Appeal Reference</th>
<th>Location and Description</th>
<th>Committee/Delegated Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/18487 M0655/A/11/2163479</td>
<td>Land at Cliff Lane Farm, Cartridge Lane, Grappenhall Proposed bungalow</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
</tbody>
</table>

Resolved,

That the report be noted

DM20 Land to the rear of Petersfield Gardens

The Development Services Manager provided Members with a summary of the relevant planning history in relation to land to the rear of Petersfield Gardens.
following which members of the public were given the opportunity to voice their concerns regarding alleged breaches in planning consent granted.

**DM21 Exclusion of the Public (including the Press)**

Resolved,

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

**DM20 Land to the rear of Petersfield Gardens**

The Committee received the report of the Executive Director Environment and Regeneration Services in relation to land at the rear of Petersfield Gardens. Additionally Members had undertaken a site visit to gain a better understanding of the issues outlined.

On 23 March 2011 application number 2010/17431 had been approved with conditions to allow the construction of three stables, tack/store room and associated access and hard standing together with exercising of horses.

Several complaints had since been received by the Planning Enforcement Section regarding works involving the access track at the above site. A subsequent site visit undertaken by officers revealed that the access track had not been laid out in accordance with the approved plans attached to above planning permission.

The issues were discussed at length by Members, taking into consideration legal advice provided by officers and the information supplied by members of the public.

Following which it was resolved that:

1. Enforcement action be commenced to remove all material including base and access reinstated in complete accordance with approved plans; and
2. Retrospective application not to be determined prior to enforcement action being taken.

Signed…………………………

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

**Thursday 2nd August 2012**

**Start 18:30**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>2012/20007</td>
<td><strong>Bank Park Depot, Kendrick Street, Bewsey and Whitecross, Warrington, WA1 1UZ</strong>&lt;br&gt;Proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping.</td>
<td>Approve subject to Section 106 agreement</td>
</tr>
<tr>
<td>2</td>
<td>16</td>
<td>2012/20011</td>
<td><strong>Bank Park Depot, Kendrick Street, Bewsey and Whitecross, Warrington, WA1 1UZ</strong>&lt;br&gt;Application for conservation area consent for proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping.</td>
<td>Approve subject to conditions</td>
</tr>
<tr>
<td>3</td>
<td>20</td>
<td>2012/20047</td>
<td><strong>Former HMS Gosling, Lady Lane, Croft, Warrington, WA3 7AY</strong>&lt;br&gt;Proposed demolition of existing buildings and construction of 25 No 4/5 bed houses (with solar panels), access and landscaping (resubmission of 2011/19144).</td>
<td>Approve subject to Section 106 agreement</td>
</tr>
</tbody>
</table>
Application Number: 2012/20007

Location: BANK PARK DEPOT, KENDRICK STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1UZ

Ward: Bewsey and Whitecross

Development: Proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping.

Applicant: Mr Mercer

Recommendation: Approve subject to Section 106 Agreement

Conditions:
- Standard Time limit -full 3 years
- Accordance with approved plans
- Energy efficiency and renewable measures
- Job/training opportunities to be agreed
- Archaeological monitoring
- Land remediation
- Noise insulation of any external plant
- Landscaping to be agreed
- Implementation of agreed landscaping
- Tree protection measures
- Measures for bats
- Protection of nesting birds
- Paving and visibility splays
- Travel plan to be implemented
- Car & cycle parking

This application was deferred for a site visit at the 12th July 2012 meeting of Development Management Committee. Members visited the site on 27th July 2012.

Reason for Referral

- The applicant – Golden Gates Housing Trust – is a registered provider of social housing, to whom the Council’s housing stock was transferred in November 2010.
Description

• This application is submitted concurrently with 2012/20011, for conservation area consent
• GGHT currently have premises at 88 Sankey Street – it is likely that WBC will re-use or let those premises as offices following re-location of GGHT
• A purpose built, part two storey, part three storey new headquarters building for Golden Gates Housing Trust (GGHT) is proposed
• The scheme also aims to provide potential for future expansion
• The existing buildings on the depot site – a greenhouse (the locally-listed “Crossfields Conservatory”) and two depot structures - would be removed to make way for the re-development
• The two storey element would have a “green roof”; the three storey part would incorporate photovoltaics
• 47 car parking and 20 cycle spaces would be provided on site
• 182 FTE employees would operate from the site

Location

• An approx 0.3 ha dis-used depot site, alongside part of Kendrick Street – which is itself the remnant of an older route now severed by Midland Way. The site abuts an approx 40m stretch of Midland Way to the north - and a 50m stretch of Kendrick Street itself
• Bank Park itself is to the immediate south and west
• The site is within the Town Centre in UDP policy terms, and is within the Town Hall Conservation Area (THCA) boundary – abutting its northern edge and is within the wider setting of the Town Hall – a grade 1 listed building
• The proposed new building would be approx 180m from the Town Hall building, and approx 130m from the back of the east annex
• A 2m high brick wall currently backs the pavement along Midland Way would also be removed

Relevant History

• Planning applications for minor works have been made at the depot site since 1995
• The parkland area surrounding the site was opened as Warrington’s first public park in 1873

Main Issues and Constraints

• Principle
• Impact on character/appearance of street scene/setting
• Trees and wildlife
• Highway matters
• Impact on living conditions
Key policy/guidance checklist

The National Planning Policy Framework

Supplementary Planning Guidance/Documents:
Bank Park SPD
Design and Construction SPD
Town Hall Conservation Area document

Adopted Warrington UDP policies:-

| DCS1; SOC1; | Principle | The site is within the Town Centre in UDP policy terms, where proposals for uses including offices are acceptable in principle. The potential to upgrade Bank Park and the setting to the Town Hall as part of the Council’s Development Management activity is set out in the approved Bank Park SPD (2010). The site is very accessible to the town centre – and is a sustainable location in that sense. The re-development would re-generate the dis-used former depot site in broad accord with the approved Bank Park SPD and with the Town Hall Conservation Area (THCA) document. |
| DCS1; GRN2; BH5; BH8; | Impact on character/appearance of street scene/setting | This application is submitted concurrently with 2012/20011, for conservation area consent – which considers the impact of the proposed demolition on the character and appearance of the THCA. Outside the THCA, existing buildings heights vary up to five storeys – along the Sankey Street edge. Although within the wider setting of the Town Hall, the site is not considered to be within its curtilage – as defined by the Planning and Listed Building Acts. English Heritage are uncertain as to whether this is the correct position in law – and are not clear as to whether the site contains buildings which are – strictly – “curtilage buildings” – within the curtilage of the Town Hall. If the locally-listed “Crossfield Conservatory” building is confirmed as a curtilage building – other parts of NPPF would become relevant, including the need to balance the potential harm of its loss with any public benefits achieved by the development. The contemporary design of the new building presents some contrast with the surrounding context – which is typified by buildings and formal spaces forming the main part of the Warrington’s civic heritage. The proposed use of traditional materials – especially brick and render – is informed by the 18th & 19th century context. The building is considered capable of introducing much stronger townscape to the Midland Way edge than currently exists. English Heritage, however, remain highly critical of the scheme – for example highlighting what they regard as a poor relationship with Bank Park – and failing to take proper and full account of other historical relationships. The proposed landscaping is intended to reflect that of the parkscape – by including a variety of trees, plants and shrubs – which would complement the existing stock. |
| DCS1; GRN2; GRN22; | Trees and wildlife | Detailed survey work has been submitted and assessed, with the conclusion that the scheme would not seriously impact on protected habitats or species. Some tree loss would occur – including a large ash (T317) on the north west of the site access. |
| DCS1; LUT1; LUT20; | Highway matters | The site is very accessible to the town centre, is well served by buses – and so is a sustainable location in these important senses. A financial contribution of circa £50k, on the basis of the adopted “Planning Obligations” SPD has been agreed with the applicant (Appendix 2). |
| REP1; REP8; | Impact on living conditions | The nearest housing is on Rolleston Street approx 50m to the north of the site, on the far side of Midland Way and the railway line. Houses on Crossfield Street are further away – approx 108m distant. In these circumstances, it is not considered the proposal would impact significantly on |
Other material considerations

