To: Members of the Development Management Committee

Councillors: Chair – T McCarthy
Deputy Chair – J Grime
G Friend, D Keane, F Rashid, K Mundry,
S Wright, C Mitchell, J Flaherty, J Wheeler,
B Barr and S Woodyatt.

22 August 2017

Development Management Committee

Wednesday, 30 August 2017 at 6.30pm

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

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

A G E N D A

Part 1

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

Item

1. Apologies for Absence

To record any apologies received.

2. Code of Conduct - Declarations of Interest
   Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.
3. **Minutes**

   To confirm the minutes of the meeting held on 9 August 2017 as a correct record.

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


   Attached as a separate document

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**Part 2**

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

Nil
DEVELOPMENT MANAGEMENT COMMITTEE

9 August 2017

Present: Councillor T McCarthy (Chairman)
Councillors J Grime, B Barr, S Parish (Substituted for G Friend),
K Mundry, P Carey (Substituted for F Rashid), D Keane, S Wright,
C Mitchell, J Wheeler, J Flaherty and S Woodyatt.

DM27 Apologies for Absence

Apologies for absence had been received from Councillors G Friend and F Rashid MP.

DM28 Code of Conduct – Declarations of Interest

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Minute</th>
<th>Reason</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cllr S Woodyatt</td>
<td>DM32</td>
<td>Cllr Woodyatt is a ward councillor for the area and also a local Parish Councillor. Cllr Woodyatt reported to have an association with the building for many years, she had been contacted by local residents but had only given advice</td>
<td>Cllr Woodyatt remained in the meeting and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr B Barr</td>
<td>DM32</td>
<td>Cllr Barr was a ward councillor</td>
<td>Cllr Barr remained in the meeting and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr J Flaherty</td>
<td>DM33</td>
<td>Cllr Flaherty was a ward councillor for the area but had not expressed an opinion or formed a view on the application</td>
<td>Cllr Flaherty remained in the meeting and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr P Carey</td>
<td>DM33</td>
<td>Cllr Carey was a ward councillor for the area but had not expressed an opinion or formed a view on the application</td>
<td>Cllr Carey remained in the meeting and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr J Wheeler</td>
<td>DM34</td>
<td>Cllr J Wheeler was a ward councillor for the area, she had formed a view on the application</td>
<td>Cllr Wheeler stood down from committee and spoke against the officer recommendation, she did not take part in the discussion or the vote</td>
</tr>
</tbody>
</table>
Cllr S Woodyatt  DM35  Cllr Woodyatt is a ward councillor for the area and also a local Parish Councillor. Cllr Woodyatt reported to have an association with the building for many years, she had been contacted by local residents but had only given advice

Cllr Woodyatt remained in the meeting and took part in the discussion and vote

Cllr B Barr  DM35  Cllr Barr was a ward councillor for the area and had formed a view in relation to the application

Cllr Wheeler stood down from committee and spoke in favour of the officer recommendation, he did not take part in the discussion or the vote

DM29  Minutes

Resolved,

That the minutes of the meeting held on 19 July 2017 were agreed as a correct record and signed by the Chairman.

DM30  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.

DM31  2017/30328 - Land adjacent to 703 Winwick Road, Warrington, WA2 8QS - Full Planning - Proposed change of use to vehicle storage used in connection with car sales

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

Resolved,

That application 2017/30328 be approved as per the officer recommendation.

DM32  2017/30375 - Cotebrook House, Oughtrington Lane, Lymm, Warrington, WA13 0QY - Proposed demolition of Cotebrook House and the construction of 6 dwellings
The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.

A site visit took place on Friday, 4 August 2017.

Members noted the content of the update report.

Representations were heard in support of the officer recommendation.

Resolved,

That application 2017/30375 be approved as per the officer recommendation.

DM33 2017/30522 – 15 Padgate Lane, Warrington, WA1 3RS - Proposed Change of use from A1 Retail to Sui Generis Hair & Beauty Salon and new roller shutters to the front

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

Representations were heard in support of the officer recommendation.

Resolved,

That application 2017/30522 be approved as per the officer recommendation.

DM34 2017/30641 – 9 Beechways, Appleton, Warrington, WA4 5EL - Proposed Part two storey and part single storey extension side

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

Representations were heard against the officer recommendation.

Resolved,

That application 2017/30641 be approved as per the officer recommendation.

DM35 2016/28521 – Lymm Rugby Football Club, Crouchley Lane, Lymm, Warrington, WA13 0AT - Proposed construction of a 2390sq.m new purpose built clubhouse / multi-sports facility, including a caretakers flat, laying out of 4 x tennis courts and 3G playing pitch for Lymm Rugby Football Club, conversion of the existing clubhouse into 4 residential dwellings and construction of 10 new dwellings together with associated landscaping, infrastructure and engineering works

The Executive Director of Economic Regeneration, Growth and Environment submitted the above application with a recommendation for approval subject to conditions.
Members noted the content of the update report.

Representations were heard in support of the officer recommendation.

Resolved,

That application 2016/28521 be approved as per the officer recommendation subject to a revised section 106 agreement.
## DEVELOPMENT MANAGEMENT COMMITTEE

**Wednesday 30th August 2017**

**Start 18:30pm**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>3</td>
<td>2016/29425</td>
<td>Land at and to the north of, Alban Retail Park, Winwick Road, Warrington, WA2 8TW</td>
<td>Approve subj to S106</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Full planning permission for the change of use of two existing units (to Use Class A1) and installation of mezzanine floors. Detailed consent for the completion of three retail units and the construction of three new retail units. Works to include associated parking, servicing and access works to Hawleys Lane and A49</td>
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<tr>
<td>2</td>
<td>22</td>
<td>2017/30534</td>
<td>Dane House, Windmill Lane, Appleton, Warrington, WA4 5JP</td>
<td>Approve</td>
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<tr>
<td></td>
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<td>Householder - Retrospective application for the retention of 2 x 2m high poles for CCTV cameras to either side of existing entrance to Dane House and the proposed erection of a 5m high pole and CCTV camera to the rear garden of Dane House</td>
<td></td>
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<tr>
<td>3</td>
<td>36</td>
<td>2017/30566</td>
<td>67 School Lane, Rixton-With-Glazebrook, Warrington, WA3 6LN</td>
<td>Approve</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>Full Planning - Proposed replacement dwelling incorporating existing detached garage (which is to be modified with a front extension and altered roof pitch)</td>
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<tr>
<td>4</td>
<td>48</td>
<td>2017/30589</td>
<td>365 Warrington Road, Culcheth, Warrington, WA3 5JQ</td>
<td>Approve subj to S106</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Full Planning (Major) - Proposed demolition of</td>
<td></td>
</tr>
</tbody>
</table>
existing buildings and construction of 16 dwellings with associated parking, access, amenity space and landscaping.

5 68 2017/30593 53 Denbury Avenue, Stockton Heath, Warrington, WA4 2BW
Full Planning – Proposed detached dwelling

6 91 2017/30605 51-59 Winwick Road, Warrington, WA2 7DH
Full Planning - Proposed sub-division of 51-59 Winwick Road into two units and the change of use of one of the two units from a retail unit (Class A1) to create a Hot Food Takeaway unit (Class A5) with associated external alterations - including the installation of a new shopfront and ancillary works.