The site is within an area of archaeological potential - and so a condition is recommended to require monitoring.

The proposed re-development would entail the remains of the locally-listed “Crossfields Conservatory”. The glazed part of this building has long since disappeared – and it is generally in a poor state – so that together with the more modern depot buildings, hardstands, fencing etc does not contribute positively to the Conservation Area. This matter is considered separately as part of 2012/2011. English Heritage remains critical of the absence of an attempt to research the history of the Conservatory – and of any exploration of a way to retain it as part of a finished scheme.

The proposed office building would have a green roof – which is considered to be in the scheme’s favour as a sustainable drainage measure.

Comment:

- The Bank Park SPD was adopted in March 2010. It indicated the general accept ability of development in the park, specifically including the area currently occupied by the depot. The SPD was the subject of extensive publicity and consultation, which included contact with English Heritage. A range of comments and objections were received and considered as the Executive Board confirmed approval of the policy document. This proposal is considered to accord with the approved Bank Park SPD, in the following regards:
  - The position of the building and its park facing design help the development to define the north east edge of Bank Park and also to be integrated with the park. The orientation of the building assists in this - as does the landscaping design which echoes and strengthens the tree lined pedestrian routes. The new landscaping will also bring the derelict corner of the park into life - with activity & colour
  - A major factor of the ability to be integrated into the park is the lack of a boundary fence. In accordance with the SPD the proposed building and its surrounding landscaping would visually appear as part of the park
  - Integration with existing cycleway provision
  - The Council’s aspirations to improve Bank Park with a development partner is fulfilled

Responses to consultation (Full details on file)

Planning Policy

No objection.

Highways

No objection, subject to conditions. A financial contribution of circa £50k has been agreed with the applicant. Appendix 2 below.

Environmental Protection

No objection subject to conditions.
Tree Officer

No objection subject to condition - and subject to the retention of the ash specimen at the Kendrick Street entrance.

Parks and Green Spaces

Object:
- The planting in the south west corner is not supported as clear access is required at this location for maintenance vehicles to enter the Park
- The footpath link within the park will require relocation from the western path across the park towards the court in order to provide a logical pedestrian route across thus reducing inconvenience to park users
- The stopping up of the established path at the south east corner is not supported. This route should be redirected to provide adequate access to Kendrick Street from Bank Park, thus reducing inconvenience to park users
- T164 is a specimen Ash tree at the Kendrick Street entrance; this tree should be retained as an amenity feature. I would recommend that design / positioning options are considered which will retain this tree
- A specimen Black Mulberry; Morus nigra should be included within the planting schedule to compensate for the loss of the mature specimen located to the east of the conservatory

English Heritage (EH)

- EH remain critical of the proposal – in terms both of the analysis of the historical context of the site - and of the merits of the proposed building’s design and impact
- EH were not consulted pre-application as claimed by applicant
- EH recommend that the application is withdrawn until such time as a scheme is produced which more clearly enhances the conservation area and the setting of the Town Hall
- EH has met with the applicant and Officers – since the submission of the application – and following supplementary design work and justification by the applicant – but remain critical of the proposal
  - the appraisal of relevant UDP policies is selective and there is no reference to policies concerning development in the vicinity of listed buildings; locally listed buildings or development in conservation areas;
  - consideration of NPPF requirements is inadequate;
  - no appreciation of how Town Hall might influence scheme design
  - misses opportunity to contribute to the distinctiveness of the site and there is little to distinguish the building from many office or business park developments
  - use of render on main elevation facing Bank Park would conflict with established character and increase prominence of the proposed building
scheme would not sustain or enhance the significance of the relevant heritage assets

Comment

- English Heritage have two areas of concern – firstly whether the principle of development is acceptable, given location possibly within the curtilage of the grade 1 listed Town Hall or at least affecting the setting of the Town Hall; and secondly that even if the principle of the development is acceptable the design of the proposed building is unsympathetic and lacks reference to the historic setting in which it is to be located.

- Consideration of the first issue can usefully reflect on the historic relationship of the depot site, the Town Hall and the Park. The depot is a much altered and amended group of buildings which have served to accommodate the maintenance functions of the Park. It is not believed that the buildings were functionally part of the Town Hall when it was used as a residence. It does not have the same relationship as a coach house, maintenance space for kitchen or residential gardens. There is perhaps some useful contrast with ancillary buildings at Walton Hall which can be seen to relate to the historic residential use. Further the character if the existing buildings and their physical relationship with Town Hall, together with the visual separation as a result of landscaping and layout, would appear not to preclude the redevelopment of this part of the wider Park. There appeared to be some acceptance of this position – including views expressed by English Heritage when the SPD was adopted.

- The design of the building is clearly the most contentious issue. English Heritage advocate a design which can more distinctly draw upon the historic setting with the Park and relative to the Town Hall. The design, form and scale of the Crown Court building is seen by EH as a successful interpretation of a building which sits comfortably within the setting of the Town Hall and the Park. The proposed building makes a statement and seeks to define the northern edge of the Park and present the wider Town Hall area. A distinct boundary is avoided, parking and landscaping blending into the wider park in the absence of fencing or other boundary treatment. Extensive areas of glazing are used to reflect trees and planting within the Park.

- There are clearly differences of view over the subjective issue of the suitability of design in this instance. This is a matter over which the Committee can rightly take a view which seeks to balance the somewhat contradictory assessments of the applicant’s representatives and English Heritage.

- The loss of the ash tree is necessary to allow adequate access

Environment Agency

No objection subject to condition.

Archaeology

No objection subject to condition.