7 102 2017/30616 Land within Warrington Town Centre bound, Temporary Market Building, Bank Street, Horrocks Lane, Warrington
Advertisement - Proposed main and secondary entrance signage of the new Warrington Temporary Market

8 107 2017/30813 1 Buttermarket Street, Bewsey and Whitecross, Warrington, WA1 2LY
Full Planning – Change of use from Public Highway to outside seating area to the front and side of Hideaway Cafe (Part retrospective)

9 111 2017/30819 40 Bridge Lane, Appleton, Warrington, WA4 3AX
Change of Use - Proposed change of use from A3 Cafe to A5 Pizzeria

10 121 2017/30919 The Market Multi Storey Car Park, Moulders Lane, Bewsey and Whitecross, Warrington, WA1 2FA
Advertisement – Proposed 6 fascia signs
DEVELOPMENT CONTROL COMMITTEE 30-Aug-2017

ITEM 1

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2016/29425</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>Land at and to the north of Alban Retail Park, Winwick Road, Warrington, WA2 8TW</td>
</tr>
<tr>
<td>Ward:</td>
<td>Bewsey and Whitecross</td>
</tr>
<tr>
<td>Development</td>
<td>Full planning permission for the change of use of two existing units (to Use Class A1) and installation of mezzanine floors. Detailed consent for the completion of three retail units and the construction of three new retail units. Works to include associated parking, servicing and access works to Hawleys Lane and A49.</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>26-Jan-2017</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Derwent Group</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>26-Apr-2017</td>
</tr>
</tbody>
</table>

Human Rights

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

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

Site and Proposal

The application relates to the northern section of Alban Retail Park (now known as “Junction 9”) which was formerly occupied by the Fiat complex. The site has been cleared and a number have units have been erected under a former planning permission, however these are not complete. The wider retail park is comprised of various A1 retail units and a number of A3 food units such as KFC and Pizza Hut. Access is achieved from the recently improved junction off the A49 Winwick Road or Hawleys Lane to the south of the site. The area is predominantly commercial and industrial with residential properties opposite the site along Winwick Road and further east.
The northern section of the application site is designated existing employment land, with the southern section being unallocated.

The application seeks full planning permission for the following:
Change of use of Units 6H and 6J to A1 from employment to non-food retail
Completion of units 6K, 6K and 6L to form A1 non-food retail units
Erection of 3No A1 non-food retail units
Removal of existing store building located behind proposed unit 6M
Proposed turning area behind 6M
Internal road network and car parking reconfiguration
Servicing and turning area to the north-west corner;
Car Parking
Highways works to include the following:
Widening of Hawleys Lane Eastbound
Extension of right-in lane Southbound A49
New left-in flare Northbound A49

Policies

National Planning Policy Framework (NPPF)
Warrington Local Plan Core Strategy (adopted 2014) (LPCS)
Supplementary Planning Document ‘Design and Construction’
Supplementary Planning Document ‘Environmental Protection’ (May 2013)
Supplementary Planning Document ‘Standards for Parking in New Development’ (March 2015)
Planning Practice Guidance

Relevant History

Various applications across the retail park but the key applications are set out below:

2017/29630 S73 application to vary conditions of planning application
2016/28791 - to vary condition 2 (approved plans) in relation to units 4a and 6b; and to vary condition 6 to allow instore café ancillary to the principal function of unit 4a (the sale of non-food comparison goods) and to allow the sale of food and drink for consumption off the premises from an area not exceeding 30 per cent of the net retail floor space at unit 6b.
Approved with conditions 13/03/2017

2016/29438 Full Planning - Proposed extension of existing mezzanine within unit 5B
Approved with conditions 13/02/2017

2016/28791 Full Planning - Proposed reconfiguration of retail units 4, 5A and 6B including: sub-division of unit 4 to form 4a and 4b; subdivision of unit 6b to form 6b1 and 6b2; proposed use of unit 6b1 as variety retailer with food and drink for consumption off the premises); proposed use of unit 5a as comparison goods with ancillary pet care; and installation of mezzanine floor space (totalling 995m2).
Approved with conditions 07/11/2016
2016/28790 Variation of conditions - Proposed variation of condition 12 (Limitation of the sale of non-food items) on previously approved application 2011/18583 Pending

2016/27679 – Construction of a new retail unit (Class A1) with variation of condition 2 (approved plans) and removal of condition 6 (prohibition of internal alterations and insertion of mezzanines) on planning approval 2014/23066 in order to allow for alterations to the design and siting of the unit and the installation of a 200sqm mezzanine Approved with conditions 12/05/2016

2016/27482 - Full Planning - Proposed Demolition of existing KFC drive-through, construction of new A3/A5 drive-through (KFC), construction of a drive-through coffee shop A3/A5 and new A3 unit inclusive of mezzanine floor, alongside parking and other associated works. Approved with conditions 27/05/2016

2016/27470 - Variation of conditions 1 (Range of goods to be sold), 2 (Approved plans) and 3 (development to proceed in accordance with planning permission 2014/23937 without compliance with conditions 2 and 16) on planning approval 2014/24706 which gave consent for the erection of 2 retail units (known as units 6D and 6E) in order to allow alterations to the elevations, the subdivision of unit 6E into units 6F and 6G and allow a maximum of 10% of the net retail space at unit 6D to be used for the sale of food and drink for consumption off the premises and the use of Unit 6F/6G for the sale of food goods and ancillary non-food goods Approved with conditions 03/05/2016

2016/27464 – Erection of a mezzanine in unit 6D Approved with conditions 06/05/2016

2015/26487 - Proposed clearance of existing employment structures, remodelling and extension of 14 existing retail units and the construction of five new non-food retail units, construction a Class A1 food store, change of use of a vacant employment unit for non-food retail use including associated parking, servicing, landscaping, public realm and access works Withdrawn

2015/26226 – Application for variation of condition 1 on approved application 2014/24706 to read “Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the development hereby permitted shall be limited to the sale of non-food (comparison goods) items only (with the exception of unit 6C and 3A which can be used for the sale of food and drink for consumption off the premises from an area not exceeding 30% of the net retail floor space Approved with conditions 06/05/2016

2014/23937 Proposed erection of two retail units (Use Class A1) (Resubmission of 2014/23551) Approved 01/08/2014

2014/23066 Full Planning - Proposed construction of a new retail unit (Use
Approved with conditions 12/03/2014

2011/18583 - Proposed construction of five new retail units (Use Class A1), one new restaurant unit (Use Class A3), change of use of unit 2a from motorist centre to A1 retail, improvements to existing retail units including new lobby entrances, new façades, and new servicing access with associated car parking and landscaping. Creation of new road junction with Winnick Road and improvements to existing access off Hawleys Lane

Approved 12/03/2012

2011/18571 Proposed construction of new employment units, remodelling of existing buildings for research and development, light industry and storage and distribution (use classes B1(b), B1 (c), B2 and B8) along with two new road junctions at Winwick Road and Cromwell Avenue, associated car parking and landscaping

Approved 16/02/2012

Consultation Responses

Highways
No objections subject to conditions and s106 for a financial contribution of £25,000 to secure a Travel Plan Co-ordinator

Environmental Protection
No objection subject to conditions.

United Utilities
No objection subject to drainage conditions.

Environment Agency
No objection.

Flood Risk
No objection, subject to a detailed design for the surface water drainage layout and attenuation will be submitted

Notification Responses

Ward Councillor (s)
No comments received at time of report preparation.

Neighbours –
1 No neighbour objection was received at time of report preparation. This is available to view on the Council’s website but mainly raises issue of loss of trees over time as a result of various developments at this site and lack of replacement planting.

Appraisal

The application seeks to provide 12,897 sqm, of which 10,318 sqm (net) would be dedicated to retail sales, in an out of centre site. Aside from one unit
(Unit 6J) these would be bulky goods retailing. The land to the north is also designated as existing employment land which is protected under LPCS policy PV1.

Local Plan Core Strategy (LPCS) policy PV4 seeks to direct new retail development to the Primary Shopping Area within Warrington Town Centre or the allocations made in policy TC1 i.e. the Key Development Sites in the Town Centre. Outside of these areas, the policy requires the applicant to demonstrate that there are no suitable sites available in more sequentially preferable sites to that proposed. Where there are no suitable, available or viable sites within the Primary Shopping Area, or where the proposal is over 500sqm gross, the applicant must demonstrate that there are no significant adverse impacts on the Primary Shopping Area and wider Town Centre.

This is consistent with the National Planning Policy Framework at paragraph 24 which states that applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. It also states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. The NPPF is clear that applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale.

Paragraph 26 of the NPPF sets out the requirements of the Impact Test which needs to address:
(i) The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
(ii) The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

The NPPF at paragraph 27 is clear that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

Planning Practice Guidance in the chapter titled ‘Ensuring the Vitality of Town Centres’ provides further guidance on Town Centres and consideration of the Sequential Test in decision-making.

The application is accompanied by a Sequential Test and Impact Test. The Council instructed consultant WYG to assess the submission in respect of the above.

Disaggregation is discussed in both the submission and the assessment carried out by WYG; and the overall conclusion is that the disaggregation of the proposal should not be considered, based on a number of appeal decisions. Accordingly, the Sequential Test is considered on the basis of any alternative sites being able to accommodate the key elements of the proposal, allowing for flexibility in format and scale.
Five key sites have been identified in the Sequential Test and have been discounted for various reasons, but mainly the inability of these sites to accommodate the proposal, even if realistic flexibly was applied. WYG advise that they are satisfied that the Sequential Test has been satisfied. Since the assessment, the M&S store in Golden Square Shopping Centre has become vacant. Nonetheless, given the floorspace and considerations for the other sites which have been assessed and discounted, it is not considered that this is suitable for the development proposed.

It is considered that the Sequential Test is satisfied in that there are no suitable, available or viable sites.

The first test of the Impact Test is to assess the impact of the proposal on existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal. It does not account for ‘principle intentions’ but safeguards actual plans to invest i.e. a scheme.

Accordingly, two ‘in centre’ planned developments have been considered (i) Westbrook District Centre and (ii) Bridge Street Quarter.

In terms of Westbrook, planning permission was granted for a retail food store, together with smaller format retail and leisure units within the existing defined district centre (planning reference 2016/29110). This would serve more day to day convenience and service needs for the local catchment which is in contrast to the proposal at Alban Retail Park. WYG consider that there is little overlap between the two and that the proposal would not have any material impact on the likelihood of the Westbrook redevelopment being implemented. This conclusion is accepted.

In terms of Bridge Street the conclusion of WYG is that it is unlikely that proposal at Alban Retail Park would impact on the planned investment into Warrington Town Centre at Bridge Street due to the amount of retail floor space proposed (i.e. up to 4,649 sqm) which would be ‘high street’ units fronting pedestrianised areas, including the lack of substantial overlap between the two in respect of custom and prospective operators (i.e. the proposal at Alban Retail Park is predominantly bulky goods). This conclusion is accepted.

The first test of the Impact Test as set out in the NPPF at paragraph 26 is passed.

The second test of the Impact Test is to assess the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

Given the nature of the proposal, i.e. predominantly bulky goods with a floorspace of 11,756 sqm (Gross), WYG confirm that Warrington Town Centre is the sole centre of relevance in assessing trade diversion and not other defined centres within the Borough. It is also necessary to compare particular sectors which are ‘like for like’, taking into account the PPG which uses the
example that it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly. Retail uses tend to compete with their most comparable competitive facilities. Accordingly, WYG advise that the proposal will likely compete with facilities at Gemini Retail Park, Riverside Retail Park, other retailers at Alban Retail Park, and out of centre superstores, such as the Tesco Extra at Winwick Road.

Riverside Retail Park is identified as a comparable competitive facility, with the Impact Assessment suggesting that 5% of the proposed turnover of the development will be diverted from this retail park. WYG considers this to be an underestimation and is likely divert approximately 15%. WYG advise that the higher figures are more likely due to the view that the proposal will principally compete with the facilities ion offer a such retail parks and superstores due to the application proposing a predominantly non-food, bulky goods retail offer which is similar to the nature of the operators present at the existing retail parks. The figures also differ slightly in terms of the estimated turnover of the proposal at the design year of 2021 with WYG estimating £40 million whereas the Impact Assessment estimates £36.19 million.

Riverside Retail Park is situated within the Town Centre boundary, as defined by the LPCS Policies Map, however for the purposes of defining Town Centre and edge of centre sites in retail planning terms, the NPPF at Annex 2 defines ‘edge of centre’ sites as being in a location that is well connected to, and up to 300 metres of primary shopping area. It also states that when determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances. Riverside Retail Park is approximately 350 metres from the Primary Shopping Area of Warrington Town Centre, which exceeds the threshold of the NPPF. It is also separated from the Town Centre core by Mersey Street and the Bridgefoot gyratory system which reduces the potential for linked trips. Accordingly, Riverside Retail Park is not an edge-of-centre location, but ‘out-of-centre’ for retail planning policy purposes. Whilst there is an identified impact on this retail park, it is unlikely to have a knock-on effect on the Primary Shopping Area of Warrington.

Cockhedge Shopping Centre is however situated within an edge-of-centre location, with the Impact Assessment providing that 1.5% of the proposed turnover of the development will be diverted from Cockhedge, whereas WYG consider this to be 4%. Nonetheless, WYG advise that this is below a level which could be considered to be significantly adverse. It is also noted that this shopping centre is anchored by a food store (Asda) and also has new operators such as a gym and a vets which would not compete with the proposal.

In terms of the Town Centre itself, WYG advise that the cumulative impact of trade diversion to the proposal would be 2.7%, which is higher than the Impact Assessment, but again not significant. In addition, the type of retailing proposed i.e. bulky goods, is not of a type which generally underpin a Primary Shopping Area.

The cumulative trade diversion to the proposal from the Town Centre, for example Primary Shopping Area and edge-of-centre sites (i.e. Cockhedge) would be 2.5%. The impact of the proposal on the Town Centre would not
therefore be significantly adverse.

When considering all facilities within the wider Town Centre boundary, as defined by the LPCS Policies Map and therefore including the Primary Shopping Area, Cockhedge as an edge-of-centre site, and Riverside Retail Park as an out-of-centre site, the cumulative impact of trade diversion would be 5%. Again, the advice from WYG is that this would not be significantly adverse.