Responses to Notification

(Full details on file)

Ward Councillor

Councillor S Parish has commented – Appendix 1 below.
Neighbours

Neighbours: Six Emails/letters of objection:
- The proposal should: Be in keeping with Bank Park; Encourage social and recreational use of the Park and benefit the residents of Warrington; Discourage anti-social gatherings / behaviour
- The proposal is not in keeping with Bank Park; the existing, low profile, lightly occupied, Parks and Woodlands premises is in keeping with Bank Park’s wooded environment
- Proposal will not encourage social and recreational use of Bank Park; Office buildings are cold, uninviting, and leave a dead zone within and beyond working hours
- Encroaches into the Park, and would harm the social and recreational use of the Park
- Has the development of this site to encourage social and recreational use of Bank Park been considered?
- Warrington has surplus vacant office space and numerous sites available for development
- Which locations were considered during the final assessment of potential sites for these headquarters?
- Why has this location been chosen over other locations?
- What organisations are financing this development? What are the costs to the tax payer?
- What organisations are to fund the various costs associated with the relocation of the existing site inhabitants (Parks and Woodlands Section)? What is the cost to the tax payer?
- Has the impact to local traffic resulting from the proposed development at Kendrick Street been assessed? If so, what were the results of this analysis?
- The boundary shown on the site plan suggests there may be a loss of land currently available for public access;
- Will the land currently available public access land remain available for public access following the proposed development?
- Does this development comply with the ‘Law of Rights of Commons’?
- Is the development site considered part of Bank Park?
- Will this involve the loss of mature trees?
- Has consideration been given to screening off the building with mature trees from the rest of Bank Park?
- Can we be provided with detailed plans?
- Any plans to divert traffic away from Crossfield Street?
- Totally uninspiring design – could be found in any business park – what criteria given by Council – have just copied the Travelodge
- Should be greater use of glass and timber – not an expanse of white wall crying out for graffiti;
- Inspiration should come from past use of the site;
- Previous buildings have had to be in keeping with the area
- Pity the building is not of similar appearance to the one it replaces
- This would not be allowed on Sankey Street – but it is the same conservation area
- Glare from glass and render
- Lack of community involvement – why have the people of Warrington’s views not been canvassed as it is their park?
- Loss of sunlight
- Cllrs M Hannon and T O’Neill said in February that the building would not exceed a ground and first floor only
- I have witnessed the loss of the menagerie; the band stand; and the bowling green – now the Council wants to sell off part of this public space
- Totally opposed to any demolition of existing structures – despite their appearance – they are part of the original conservation area

Comment:

- The principle of a new office building in this location is considered to be acceptable – and not to conflict with the adopted Bank Park SPD, nor the Conservation Area status and integrity;
- The suitability and standard of the proposed design approach is clearly strongly disputed by the objectors
- The re-generative impact of the scheme is acknowledged – as is its potential to prevent anti-social behaviour; the way in which the park is used recreationally, and the role it plays as a town park – is not considered to be seriously harmed or reduced
- There is no requirement for the applicant to show why other sites were or were not considered and discounted; the benefits of locating an office HQ for a housing trust in a central and accessible location are acknowledged
- Although not material to this proposal, the applicant considered various locations and existing offices in Warrington – prior to settling on Bank Park; the applicant requires both a bespoke office design and a town centre location
- Although not material to this proposal, the applicant will fund the development and state that no public funding will be used; WBC Estates will receive payment from the applicant in the form of a lease – the existing WBC Parks & Green Spaces use will be re-located to other existing WBC property
- Advice concerning traffic impact is set out elsewhere in this report – including the basis for a S106 financial contribution
- Vehicular access through the site is under discussion with WBC Estates – the scheme would divert footpaths which cross the site back into the park – together with the possibility of some public parking
- The site is considered to be within the setting of the Town Hall, but not within its curtilage – it is academic as to whether the site is within Bank Park
- The relevance of the “Law of Rights of Commons” is not made clear in the objection
- Bank Park was purchased by the Council in circa 1875 for the use and enjoyment of the public. There is no public access to the existing Council depot and this situation will remain unchanged. The entirety of the park - as can be seen today - will remain for the benefit of the public
- There would be some loss of mature trees – but this would be in the overall interests of managing the site’s tree cover; to allow other specimens to flourish and retaining a parkland setting and wooded backdrop to the new building; there is no objection from the Council’s Tree Officer, subject to the retention of the ash near Kendrick Street
- There are no current plans to increase the height of the proposed building or to expand its parking; some such works may take place without the need for planning permission if consent is granted now
- Screening off the site with mass new structure planting has not been considered in earnest
- Detailed plans have been available to view since early May 2012
- There are no plans to divert traffic away from Crossfield Street
Conclusions and reasons for recommendation/decision

The site is within the Town Centre in UDP policy terms, where proposals for uses including offices are acceptable in principle. The potential to upgrade Bank Park and the setting to the Town Hall as part of the Council’s Development Management activity is set out in the approved Bank Park SPD (2010). The site is very accessible to the town centre – and is a sustainable location in that sense. The re-development would re-generate the dis-used former depot site in broad accord with the approved Bank Park SPD and with the Town Hall Conservation Area (THCA) document.

Overall, it is considered that the proposal would accord with policies DCS1; REP1; REP8; GRN2; GRN22; BH5; BH8; BH13; BH14; LUT1; LUT20; and SOC1 of the adopted Warrington UDP; with the Town Hall Conservation Area document; with the Bank Park SPD and with the aims of NPPF.

Appendix 1 – Comments from Ward Councillor

1. The Bank Park Area Supplementary Planning Document says that "it is important to note that the Possible Bank Park Depot Development Site is indicative only. Development proposed on the site would have to be assessed and justified against policies set out in the Planning Policy Framework section, including those relating to the protection of green space". This section of the SPD is now out of date because of the replacement of Planning Policy Guidance notes and Planning Policy Statements with the National Planning Policy Framework.

Objections from nearby residents have included references to the status of the land and the commercial justification for the development; while these may not strictly be planning issues in themselves, NPPF (#129) says that "existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or the need for and benefits of the development clearly outweigh the loss". The suggestion is that the deed of gift for the land was for a park, and the use of the land for servicing the park does not expunge that original intention, in which case this section of the NPPF should apply, and the commercial arrangements (including financing of the development) would be part of the planning considerations.

2. In the Design and Access statement (p.13) it is said that the location is just as accessible for pedestrians and cars as 88 Sankey Street. For those using public transport then walking, reaching the new premises will entail walking further, perhaps in inclement weather with little opportunity for shelter en route.

The statement that the proposal will stimulate economic growth by releasing 88 Sankey Street for a new tenant should be given little credence, given the number of empty offices in the vicinity and consequent applications to convert office premises for residential use.

Reference on p.12 to the bus depot presumably means Bank Park Depot.

3. I assume it has been determined that the site is not regarded as being within the curtilage of the Town Hall (and thus needing listed building consent). I take it that there is nothing left within the site that could be considered “ancillary” to the Town Hall, but had any of the original boundary wall remained to the application site it would have been hard not to regard that as covered by the listing. The site includes the metalled roadway at the south side, and it is arguable whether this is currently part of the application site or part of the
park. Given the legal minefield of defining the curtilage of a listed building, it would be helpful to have a clear statement of the reasons why it is not regarded as part of the curtilage.

4. The plans show diverted footpaths at this roadway. It does not seem clear whether the diverted footpaths would be within the site of the new building or would encroach on what is at present grassed areas of the park. If these are rights of way, presumably a separate application to divert the paths will be needed, but it would be useful to have the details on record as part of the application.