The second test of the Impact Test as set out in the NPPF at paragraph 26 is passed and the proposal would not have a significant adverse impact on the Primary Shopping Area and wider Town Centre of Warrington. A condition would ensure that the development would function as its intended purpose for bulky goods retailing and as set out in the Planning and Retail Statement and the basis of the associated Sequential and Impact testing. The proposal would satisfy the requirements of LPCS policy PV4.

A substantial part of the application site is designated as an existing employment area and therefore LPCS policy PV1 is relevant. LPCS policy PV1 seeks to protect existing employment area and is supportive of B1, B2, B8 or sui generis employment uses. Where non-employment uses are proposed, the policy sets out the following criteria which applications should satisfy:
(i) The development relates to ancillary services which will support the employment area by making it more sustainable, viable and/or attractive or;
(ii) The site is no longer suitable or viable for employment uses and;
(iii) The proposal will not undermine the viability of existing employment uses in close proximity to the site and;
(iv) The alternative use is in accordance with or does not undermine the overall spatial strategy
The policy also states that where possible, the ability to retain an element of employment development within the site will be encouraged.

The site benefits from planning permission for various employment uses, however following the demolition of the former Fiat warehouse, these have not been brought forward. The application states that it is unlikely that the employment uses will be delivered due to market conditions, viability and other matters such as land assembly and utility constraints which prevent a new access onto Cromwell Avenue being achieved. To utilise the existing access along the A49 for both existing retail users and B1/B2 or B8 uses, taking into account the requirements for servicing and the need to cross through the retail car park to access the this area would unlikely to be acceptable in highways terms. In addition, the use of the A49 access is also restricted for servicing movements. In previous applications it is has also been advised that an additional access onto the A49 would not be acceptable. Taking into account the above, the development of the site for employment purposes is not realistically viable. In addition, the NPPF at paragraph 22 is clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Accordingly, criterion (ii) of policy PV1 is satisfied.

In terms of criterion (iii) the application site itself lacks connectivity to the wider
employment area due to Cromwell Avenue to the north, Dallam Brook to the west and the established retail park to the south. The proposed development is not of a use which would undermine the viability of the wider employment area.

Criterion (iv) seeks to ensure that the proposed use is in accordance with, or does not undermine the overall spatial strategy. In terms of retail planning policy, the application has passed the Sequential Test and Impact Test and has demonstrated that there would be no significant adverse impacts on the Primary Shopping Area and wider Town Centre of Warrington, in compliance with LPCS policy PV4. The proposal would not therefore, undermine the overall spatial strategy of maintaining the role and status of Warrington Town Centre and enhancing its vitality and viability.

The application would result in the loss of 3.7 hectares of employment land at a time when the Council has an objectively assessed need of 381 hectares of employment land for the 20 plan period to 2037, with 277 hectares of this to be planned for within the Borough (as identified in the Council’s recently published Employment Development Needs Assessment). Accordingly, it is necessary to consider the wider spatial strategy of the Council and this set out below:

The application site is situated within the Strategic Location of Inner Warrington where the Council’s priority is to accommodate growth in Inner Warrington through the use of previously developed land and to be the focus of development and physical change in the Borough. LPCS CS9 seeks development in the strategic area of Inner Warrington which would secure the maximum physical and environmental benefits from the reuse and redevelopment of underused, vacant and derelict land and to secure maximum social benefits in order to contribute to the Council’s ‘Closing the Gaps’ agenda and address issues within areas of deprivation. The site is situated along a key route into the Town which is identified as the A49 Corridor under LPCS policy IW1. This policy, in addition to the Council’s Economic Growth and Regeneration programme, known as Warrington Means Business (2017), seeks, among other things, to promote redevelopment and regeneration opportunities which enhance the appearance of the gateway.

The proposal would deliver clear benefits to Inner Warrington with significant investment, growth and jobs in a ward which is characterised by high levels of deprivation and socio-economic issues. It would enable the redevelopment of a prominent site along the A49 which currently detracts from the area and also the wider Alban Retail Park itself which has become a key retail destination in the Borough. The retail park has recently seen significant investment through the modernisation of existing units which has attracted new operators and enhanced consumer choice; in addition to the creation of new units such as KFC and Nandos.

The proposal would clearly contribute to the Council’s strategic vision for Inner Warrington and regeneration along the A49 corridor. Despite an objectively identified need for additional employment land in the Borough, there is no realistic prospect that employment uses would be delivered on this site. Taking into account the significant benefits of the scheme, it is considered that
in this particular case, the loss of 3.7 hectares of employment land is outweighed by other benefits and would not prejudice plan-led aspirations for employment land over the plan period. The overall spatial strategy for the Borough would not be undermined as a result of the proposed development.

**Amenity**

The nearest properties are situated opposite the retail park beyond Winwick Road. Given the established retail use of the wider retail park and the employment designation of the land; it is not considered that the proposal would result in adverse impacts on the residential amenity afforded to neighbours.

The A49 Winwick Road falls within the designated Air Quality Management Area and an Air Quality Assessment has been submitted as part of the application. This concludes that overall impacts would be negligible and Environmental Protraction raise no objections subject to conditions in relation to 35 electric vehicle charging points, a Travel Plan and cycle provision. This would assist in mitigating the impacts of the development on air quality as a result of traffic movements.

Environmental Protection have also requested a land contamination condition for completion only, the submission of a construction environment management plan and also a noise condition for any externally mounted plant or equipment.

Subject to conditions, the proposal would accord with Local Plan Core Strategy policy QE6 (Environment and Amenity Protection) in respect of amenity impacts.

**Design**

The overall proposal would result in the delivery of 8 new retail units which would provide a continuation of the existing corridor of units which are situated to the back of the retail park, with parking to the frontage. A scheme similar to the design of the recently modernised units would be carried through in this proposed development which is considered to be an acceptable approach for a modern retail park with a focus on bulky goods.

Due to the location of the site at the junction of Crowell Avenue and the A49, the proposed development would be prominent, but is considered to represent a significant improvement to the area compared with the existing site arrangements and the previous Fiat complex. The proposed scheme would also be read in the context of the wider retail park and would allow the completion of the site. There would be scope for addition landscaping to the boundaries, in addition to tree planting, which could be secured by condition.

The proposal would comply with LPCS policy QE7.

**Highways**

The application is accompanied by A Transport Assessment which has been updated during the course of the application including traffic modelling, swept paths and junction design changes. A Road Safety Audit has also been
carried out which does not highlight any issues or necessitate any further design changes to the improvements to the highway which include:
- Widening of Hawleys Lane Eastbound
- Extension of right-in lane Southbound A49
- New left-in flare Northbound A49

Subject to conditions in relation to a Construction Management Plan, a Parking Management Plan, a Travel Plan, and a scheme for the detailed design of highway improvement works and changes to traffic signals at these locations, there are no highways objections. A financial contribution of £25,000 is also requested to fund a Travel Plan Co-ordinator.