5. I note that the designers of the new building have tried to include references to other buildings including the Town Hall. I’m not sure how well they have succeeded, but it remains a fairly unremarkable modern office building.

Appendix 2 – Advice from WBC Highways

The site benefits from being situated in a highly accessible location lying within a short walking distance of Warrington Bank Quay and Central Rail Stations and Warrington Bus Station.

1. Proposed Site Access

The site is currently served via a circa 5m wide vehicular access from Kendrick Street. Kendrick Street connects with Legh Street to the south east to provide direct access to the town centre. To the north of the existing site access, Kendrick Street is stopped up at its former junction with Midland Way, with linkages through this area for pedestrians only.

Proposed site plan 7178/08-10A seeks approval for construction of a 7m wide entrance onto Kendrick Street. This will replace the existing vehicular entrance to the site, and has been designed to be sufficiently wide to accommodate refuse vehicles, delivery vehicles, maintenance vehicles and fire appliances.

No visibility splays or tactile paving are shown at the proposed widened access onto Kendrick Street on proposed site plan 7178/08-10A. We would therefore seek to ensure provision of visibility splays of 2.4m x 42m and the installation of tactile paving at the proposed site access by way of planning condition.

Site observations have noted that the proposed widening of the site access may also necessitate the relocation of a street lighting column to the north west of the existing site access. The applicant is therefore advised to contact the Council’s Street Lighting section to determine whether the street lighting column will be affected by the proposed widened junction, and if so, whether it can be relocated.

2. Proposed Parking Provision

Proposed site plan 7178/08-10A seeks to provide 46 parking spaces to serve the proposed development. The proposed office building represents 2044 sqm of B1 floorspace.

The Council’s maximum adopted standard for B1 Office use is 1 space per 35 sqm.

Therefore, on the basis of the 2044 sqm B1 office space proposed:

\[ \frac{2044}{35} = 58 \text{ spaces maximum.} \]
The proposed 46 spaces therefore fall within the Council’s adopted maximum parking standards.

In terms of cycle parking, it is noted that proposed site plan 7178/08-10A includes provision of 20 cycle parking spaces. Furthermore, the proposed development will offer showers, lockers and changing rooms for the use of cyclists. This is welcomed.

3. Swept Path Analysis

The internal layout of the site has been designed to accommodate servicing by a large 3 axle refuse vehicle. The swept path of such a vehicle satisfactorily entering, manoeuvring and exiting the site is shown on drawing number 2667-X-(96)-01.

4. Traffic Regulation Orders

Within the submitted Transport Statement (para 3.6), the applicant has requested that:

“To assist with turning manoeuvres at the site access and to prevent blocking of the carriageway, it is proposed that the existing Traffic Regulation Orders on Kendrick Street are extended.”

It is to be noted that at present the majority of Kendrick Street is covered by a No Waiting At Any Time (Double Yellow Line) Traffic Regulation Order, with the exception of a short section of highway directly opposite the proposed site access and at the stub of Kendrick Street by Midland Way. During a site visit undertaken on the 6th June 2012, this unrestricted parking area was observed to be accommodating around 12 parked vehicles.

Whilst the extension of the TRO is not formally required to facilitate access to the proposed development – the proposed site access being some 7m wide – the extension of traffic restrictions opposite the access would ensure access for larger vehicles would not be compromised.

Accordingly, the Council’s Traffic Management section has confirmed that the proposed amendments to the Traffic Regulation Order covering Kendrick Street can be implemented for a cost of approximately £3,000.

5. Footpath Diversions

The Council’s Public Rights of Way Officer has been consulted in respect of the application and has confirmed that there are no recorded Public Rights of Way affected by the proposals. There are however, a number of paths with historical public usage recorded within Bank Park that will need to be redirected as a result of the proposals.

The Council’s Public Rights of Way Officer is satisfied with the proposed redirection of these paths and has therefore raised no objections to the proposals.

6. Supplementary Planning Document

The Council’s Supplementary Planning Document “Planning Obligations”, approved by the Executive Board on the 17th September 2007 has been considered. This
attaches a cost of £413 per additional daily trip generated by the development in order to mitigate the transport impact of proposals.

The TRICS database identifies that B1 office space will on average attract 15.5 trips per 100 sqm of GFA per day. On this basis the SPD calculation would therefore be:

\[ 20.44 \times 15.5 \times 413 = £130,846 \]

However, given that the proposed development is located within the town centre, with close proximity to bus and rail stations, and also that the proposed development seeks permission for reduced levels of parking; it is considered that a significant reduction to the SPD calculation can be applied in this instance.

7. Cycle and Pedestrian Improvements

Notwithstanding the above, site observations have however confirmed that there are a number of sustainable transport improvement measures that would be relevant and necessary to the proposed development. These are detailed below:

(i) It is noted that an on carriageway cycle lane passes immediately adjacent to the site on Midland Way. However no suitable route into Kendrick Street exists from the cycle lane. The creation of a cycle access point to Kendrick Street from Midland Way would therefore improve cycle accessibility to the site.

(ii) The nearest bus stops to the site are on Legh Street to the south of the proposed development site. However, site observations have confirmed that there is a distinct lack of suitable pedestrian crossing points on Legh Street. The provision of improved pedestrian crossing facilities on Legh Street would significantly improve pedestrian accessibility between the site, Golden Square shopping centre and the nearest bus stops.

In view of the above, we would welcome a contribution of £50,000 from the applicant towards implementation of the above sustainable transport improvements. It should also be noted that this sum would also cover the cost of implementing the requested TRO amendment on Kendrick Street as previously detailed.

8. Framework Travel Plan

A Framework Travel Plan has been submitted in support of the application. This has been reviewed by the Council’s Travel Plan Officer who has advised that:

(i) A Full Travel Plan, rather than a Framework Travel Plan could have been submitted in this instance due to the fact that the proposed land use, end user and travel patterns are known.

(ii) The Framework Travel Plan is considered to be lacking in commitment, comprising a list of measures that the occupier could implement. As the site is already very accessible, a workable Full Travel Plan could easily be developed by devising a marketing and promotion strategy.

(iii) A Travel Plan Co-ordinator should be appointed from within the current staff and a Travel Survey of existing travel demand should be undertaken at the earliest opportunity. This should identify how existing staff are intending to travel to the new site and what encouragement they would need in order to change their mode of travel. Measures and targets can then be linked to the survey outcome and be put in
place ready for the relocation.

In view of the above, we would wish to condition the submission and agreement of a Full Travel Plan prior to occupation of the development, and would advise the applicant that commencement of a Staff Travel Survey at the earliest opportunity would indeed be beneficial.