The Highways Officer is satisfied that the proposed development would not be detrimental to highways safety and in this regard the proposal is considered to comply with LPCS polices MP1 and QE6 (bullet point 10) and CS4

Conclusions

The proposal would satisfy the Sequential Test and Impact Test and has demonstrated that there would be no significant adverse impacts on Warrington Town Centre, or other defined centres in the Borough. Although the proposal would result in the loss of 3.7 hectares of employment land, there are significant benefits to the delivery of the proposed scheme in this area which would outweigh this loss. The proposal would support the regeneration of the A49 corridor and deliver growth within the Strategic Location of Inner Warrington. Subject to conditions and a s106 legal agreement to secure a financial contribution of £25,000 for a Travel Plan Co-ordinator, the proposal is recommended for approval.

Recommendation: Approve subject to conditions and a s106 agreement to secure a financial contribution of £25,000 for a Travel Plan Co-ordinator.

Conditions

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.
   
   Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:
   - M9 073 AEW XX XX DR A 1002 Rev P8 Location Plan (received by the Local Planning Authority on 13/04/2017)
   - M9 073 AEW XX XX DR A 1003 REV P9 Proposed Site Plan Sheet 1 (received by the Local Planning Authority on 13/04/2017)
   - M9 073 AEW XX XX DR A 1005 REV P3 Proposed Site Plan Sheet 2 (received by the Local Planning Authority on 13/04/2017)
   - M8572 AEW PH3 XX DR A 500 P1 Unit 6H-6M Existing Ground Floor
3. Prior to the commencement of works on each unit hereby approved, details of external roofing and facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials.

Reason: In the interest of the appearance of the development and to accord with Local Plan Core Strategy (2014) policy QE7

4. Prior to first occupation of any building(s) hereby approved, a landscaping scheme which shall include tree planting, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented no later than the first planting season following the completion of development, or in accordance with a timeframe to be agreed in writing with the Local Planning Authority. Any tree or shrub planted which dies or is felled, uprooted, willfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with Local Plan Core Strategy (2014) policy QE7 and Supplementary [planning Document: Design and Construction.

5. Prior to first occupation of any unit hereby approved, a scheme for the provision of 35 electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and made available for use prior to the
occupation of any unit 19-21, and permanently retained for use thereafter.

Reason: To secure the necessary infrastructure for electric vehicles and in accordance with Supplementary Planning Document: Standards for Parking in New Development (March 2015) and to reduce the impact of traffic on air quality, in accordance with Local Plan Core Strategy (2014) policies CS4 and MP1.

6. Prior to first occupation of any unit hereby approved, a scheme cycle parking provision for staff and customers shall be submitted to and approved in writing by the Local Planning Authority. This shall include a timeframe of phasing for the delivery of the approved scheme cycle parking provision for each unit, but shall be delivered in whole and made available for use no later than the occupation of the final unit. The approved scheme shall be permanently retained for use thereafter, unless otherwise agreed in writing by the Local planning Authority.

Reason: To promote sustainable transport options in accordance with Local Plan Core Strategy (2014) policy CS4 and MP1 (bullet points 1 and 3)

7. No further development shall take place, including any site works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include all or any of the following:

• Highways works
• Car park works
• Servicing Areas
• Construction of units 19-21 hereby approved
• Fitting out and elevational treatments to units 6H-6M hereby approved

This shall include a review of all construction operations proposed on site including demolition and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary. The Construction Management Plan shall also include the following details:

• The parking of vehicles of site operatives and visitors
• Loading and unloading of plant and materials
• Storage of plant and materials used in constructing the development
• The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
• Wheel washing facilities
• Measures to control the emission of dust and dirt during construction
• A scheme for recycling/disposing of waste resulting from demolition and construction works
• Proposed locations of Site Compound Areas,
• Proposed Routing of deliveries to Site Compounds or deliveries direct to site, Proposed delivery hours to site,
• Proposed Construction Hours,
• Acoustic mitigation measures,
• Control of Dust and Air Quality on site and
• Consideration for joining a Considerate Contractors Scheme.

The approved Construction Management Plan shall be adhered to throughout the construction period, unless any variation is agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the amenities of neighbouring residential occupiers during construction. To accord with Local Plan Core Strategy (2014) policy QE6 and Supplementary Planning Document: Environmental Protection (May 2013) Sections 3 and 6.

8. Within 3 months of the development hereby approved being brought into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall follow the principles of the submitted Travel Plan Framework (ref: 9600-002-02) and include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to:
   a) Involvement of employees
   b) Information on existing transport policies, services and facilities, travel behaviour and attitudes
   c) Access for all modes of transport
   d) Targets for mode share
   e) Consultation with the Travel Plan Co-ordinator
   f) Appropriate measures and actions to reduce car dependence and encourage sustainable travel
   g) An action plan including a timetable for the implementation of each such element of f above
   h) Mechanisms for monitoring, reviewing and implementing the travel plan

The approved Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied and in use.

An annual report shall be submitted to the Council no later than 1 month following the anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Travel Plan measures, monitoring data and an updated action plan.

Reason: To identify and implement measures to influence travel behaviour and to promote sustainable transport options, in accordance with Local Plan Core Strategy (2014) policy CS4 and MP1 (bullet point 1).

9. Prior to first occupation of any of the units 6H-6M hereby approved, a scheme for the detailed design of highway improvement works and changes to traffic signals, shall be submitted to and approved in writing
The highway works include the following:
• Works to the site access to the A49 to provide an extension to the right lane into the site; and
• Works to the site access to the A49 to provide a new left turn lane into the site.

The works shall be implemented in accordance with the approved details and prior to first occupation of any units 6H-6M.

Reason: In the interest of highways safety and to ensure the phasing of highways works along or in proximity to the strategic road network, in accordance with Local Plan Core Strategy (2014) policy MP1 (bullet point 4) and QE6 (bullet point 10).

10. Prior to first occupation of any of the units 19-21 hereby approved, a scheme for the detailed design of highway improvement works and changes to traffic signals shall be submitted to and approved in writing by the Local Planning Authority.

The highway works include the following:
• Works to the Hawley’s Lane eastbound arm at the junction with the A49.

The works shall be implemented in accordance with the approved details and prior to first occupation of any units 19-21.

Reason: In the interest of highways safety and to ensure the phasing of highways works along or in proximity to the strategic road network, in accordance with Local Plan Core Strategy (2014) policy MP1 (bullet point 4) and QE6 (bullet point 10).

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

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

B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.
C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details.

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with Local Plan Core Strategy (2014) policy QE6; The Framework at paragraph 121; and Supplementary Planning Document: Environmental Protection (May 2013) Section 4.

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

For the avoidance of doubt calculated rated noise levels from any externally mounted plant or equipment at the boundary of the nearest noise residential property should not exceed the existing background level in accordance with the results of a BS4142:2014 noise assessment which shall be submitted to and approved in writing prior to the installation of any externally mounted plant or equipment. The externally mounted plant or equipment shall be implemented in accordance with the approved scheme.

Reason: To prevent an increase in background noise levels and to protect the amenity of any nearby residents. In accordance with Local Plan Core Strategy (2014) policy QE6; The Framework at paragraph 123; and Supplementary Planning Document: Environmental Protection section 6.

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Local Plan Core Strategy (2014) policies QE4 and QE6; the Framework; and Planning Practice Guidance.