9. Summary and Conclusions

No highway objections are raised in respect of the proposed development, subject to a S106 agreement securing a contribution of £50,000 towards sustainable transport improvements within the vicinity of the site and the requested amendment to the Traffic Regulation Order on Kendrick Street. Should planning permission be granted we would also request that the following conditions are attached:

“Prior to occupation of the development, a scheme for the provision of tactile paving at the proposed site entrance onto Kendrick Street and the provision of visibility splays of 2.4m x 42m at the site entrance shall be agreed with the Local Planning Authority. Such scheme as is agreed shall be implemented prior to occupation of the development and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to occupation of the development, a Full Travel Plan (including Travel Plan survey, action plan measures and targets) shall be submitted to and agreed by the Local Planning Authority. The agreed Full Travel Plan shall be implemented as agreed unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to occupation of the development, the car and cycle parking spaces shown on drawing no 7178/08-10A shall be provided and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”
Application Number: 2012/20011

Location: BANK PARK DEPOT, KENDRICK STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1UZ

Ward: Bewsey and Whitecross

Development: Application for conservation area consent for proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping.

Applicant: Mr Mercer

Recommendation: Approve subject to conditions

Conditions:
- Standard Time limit -full 3 years
- Approved plans/drawings

This application was deferred for a site visit at the 12th July 2012 meeting of Development Management Committee. Members visited the site on 27th July 2012.

Description

- This application is submitted concurrently with 2012/20007, for full planning permission, also on this Agenda
- The locally-listed “Crossfields Conservatory” would be one of the buildings which would be removed to make way for this redevelopment, at the former depot site
- A 2m high brick wall currently backs the pavement along Midland Way would also be removed

Location

- The site is within the Town Hall Conservation Area and within the wider setting of the Town Hall – a grade listed building

Relevant History

- As for 2012/20007 – also on this Agenda.

Main Issues and Constraints

- Impact on character/appearance of conservation area and setting of listed building (the Town Hall)
Key policy/guidance checklist

The National Planning Policy Framework (NPPF)

Supplementary Planning Guidance/Documents:
Town Hall Conservation Area
Bank Park
Design and Construction

Adopted Warrington UDP policies:-

<table>
<thead>
<tr>
<th>DCs1; GRN2; BH5; BH8; BH13; BH14;</th>
<th>Impact on character/appearance of conservation area and setting of listed building (the Town Hall)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Given the physical distance from the Town Hall, from the west annex buildings and from any other listed buildings/structure within Bank Park – combined with the tendency for the site to be read in the context of the Midland Way frontage as well as the Park – it is not considered that the proposed demolition of buildings would seriously impact on the character/appearance of the conservation area nor the setting of any listed building, or the curtilage/setting of any listed building. The remnants of the locally-listed “Crossfields Conservatory” are now devoid of glass and are generally in poor condition, with tree growth within its confines.</td>
</tr>
<tr>
<td></td>
<td>Although within the wider setting of the Town Hall, the site is not considered to be within its curtilage – as defined by the Planning and Listed Building Acts. English Heritage are uncertain as to whether this is the correct position in law – and are not clear as to whether the site contains buildings which are – strictly – “curtilage buildings” – within the curtilage of the Town Hall. If the locally-listed “Crossfield Conservatory” building is confirmed as a curtilage building – other parts of NPPF would become relevant, including the need to balance the potential harm of its loss with any public benefits achieved by the development.</td>
</tr>
</tbody>
</table>

Responses to consultation (Full details on file)

As for 2012/20007 – also on this Agenda.

Responses to Notification (Full details on file)

As for 2012/20007 – also on this Agenda.

Conclusions and reasons for recommendation/decision

Given the physical distance from the Town Hall, from the west annex buildings and from any other listed buildings/structure within Bank Park and substantial intervening tree cover – combined with the tendency for the site to be read in the context of the Midland Way frontage – it is not considered that the proposed demolition of buildings would seriously impact on the character/appearance of the conservation area nor the setting of any listed building, or the curtilage/setting of any listed building. The remnants of the locally-listed “Crossfields Conservatory” are now devoid of glass and are generally in poor condition, with tree growth within its confines. Its loss and
replacement with new development would not seriously impact on or harm the character appearance of the conservation area.

Overall, it is considered that the proposal would accord with policies DCS1; REP1; GRN2; BH5; and BH8 of the adopted Warrington UDP; with the Town Hall Conservation Area document and with the aims of NPPF.
<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2012/20047</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Former HMS Gosling, Lady Lane, Croft, Warrington, WA3 7AY</td>
</tr>
<tr>
<td>Ward:</td>
<td>CULCHETH, GLAZEBURY AND CROFT</td>
</tr>
<tr>
<td>Development:</td>
<td>Proposed demolition of existing buildings and construction of 25 No 4/5 bed houses (with solar panels), access and landscaping (resubmission of 2011/19144).</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Elan Real Estate Ltd</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>Approve subject to Section 106 agreement</td>
</tr>
</tbody>
</table>

**Conditions:**
- Standard Time limit - full 3 years
- Accordance with approved plans
- Archaeological work
- Retention of visibility splays
- Surface water regulation
- To achieve Code for Sustainable Homes Level 4
- Land remediation
- Construction/demolition works: Mon-Fri: 08.00 to 18.00; Sats 08.30 to 13.30
- Landscaping to be implemented
- Scheme of tree/hedge protection

**Reason for referral**

Objections from Croft Parish Council and Ward Councillor – Cllr Vobe.

**Description & Location**

- This proposal is a re-submission of a scheme withdrawn by the applicant in February 2012 (2011/19144)
- A mix of 26, 2-storey, four and five bedroom houses are proposed, with eight double garages
- A green belt site of approx 1.74 ha – set amongst a site comprising approx 8.6 ha site in total – which formed part of the former HMS Gosling camp - abandoned since 1959
- The new build footprint would be 32,230 sq ft – compared to the existing built footprint of 32,977 sq ft
- The remaining floor slabs of the former accommodation blocks extend over a much wider area to the north
- The new development would be confined to the central area - within the internal roadway – which includes the remaining buildings visible
on site and two floor slab areas within the inner road - but excludes all the accommodation block slabs outside of that. The open areas comprising grassland and pond within that roadway are retained

- The part of the site where development is proposed is acknowledged to be “brownfield” – with substantial, brick-built remnants of former buildings clearly visible
- The maximum height of the houses would be 9 metres – compared to the maximum height of existing buildings on the site of 11m
- The site is surrounded on three sides by open countryside/farm land – with some dwellings set along the Lady Lane frontage
- A commuted sum - in lieu of on site affordable housing provision - of £240,000 has been agreed with the applicant, via S106 Agreement
- A S106 would also implement a woodland management plan and some on-site interpretation boards
- A contribution of £30k to allow the progression of a scheme of traffic management and on-street car parking improvements in the vicinity of St Lewis Primary School on Mustard Lane has also been agreed for inclusion within a S106
- 6.5 ha of new parkland available to the public at the site is proposed – including a wildflower meadows, a woodland walk and bird, owl & bat boxes
- There are ponds on the site which would be incorporated into the scheme
- The single, disused former access to the camp from Lady Lane would be developed as the sole vehicular and pedestrian access to the site
- A public footpath runs to the south of the site

Relevant History

An application for the conversion of existing buildings on the site was withdrawn in June 2007 (2007/10544).