14. No further development shall take place, including any site works or demolition; until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, this shall include all or any of the following:
• Highways works
• Car park works
• Servicing Areas
• Construction of units 19-21 hereby approved
• Fitting out and elevational treatments to units 6H-6M hereby approved

The surface water drainage scheme shall be based on the hierarchy of drainage options in the National Planning Practice Guidance, with evidence of an assessment of the site conditions.

The scheme shall be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 30 l/s.

The development shall be carried out in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Local Plan Core Strategy (2014) policies QE4 and QE6; the Framework; and Planning Practice Guidance.

15. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the development hereby permitted (excluding unit 6J) shall be used for the principal purposes of the display and sale of comparison goods only. The bulky goods retailing shall be for the principal purpose of the sale of the following goods:
   Furniture;
   Homeware items;
   Wallcoverings and floor coverings;
   DIY products;
   Electrical items;
   Garden products;
   Kitchen and bathroom showrooms;
   Luggage;
   Soft furnishings.

For the purposes of this condition, other goods will be considered ancillary where the area occupied by a type of goods or service does not exceed 10% of net retail floorspace of any given unit.

Reason: In accordance with the application submission and to define the permission and to specify the retail use hereby approved in the interests of the vitality and viability of the Primary Shopping Area and wider Town Centre of Warrington and other defined centres and to prevent harmful impact on those other centres.. In accordance with Local Plan Core Strategy (2014) policies CS1 (bullet point 5), CS2 (bullet point 5), PV4 and SN5; and the National Planning Policy Framework.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1987 (as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), there shall be no subdivision, amalgamation of floorspace, or insertion of additional mezzanines (other than those approved by this permission) without the prior express consent of the Local Planning Authority.

Reason: To define the permission and specify the approved retail use to prevent a departure from the size of retail units contained within this permission, in the interests of the vitality and viability of the Primary Shopping Area and wider Town Centre of Warrington and other defined centres. In accordance with Local Plan Core Strategy (2014) policies CS1 (bullet point 5), CS2 (bullet point 5), PV4 and SN5; and the National Planning Policy Framework.

17. The total gross floorspace used and available for bulky goods retailing shall be 11,756 sqm including, for the avoidance of doubt, any mezzanine floorspace and relates to units 6h, 6k, 6l, 6m, 19, 20 and 21. In accordance with the applicant’s retail and planning statement and the figures set out Table 8A.

Reason: In accordance with the application submission and to define the permission and to specify the retail use hereby approved in the interests of the vitality and viability of the Primary Shopping Area and wider Town Centre of Warrington and other defined centres and to prevent harmful impact on those other centres. In accordance with Local Plan Core Strategy (2014) policies CS1 (bullet point 5), CS2 (bullet point 5), PV4 and SN5; and the National Planning Policy Framework.
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 2

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2017/30534</th>
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<tbody>
<tr>
<td>Location:</td>
<td>Dane House, Windmill Lane, Appleton, Warrington, WA4 5JP</td>
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<tr>
<td>Ward:</td>
<td>Appleton</td>
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<tr>
<td>Development</td>
<td>Householder - Retrospective application for the retention of 2 x 2m high poles for CCTV cameras to either side of existing entrance to Dane House and the proposed erection of a 5m high pole and CCTV camera to the rear garden of Dane House</td>
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<tr>
<td>Date Registered:</td>
<td>21-Jun-2017</td>
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<tr>
<td>Applicant:</td>
<td>Garry Stevens Smith</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>15-Aug-2017</td>
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</tbody>
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Reason for Referral to Committee

At the request of Councillor Axcell this matter was to be referred to committee if officers are minded to recommend the application for approval. Councillor Axcell also recommends that Members visit the site before reaching a decision.

Human Rights

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

Site Location

The existing property consists of a large detached two storey dwelling with a gated vehicular access directly onto Windmill Lane. An existing wall approximately 1.5 metre - 2 metre high, with pillars either side of the main entrance currently forms the front boundary of the property adjacent to Windmill Lane. There are 2 metre high electronic sliding gates across the vehicular access point. The eastern boundary of the property (alongside Windmill Close) currently consists of a 2 metre high timber fence. Mature
existing trees are located to the east of the existing garden (alongside Windmill Close) protected via a tree preservation order.

Proposal

Retrospective planning permission is sought for the retention of two existing 2 metre high metal poles, (each one forming the mounting for a fixed position CCTV camera). These are located either side of the existing gated main access. Additionally permission is sought for the proposed erection of a 4.5 metre high metal pole (to form the mounting for a third CCTV camera). This camera has the capability to pan, tilt and zoom giving a of 360 degree coverage); it is proposed that this camera will be located in the rear garden at the top of the proposed 4.5 metre high metal pole. An existing CCTV camera is currently attached to a tree close to the eastern boundary of the rear garden. The proposals would see the removal of this camera and its relocation atop the proposed 4.5 metre pole. An existing metal pole is currently located to the front garden of the property which was previously used to mount a CCTV camera; this has now been now removed. That pole would be re-used to mount the camera proposed for the rear garden.

The CCTV cameras have been sited at the property as a result of previous instances of criminal damage both to the property and to the owners belongings over an 18 month period. In addition the interior of the existing house is also protected by CCTV cameras; the property alarm is also currently monitored by a security company. The existing CCTV cameras are not monitored 24 hours a day but the images are recorded onto a hard drive, which then overwrites itself as and when it becomes full.

The applicant has included representations from 6 adjoining residents in support of the planning application, stating that they have no problems with the CCTV cameras and actually feel safer with the cameras in situ.

The proposed location of the existing and proposed CCTV cameras is shown on the plan below:
The appearance of the existing CCTV cameras (to be retained) located at the gated entrance are shown below:

Existing 2m high poles & CCTV cameras to be

Existing CCTV camera attached to tree to be removed

Proposed 4.5m high pole to house CCTV camera

The appearance of the existing CCTV cameras (to be retained) located at the gated entrance are shown below:

Existing camera to eastern side of access to be

Existing pole to be removed
Existing camera to western side of access to be retained
Proposed pole to be located to rear garden – pole shown now removed from the location
**Relevant Planning History**

2009/15409 – 2 storey front and rear extension – approved 8.2.2010

2010/16072 – 1st floor extension over garage & single storey rear – approved 7.5.2010

2014/24354 – Proposed double garage, conversion of existing - approved 22.10.14 garage and new boundary wall/vehicular access

2014/24932 – Proposed loft conversion & dormer windows – approved 2.2.2015
Enforcement History

The Councils’ Enforcement Team received a complaint that CCTV cameras had been installed at the property in February 2017. Upon visiting the property, it was found that;

2 x CCTV cameras had been installed on posts either side of the gated access on to Windmill Lane.

1 CCTV camera had been installed on a 6-7 metre high pole in the front garden

2 x CCTV cameras had been installed on the dwelling itself

1 CCTV camera had been attached to an existing tree to the rear garden

The Enforcement Team concluded that planning permission was required for the CCTV cameras attached to poles but was not required for the cameras attached to the dwelling (by reason of the General Permitted Development Order) or the camera attached to an existing tree (as this did not constitute development). It was therefore recommended that the matter be resolved by the submission of a planning application in respect of the development that required permission. Subsequently, the CCTV camera located on a 6-7 metre high pole in the front garden has been removed. Should planning permission be approved, the applicant also intends to remove the existing camera attached to a tree in the rear garden (indeed it is recommended that the removal of this camera is a condition of any planning permission granted).