This proposal is a re-submission of a scheme withdrawn by the applicant in February 2012 (2011/19144)

Main Issues and Constraints

Green Belt
Housing Land Supply/Policy
Nature Conservation/Trees
Flood Risk
Highway matters

Key policy/guidance checklist

The National Planning Policy Framework

Supplementary Planning Guidance/Documents:
Managing the Housing Supply
Affordable Housing
Design & Construction

Adopted Warrington UDP policies:-

| GRN1 | Green Belt | The proposed re-use of existing degraded land/buildings; improvements to public access through the site & to habitats are all generally supported – and matters of principle are addressed in Appendix 1 below.
|      |            | The new houses would extend beyond the footprint of the main derelict buildings on site – but would be well confined within former roadways on site and within areas where the slabs of other former buildings which previously occupied the site – notably to the north - remain.
|      |            | It is considered that the proposal would not conflict with the purposes of including land within green belt (as set out in paragraph 80 of NPPF). It is also concluded that, overall, the development would not have a greater impact on the openness of the green belt than the existing development on the site. The tallest existing buildings on the site are significantly taller than the proposed houses and this adds to the conclusion that the overall impact of the scheme would not seriously or significantly impact on green belt and would arguably improve openness by reducing building heights from that of the existing.
|      |            | It is accepted that the existing buildings on site are not realistically capable of re-use – and would not viably adapt to residential use. The proposed development would be well contained within established boundaries of the former camp - although physically detached and separated from other built development in Croft and along Lady Lane itself.

| HOU1; HOU2 | Housing Land Supply/Policy | A financial contribution of £240k towards the provision of off-site affordable housing has been agreed – and it is considered overall that the potential benefits of the scheme justify a departure from the strategic approach to the management of the Borough’s housing supply – as set out in adopted SPD. Detailed policy advice is set out in Appendix 1 below.

| GRN22 | Nature Conservation/Trees | Extensive planting and tree management measures are proposed in order to enhance and manage the site in the wider landscape and as a setting for the new housing development. The effort to balance the need to prevent a very formalised – or “suburbanised” – setting with the objective of creating new, publicly accessible areas of woodland and meadows is acknowledged.
|       |                         | Habitat creation and enhancement measures are also acceptable subject to conditions.

| REP4; REP5: | Flood Risk | The Environment Agency has confirmed no objection subject to condition. |
The detailed design of the proposed houses and the proposed layout is considered acceptable.

The layout previously proposed as part of 2011/19144 has been revised to retain an oak tree – achieved by the reduction in unit numbers 26 to 25 – and this is considered to be in the scheme’s favour.

Responses to consultation (Full details on file)

Planning Policy

No objection subject to a financial contribution of £240k in lieu of the on site provision of affordable housing (Appendix 1).

Highways

No objection, subject to conditions and subject to a financial contribution to provide £30k towards improvements to the local transport network within 1km of the site (Appendix 2).

Environmental Protection

No objection, subject to conditions.

Nature Conservation

No objection, subject to condition.

Tree Officer

No objection, subject to condition.

Archaeology

No objection subject to condition.

Environment Agency

No objection, subject to conditions.

United Utilities

No objection, subject to conditions.
Croft Parish Council

Object:
- The site is in the Green Belt and the proposed development is contrary to the Borough Council's LDF. There are several Brownfield Sites in the Borough for such development
- The site is of historical interest to English Heritage as the only surviving war time training camp in the area
- There is no requirement for more houses in Croft. There are many houses for sale in the village and many have been on the market for several years
- There are no sewage or gas supplies to the site and no plans by the developers to improve the existing services, but to join the existing failing infrastructure
- The development would generate a significant increase in traffic creating road safety hazards. The Police, Borough Council and Parish Council have been trying for some time to remedy the problem of vehicles outside St Lewis' School
- The site has remained unused for 40 years and is the home to an interesting wildlife community. It has also been used by residents for over 20 years and therefore could qualify for village green and common land status
- There are no plans for improving the access to the site which would make this a dangerous junction in a narrow rural lane
- The removal of trees is in contravention of DEFRA campaign 'The Big Tree Plant'
- The proposals would result in increased, noise, air and light pollution, a significant increase in flooding in Lady Lane and significant disruption and safety risks to the area during the development

Comment:
- The acceptability of the site for housing is set out in detail in Planning Policy advice below in Appendix 1
- English Heritage have confirmed that there are no heritage assets affected by the proposal which would their comment
- There is no objection from any of the relevant specialists consulted in relation to the parish council's grounds of objection

Councillor Vobe

Objects:
- proposal gives little thought to the surrounding area;
- proposed type of dwelling are not in keeping with surrounding community, nor are they the type of houses Warrington needs
- no affordable properties are proposed
- would be a considerable impact on surrounding residents
- applicant has told residents that the prospect of a “barrier” between new and existing houses would be removed - and the impact on existing properties would be increased – if residents object in strong terms again. This is unacceptable and distasteful
- strength of feeling against previous scheme shows how unwelcome this is
- impact on green belt and on heritage of the village, by this enormous intrusion

Comment:
- In line with the policy approach, a contribution of £240,000 has been secured towards the provision of affordable housing off site
- It is considered that the proposal would not conflict with the purposes of including land within green belt (as set out in paragraph 80 of NPPF) – and would be appropriate
- Although the proposed built form would exceed the footprint of the existing main buildings on the site, it would be significantly lower – and well within the confines of the remaining foundation slabs of previously removed buildings

Responses to Notification (Full details on file)

Neighbours

Upwards of 36 letters/Emails of objection:
- green belt
- no plan for a mix of housing
- does not meet needs of Croft
- should include starter homes
- insufficient road infrastructure
- increased traffic; conflict with horses
- houses not needed – lots of houses for sale in Croft already
- need to protect green belt, fields and pastures
- loss of valuable wildlife area which provides leisure
- Croft has lost post office and general store already
- heavy construction traffic and machinery
- conflict with school traffic
- unsustainable – too car dependent; not appropriate outside a settlement
- prohibitive impact on school places, leisure facilities and infrastructure
- would alter landscape
- brownfield sites available elsewhere
- site is of interest to English Heritage
- insufficient gas/ sewerage infrastructure
- loss of trees
- inadequate/dangerous access
- potential for village green and common land status
- noise, air and light pollution
- increase in local road flooding

Comment:
- There is a recognised shortage of new homes nationally and the Government have made clear that development which is 'sustainable' must be approved
- Whilst there may be existing properties for sale in the area, this is not a valid reason to refuse a proposal for new homes - housing targets and the number of new homes needed have already taken into account the re-sale and re-let of existing properties
- English Heritage have confirmed that there are no heritage assets affected by the proposal which would their comment
• There is no objection from any of the relevant specialists consulted in relation to neighbour’s grounds of objection

Over 100 further objections have been received from neighbours - in pro-forma.

Conclusions and reasons for recommendation/decision

It is considered that the potential benefits of the scheme justifies a departure from the strategic approach to the management of housing supply – as set out in adopted SPD.

Several potential benefits flow from the proposals – such as the potential to re-use a partly degraded/derelict site; the potential to improve and manage the site’s tree cover, and to increase public accessibility and enjoyment of it. There is also potential to provide footway links along Lady Lane to encourage new residents to walk to and from St Lewis’s school.