Planning Policy

The National Planning Policy Framework (NPPF)

Planning applications for planning permission must be determined in accordance with the development plan (without delay) unless material considerations indicate otherwise

High quality design and a good standard of amenity for all existing and future occupants of land and buildings should be the aim of planning decisions

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Planning decisions should create safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion.

Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably
Warrington Local Plan Core Strategy (LPCS)
Policy SN7 – Enhancing health & well-being
Policy QE6 – Environment & amenity protection
Policy QE7 – Ensuring a high quality place

Warrington Borough Council Corporate Strategy 2017-2018
The Council will work with the police and other agencies to target anti-social
behaviour and crime

The Crime & Disorder Act 1998
Section 17 places a statutory duty on Local Authorities in the exercise of their
functions to take into account the likely effect on levels of crime and disorder.

Warrington BC Supplementary Planning Document – (Design & Construction)
Identifies that the reduction of crime and the fear of crime in Warrington as a
corporate priority

Notification Responses
Neighbours – 2 letters received:
1 objection received (from neighbor fronting Windmill Lane) on the following
grounds:
  1. No objection to the gate cameras in principle, but normally used to
     identify visitors prior to opening electronic gates.
  2. Unable to understand why the gate cameras are 2 metres high and
     predominantly facing outwards, capturing images of existing entrance
     to dwelling opposite and users of Windmill Lane. Cameras are also
     visible in views from Windmill Lane and property to the opposite side of
     the road. The cameras should be lowered and face inwards to
     maintain privacy to dwelling opposite.

1 Comment received from neighbour to rear (at High Warren Cottage):
Requests the following conditions be attached to any subsequent approval to
protect the privacy:
  1. The existing camera attached to the tree to the rear should be
     permanently removed prior to the erection of the replacement camera
     proposed.
  2. The existing conifers, (adjacent to the position of the proposed new
     pole to the rear) should be permanently retained at their current height
     and should not be trimmed/lopped. If the conifers are subsequently
     removed/reduced in height, the camera should either be removed or
     replaced with fixed cameras. Alternatively, the proposed camera to the
     rear should consist of a more suitable fixed camera.
  3. The height of the pole containing the proposed camera to the rear
     should be limited to 3 metres only.
  4. The proposed pole containing the camera to the rear should be
     positioned closer (1.5 metres instead of the proposed 2 metres) in
order to ensure that the existing conifers provide sufficient screening to prevent both overlooking and loss of privacy to adjoining dwelling (at High Warren Cottage).

5. The exact position of the proposed pole to the rear should be marked out (to the satisfaction of the Council) prior to its erection.

6. Existing cameras at entrance onto Windmill Lane impact on the security of adjoining property as those monitoring the images have the capability to know when residents are not at home. The existing cameras should be pointed downwards to record images immediately in front of the gates and be restricted as such throughout.

Councillor Axcell
Objects (and requests that the application be considered by the Development Management Committee following a site visit) on the following grounds (and requests that planning permission be refused and enforcement action instigated):

1. Intrusion on the privacy of other people and the infringement of their civil liberties. The camera’s to the front gate could be either re-located to the front wall of the house or turned to focus only on the drive and front garden of the property.

2. Approval would set a dangerous precedent. Other such cameras could be similarly positioned because of a fear of crime allowing the movements of local residents to be monitored. Such images could be used for criminal activities.

3. CCTV cameras to front of property have been in place in excess of 5 months. These cameras record images almost exclusively of pedestrians and vehicles (including both schoolchildren and car registration plates) using the public highway (Windmill Lane) in both directions. It is not acceptable to view or record such images without permission and planning permission should not be granted for development that would overlook adjacent properties.

4. Cameras’ capable of viewing 360 degree images previously located to front and to rear garden pointing directly at neighboring dwellings.

5. The Parish Council has not been made aware of increase in crimes in Windmill Lane such to warrant such CCTV cameras.

Consultation Responses
Appleton Parish Council
No objection

Warrington BC (Highways)
No objection

Police
No comments received to date

Observations
Highway Impact
The existing cameras to the gated entrance onto Windmill Lane are set 1 metre back from the boundary with the public highway on part of the
applicants existing residential curtilage. The poles which the cameras are attached to are currently screened by existing hedging such that the cameras are only just visible (for both pedestrians and vehicle users) from Windmill Lane. The proposed camera to the rear would be set 25 metres from the nearest part of Windmill Close and as such would also not obstruct visibility for users of that highway. As such, the cameras do not obstruct visibility for users of the highway and are not of a design or appearance that distracts motorists nor do they cause problems in terms of either glare or dazzle as no lighting forms part thereof. The development therefore complies with Policy QE6 of the Councils’ LPCS, in that it does not have an unacceptable impact on highway safety.

Visual impact on character of local area
The existing cameras to the gated entrance of the property are not particularly visually apparent, being very small in size, with the poles on which they are attached hidden by the existing evergreen hedging. The cameras do not therefore appear as an incongruous visual feature when viewed from Windmill Lane. The proposed camera to the rear, (although proposed to be mounted on a pole 4.5 metres high) would be viewed against the existing backdrop of 6 metres high trees and would not be subsequently seen as a discordant man made feature. The proposed green colour (and the placing of artificial foliage thereon) would further assimilate the structure into the existing natural background. The development therefore complies with the requirements of Policy QE7 of the Councils’ LPCS as it maintains the existing attractiveness of the local streetscene and the overall character of the area.

Impact on privacy of neighbours and users of adjoining public highway
Existing cameras at entrance onto Windmill Lane
Although the existing cameras record images of members of the public both walking and travelling along Windmill Lane, it is not considered that such action results in a loss of privacy. In this respect both the footpath and carriageway of Windmill Lane comprise a public highway and therefore the public currently have a right to pass and re-pass. The use of CCTV in monitoring and recording images of members of the public using public thoroughfares is commonplace and in this instance the impact of the 2 front facing cameras is not such that the privacy of adjoining residents whilst using their own private property is affected. The nearest residential property is located over 11 metres on the opposite side of Windmill Lane, shielded by existing landscaping and vegetation, (the majority of which is protected by a tree preservation order). This forms an effective screen to the private gardens within. It is considered that users of the public highway would not normally have a reasonable expectation of privacy, in the same way that occupiers of adjoining residential dwellings would. Policy QE6 of the LPCS is clear in stating that, (in the determination of planning applications), the Council will take into consideration the need to respect the living conditions of existing neighbouring residential occupiers in relation to both overlooking and loss of privacy.

Normally CCTV cameras at residential properties are exempt from the requirements of the Data Protection Act 1998, (which regulates the use and
retention etc. of personal data, in this case captured by CCTV cameras). The Information Commissioner’s Office, (who is an independent authority) regulates and enforces the Data Protection Act. Because the CCTV cameras to the front of the property cover an area used by the general public (i.e. beyond the boundary of the applicant’s existing garden), the applicant is required to be registered as a Data Controller with the Information Commissioner and therefore be bound by the requirements of the Data Protection Act 1998. The applicant is registered as such and has erected signage warning members of the public using Windmill Lane that CCTV coverage is in operation. As such, the use of the cameras to the front of the property and any consequent concerns about the cameras picking up images of schoolchildren or car registration details of members of the public using Windmill Lane would be a matter that the Information Commissioners Office would enforce. It is for the ICO to ensure that this information is used in accordance with the Data Protection Legislation and to protect the interests of members of the public in that regard. Given that this issue is governed by another statutory regime it is not a matter that should determine the outcome of this planning application. When considering a planning application it is clearly not the role of the planning system to duplicate the requirements of other legislation.