It is considered that the proposed development would be appropriate in green belt and that it would not impact harmfully on the openness of green belt in accordance with policy GRN1 of the adopted Warrington UDP and with the provisions of NPPF insofar as green belt is concerned.

Appendix 1 – Advice from WBC Planning Policy

The proposal constitutes a re-submission of a formal application which was not previously supported from a planning policy perspective. However, in the interim period which has elapsed between the determination of the original refusal and this resubmission, the policy context within which the proposal is to be assessed has changed significantly.

I would therefore ask that you discard any previous comments as no longer relevant and instead note the comments provided within this memorandum. These comments have once again been structured around what are considered to be the key issues from a planning policy perspective. These include:

• clarifying the Development Plan against which the proposal is to be assessed;
• the appropriateness of the proposal within the Green Belt;
• whether from a housing land supply perspective the proposal fits with the Council’s strategy; and
• whether the proposal includes a satisfactory level and approach to the delivery of affordable housing provision.
The Development Plan:

The National Planning Policy Framework (NPPF) came into effect on 27th March 2012 and introduced new transitional arrangements for development plans. Paragraph 215 of the NPPF is the most relevant in clarifying the status of existing (Unitary Development Plan) policies within Warrington because Warrington’s policies do not automatically benefit from the provisions set out in paragraph 214 of the NPPF.

Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework [the NPPF]. It further states that the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. I.e. the determining factor as to how much weight can be attributed to any of Warrington’s existing policies is therefore the degree of conformity between that policy and the NPPF.

The NPPF also importantly identifies at paragraph 216 with regards to emerging Development Plans that:

From the day of publication, decision-takers may also give weight relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The provisions of paragraph 216 are particularly pertinent in Warrington given the Council published their emerging Local Plan Core Strategy for formal ‘publication’ consultation on 21st May 2012. There have been no significant objections to the policy approaches (relevant to this application) within the plan in previous periods of consultation and hence the Local Plan Core Strategy is considered to constitute a significant material consideration in the determination of planning applications from this point forward. A formal statement which confirms the exact weighting to be attached to policies will be issued by the Council post the 6th July when the latest period of formal consultation has closed.
In conclusion the NPPF and policies of relevance within the emerging Local Plan Core Strategy are considered to constitute the most appropriate framework against which this proposal should be assessed.

**Green Belt**

The site proposes to erect new buildings within the Green Belt, national guidance on which is now set out in the NPPF. The NPPF makes clear that unless the erection of new buildings relates to one of a number of prescribed exceptions, such development is inappropriate within the Green Belt and by virtue of its definition harmful. At the local level the emerging Local Plan Core Strategy has sought to avoid unnecessarily repeating national guidance and there is no local justification to warrant a departure from national guidance on Green Belt matters. With regards to UDP Policy GRN1 it must be noted that this policy predates the NPPF and does not therefore afford due regard to all necessary matters. As such the NPPF evidently constitutes the framework against which the proposal should be determined from a Green Belt perspective.

Paragraph 89 of the NPPF states that “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt”. It proceeds to state however that exceptions to this include

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

The site subject to the application is considered to constitute previously developed land and by virtue of the fact that substantive and permanent built structures remain, would appear capable of benefiting from redevelopment. The NPPF makes clear that providing such redevelopment would not have “a greater impact on openness of the Green Belt” or on “the purposes of including land within it than the existing development” then it should be regarded as ‘appropriate’.

With regards to the latter of these considerations I concur with the applicant that the proposal would not conflict with the purposes of including land within the Green Belt as prescribed at paragraph 80 of the NPPF. **If it is also concluded that the development would not exert a greater impact on the openness of the Green Belt, then the proposal should be regarded as ‘appropriate’ development the principle of which would be acceptable from a planning policy perspective.**
**Housing Land Supply**

Policy SN1 of the Council’s emerging Local Plan Core Strategy sets out the Council’s approach to managing the distribution and nature of new housing. This approach is inherently more pro-growth and therefore less restrictive than the existing UDP approach in order to ensure compliance with the NPPF but also to respond to evidenced local circumstances.

Policy SN1 identifies that:

“Within the Green Belt, outside any of the borough’s defined settlements, new housing will only be approved where the proposal accords with relevant national policy”.

I am satisfied that the proposal accords with Green Belt policies of relevance and that whilst out with the defined settlement of Croft is sufficiently linked to and in close enough proximity so as to not constitute isolated new dwellings within the countryside. **As such the principle of the proposal from a housing land perspective is considered acceptable.**

If the proposal was to be assessed against UDP Policies HOU1, HOU2 and the Managing the Housing Supply SPD I do not consider that the same conclusions as last time would be reached. This owes to the introduction of the NPPF rendering the legitimacy of the element of this policy approach, which seeks to withhold the release of sites unless it can be demonstrated that a delay in developing the site would prejudice its successful future redevelopment, into doubt. Whilst the need to ensure regeneration efforts are not undermined remains a valid objective, this approach is also enshrined in the emerging Local Plan Core Strategy Policy SN1 and has therefore been taken into account in my aforementioned reasoning.

**Affordable Housing**

Policy SN2 of the Council’s emerging Local Plan Core Strategy identifies that the Council will require schemes which are located out with of Inner Warrington, and of 15 or more dwellings, to make 30% of the total number of units available as ‘affordable’ provision – a requirement which would apply to this proposal. This requirement is in excess of the 20% required by existing UDP Policy HOU15 and the accompanying affordable housing provision Supplementary Planning Document.

On this occasion agreement was reached in pre-application discussions between the applicant and the Council that owing to the scale and location of the proposed development a commuted sum in lieu of onsite provision would be acceptable. Subsequent negotiations have agreed that a sum of £240,000 would be required to ensure compliance with the objectives of policy SN2.
Providing the amount of £240,000 is appropriately secured from any planning approval then there would be no objections to the proposal from an affordable housing perspective.

Conclusions:

In conclusion it is considered appropriate to assess the proposal against the NPPF and policies within the Council’s emerging Local Plan Core Strategy. By way of reference to policies of relevance the proposal is considered to be acceptable in principle subject to:

- it being concluded that the site would not exert a greater impact on the openness of the Green Belt; and £240,000 being secured as a commuted sum in lieu of on-site affordable housing provision.

Appendix 2 – Advice from WBC Highways

1. Proposed Site Access

Proposed site access plan, drawing number J124/access/Fig1A has been reviewed. This seeks to amend the existing disused priority junction with Lady Lane that currently serves the site. As previously advised by WBC Highways, visibility splays of 2.4 x 70m in each direction on Lady Lane are now proposed.

The applicant’s vehicle speed survey of Lady Lane (included within the Transport Statement supporting the application) identifies that 85th percentile speeds of 38.5mph and 40.1mph have been recorded in north and southbound directions on Lady Lane in the vicinity of the proposed site access.

However, the proposed visibility splays of 2.4m x 70m are sufficient to ensure satisfactory driver visibility even allowing for some vehicles to exceed the speed limit in this location as identified by the applicant.

Also, as detailed on proposed site plan LL-PL-001 Rev T, 30m of new footway on Lady Lane to the south of the site access is now proposed. Footway provision in this location should benefit pedestrians crossing Lady Lane, whilst also ensuring that visibility splays to the south of the access are not impaired by overgrown vegetation. Additionally, provision is also made for informal pedestrian crossing of the site access and Lady Lane with the proposed access design.

The proposed site access arrangements are therefore acceptable.
2. Proposed Site Plan
2.1 Proposed Site Layout

Proposed site plan LL-PL-001 Rev T seeks to provide 25 dwellings to be served via an adoptable access road of 5.5m width. On the access road, adoptable turning heads are to be provided at the entrance to 2 cul-de-sacs which would be private drives serving no more than 5 dwellings. The proposed central cul-de-sac is designed to adoptable standards, thus allowing for refuse vehicles to gain access to properties directly.

The proposed site plan also includes a continuous 2m wide footway on the northern side of the access road serving the site, with similar provision along the first 60m of the southern side of the access road. These will ensure that pedestrians have adequate footway provision between the site and Lady Lane.

The proposed site layout is therefore considered to be acceptable.

2.2 Proposed Parking Provision

The application proposes to erect 25 dwellings, which will be served by 45 car parking spaces. This is slightly above the Council’s standard for C3 dwelling houses which advises that “in general car parking will be limited on average to no more than 1.5 spaces within developments”. However, this provision falls below the general maximum standard for individual residential dwellings of 2 spaces per dwelling.

The proposed parking provision can therefore be accepted.

2.3 Refuse Servicing

Given that the proposed site plan now offers 3 adoptable turning heads, and the provision of bin storage points close to properties, it can be concluded that adequate provision for servicing and refuse collection has now been made.

3. Anticipated Traffic Impact

The Transport Statement in support of the application states that the proposed development is likely to result in an additional 6 arrivals and 14 departures in the AM peak hour, and 13 arrivals and 9 departures in the PM peak hour.

The Transport Statement goes on to note that recorded two way traffic flows on Lady Lane in the AM peak hour are in the region of approximately 100 vehicles, with the highway having a carrying capacity of approximately 900 vehicles per hour.

The proposed development would therefore be likely to increase two way traffic flows on Lady Lane from approximately 100 to 120 vehicles in the AM peak hour.
peak hour, resulting in traffic flows rising from 11 to 13% of the theoretical capacity of the road.

4. Access Via Non Car Modes

4.1 Walking

A continuous footway leading north to Mustard Lane exists on the west side of Lady Lane. On the east side of Lady Lane, this footway provision is discontinuous.

It is noted that the available footway on the west side of Lady Lane measures approximately 1m width for much of its length. However, a review of the Council’s Highways Adoption records has confirmed that the width of the adopted footway actually varies between 1m and 2.2m width along the route.

There may therefore be scope to widen out the footway on the west side of Lady Lane by ensuring that overgrown hedge widths are reduced, and available footway widths are maximised. This is recommended, especially given that the footway along the west side of Lady Lane provides access to a local primary school.

To the south of the proposed development site, heading towards the junction of Lady Lane with New Lane / Cross Lane, footway provision continues on the west side of the carriageway for a limited length, before terminating.

In view of the above, it can be concluded that pedestrian accessibility to the site is less than ideal. However, as there is an available footway on Lady Lane connecting the site with public transport services and a primary school on Mustard Lane, it is not considered that a highways objection could be sustained on this basis.

4.2 Public Transport

To the north of the proposed site entrance on Lady Lane are two recognised high school bus stops which at present lack sufficient footway width to accommodate a waiting / boarding area for children. The proposed residential development may result in demand for these stopping points increasing.

Consultations with the Council’s Public Transport team have confirmed that they would wish to see provision of appropriate footway widths in the vicinity of the proposed site entrance in order to provide appropriate passenger waiting areas at these pick up / drop off points.

This should be achieved with provision of the proposed 2m wide footway on Lady Lane to the south of the site access, and via the removal of overgrown vegetation from the footway on the west side of Lady Lane, as recommended above.
In terms of general bus services, the nearest available to the site can be accessed via bus stops on Mustard Lane, approximately 400m from the site entrance, from where half hourly services between Leigh and Warrington are available.

The nationally recognised maximum recommended walking distance to bus stops is 400m. However, it is noted that in this instance the actual walking distance is likely to be 600 – 650m for the majority of properties on the site.

Although the distance between the proposed development site and bus stops is above the maximum recommended walking distance of 400m, it should also be noted that these services would be able to be reached on foot within approximately 6 minutes from the proposed dwellings.

5. Supplementary Planning Document

The Council's Supplementary Planning Document “Planning Obligations” (approved by the Executive Board on the 17th September 2007) has been considered in relation to the proposed development. The SPD attached a cost of £413 per additional daily trip generated by the development, in order to mitigate the transport impact of the proposals.

Interrogation of the TRICS trip rate database suggests a daily trip rate of 5.320 trips per dwelling. Applying this daily trip rate to the proposed development of 25 dwellings results in the following SPD calculation:

\[25 \times 5.320 \times £413 = £54,929\]

In respect of this issue, the applicant has offered a financial contribution of £30,000 to allow the Local Highway Authority to progress a scheme of traffic management and on street car parking improvements in the vicinity of St Lewis Primary School on Mustard Lane.

The above financial contribution is therefore welcomed.

6. Summary and Conclusions

In view of the above, no highways objections are raised in respect of the proposed development, subject to a S106 agreement securing payment of £30,000 towards improvements to the local transport network within 1km of the site.

Should planning permission be granted we would also request attachment of the following planning condition:

“Prior to first occupation of the dwellings, visibility splays of 2.4m x 70m, as shown on drawing number J124/access/Fig1A, shall be provided in both directions on Lady Lane, and shall be retained thereafter with nothing being
erected or allowed to grow above a height of 0.6m within the splays unless otherwise agreed in writing with the Local Planning Authority.”

Additionally, the following informative is also offered:

“In order to construct the proposed site access roads to a standard capable of future adoption, the applicant will need to enter into a S.38 agreement with the Council. To action, the applicant is advised to contact Chris Bluck, the Council’s Highways Adoption Engineer on 01925 442688.”
## DEVELOPMENT MANAGEMENT COMMITTEE

**Thursday 2nd August 2012**

### DECISIONS

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| 1    | 2    | 2012/20007 | Bank Park Depot, Kendrick Street, Bewsey and Whitecross, Warrington, WA1 1UZ  
Proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping | Approve subject to Section 106 agreement |
| 2    | 16   | 2012/20011 | Bank Park Depot, Kendrick Street, Bewsey and Whitecross, Warrington, WA1 1UZ  
Application for conservation area consent for proposed demolition of existing building and associated parking and construction of part 2, part 3 storey office building with associated parking, site entrance and landscaping | Approve subject to conditions |
| 3    | 20   | 2012/20047 | Former HMS Gosling, Lady Lane, Croft, Warrington, WA3 7AY  
Proposed demolition of existing buildings and construction of 25 No 4/5 bed houses (with solar panels), access and landscaping (resubmission of 2011/19144) | Approve subject to Section 106 agreement |

**SITE VISIT TO BE HELD ON FRIDAY 17TH AUGUST**