**Proposed pole mounted camera to rear garden**

High Warren Cottage is a two-storey detached dwelling sited 31 metres to the west of the proposed rear camera position with its main ground floor and first floor windows directly facing towards the rear garden of Dane House. An existing 3 metre high mature hedge currently forms the eastern boundary of High Warren Cottage, with the garden of Dane House approximately 1 metre lower than both the garden and dwelling at High Warren Cottage. The camera would not be able to capture images of the rear garden or ground and upper floors of High Warren Cottage; this is always provided that the existing conifers and tree are retained.

This camera would replace the existing tree mounted camera which currently faces towards the rear garden of the High Warren Cottage. The proposed 4.5 metre high pole would be screened from directly viewing the rear garden and the dwelling house known as High Warren Cottage in view of the location of intervening existing 6-7 metre high conifers and tree screen, subject to the retention and maintenance of such trees at their current heights and positions. A condition could therefore ensure that no lopping or topping or removal of the trees can take place without the prior written consent of the local planning authority. In addition, a condition could also be attached requiring that physical measures be incorporated into the design of the camera apparatus (in the form of cowling) to also further ensure that the proposed camera is not capable of taking images of adjoining dwellings and their curtilages; thereby protecting the privacy of adjoining residents. Conditions could also ensure that the existing tree mounted camera be removed (prior to the erection of the proposed pole mounted camera) and to ensure that no other cameras are erected to the rear garden.

The proposed rear camera would be located 2 metres from the southern
boundary of the applicants garden and would be located just over 3 metres from the existing blank (windowless) elevation of 5 Windmill Close. The proposed position of the camera would be set 1 metre behind the front elevation of that property and as such would restrict views of the private garden area to a small part of the front garden. Again, a condition requiring the incorporation of a protective cowling could prevent the ability of the camera to view into the garden area of number 5 Windmill Lane.

Subject to conditions, the position and use of the proposed rear pole mounted camera would not result in a loss of privacy to adjoining residents.

**Recommendation**
Approve subject to conditions.

**Conditions**

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

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

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 31.5.2017
   (b) Submitted drawing No's 01, 03, Gate CCTV Pole received on 31.5.2017.
   (c) Email from the applicant (dated 12.7.2017) amending the proposed height of the rear CCTV camera pole to 4.5 metres.

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

3. The proposed pole mounted camera hereby approved shall not be either mounted or brought into use until the existing tree mounted camera (currently located adjoining the eastern boundary of the residential curtilage as shown edged in blue on the plan attached to this decision notice) has been removed. No additional CCTV cameras shall either be erected or placed or positioned in any part of the existing rear garden without the prior written consent of the local planning authority.

   Reason: In order to protect the privacy of adjoining residents, in accordance with Policy QE6 of Warrington Borough Councils' Local Plan Core Strategy
4. None of the existing trees or shrubs within 5 metres of the location of the proposed pole camera to the rear garden, shall be lopped, topped, reduced in height, felled, uprooted or wilfully damaged or destroyed without the prior written consent of the local planning authority. Any existing trees, plants or shrubs within 5 metres of the location of the proposed pole camera which die or are felled, uprooted, willfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: In order to protect the privacy of adjoining residents, in accordance with Policy QE6 of Warrington Borough Councils’ Local Plan Core Strategy

5. Prior to the erection of the proposed pole camera to the rear garden, details shall be submitted to and approved (in writing) by the LPA indicating:

a) the physical measure to be taken by the site owner to ensure that the proposed pole camera is incapable of viewing or taking images of any part of the adjoining residential curtilages of High Warren Cottage and 5 Windmill Lane.

b) where the position of the proposed pole is to be sited, this shall then marked out on site

c) the exact height of the proposed pole

d) the proposed colour, appearance, extent/height of the proposed artificial foliage

The proposed pole and the pole mounted camera shall only be erected in accordance with the details approved under this condition, which shall not be altered without the prior written consent of the LPA.

Reason: In order to protect the privacy of adjoining residents, in accordance with Policy QE6 of Warrington Borough Councils’ Local Plan Core Strategy
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 3

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<td>Location:</td>
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<td>Ward:</td>
<td>Rixton and Woolston</td>
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<tr>
<td>Development</td>
<td>Full Planning - Proposed replacement dwelling incorporating existing detached garage (which is to be modified with a front extension and altered roof pitch)</td>
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<td>Date Registered:</td>
<td>14-Jun-2017</td>
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<tr>
<td>Applicant:</td>
<td>Mr Mason</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
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Reason for Referral

Rixton and Glazebrook Parish Council have objected.

Human Rights

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

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

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

Site and Proposal

The application site comprises 67 School Lane, Rixton with Glazebrook. The existing dwelling on the site is detached and fronts onto School Lane from where it is accessed. The immediate area is predominantly residential in character with the site being adjoined to the north east, east, south and south west by residential development. The opposite side of School Lane is undeveloped with the land in use for agricultural purposes.

This application seeks planning permission for the demolition of the existing
dwelling and the erection of a replacement dwelling in its place. The replacement dwelling will have 5 bedrooms including a bedroom in the roof space. The existing detached garage is also to be extended forward and attached to the dwelling with its roof pitch altered to match that of the house and hipped at the rear.

The originally submitted plans have been amended wherein the height of the dwelling has been reduced; the roof height of the garage has been reduced and hipped at the rear; first floor accommodation in the garage has been omitted; the boundary treatment at the front has been amended from a wall with piers and timber infill panels to a low wall with railings and a gate has been omitted from the access.

**Relevant Planning History**

2015/25570 - Householder - Proposed demolition of part of a garage (other part covered in a previous application) and construction of a double garage – Approved 26th May 2015


**Planning Policies**

**National Planning Policy Framework**
Matters relating to sustainability and the re-use of brownfield land within the urban area the making of high quality places. Section 38(6) of the Planning and Compulsory Planning Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise.

**National Planning Policy Framework**
Core planning principles
Chapter 4 – Promoting sustainable transport
Chapter 6 – Delivering a wide choice of high quality homes
Chapter 7 – Requiring Good Design
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
Chapter 11 – Conserving and enhancing the natural environment

**Local Plan Core Strategy**
Policy CS1 – Overall Spatial Strategy – Delivering Sustainable Development
Policy CS2 – Overall Spatial Strategy – Quantity and Distribution of Development
Policy SN1 – Distribution and Nature of New Housing
Policy QE5 – Flood Risk
Policy QE6 – Environment and Amenity Protection
Policy QE7 – Ensuring a High Quality Place
Policy MP1 – General Transport Principles
Policy CC1 – Inset and Green Belt Settlements

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

Consultation Responses

WBC Highways – No objections.

Environmental Protection – No objections subject to conditions.

United Utilities – No objections.

Notification Responses

Rixton with Glazebrook Parish Council – Object to the original plans; the house is considered too large for the site, insufficient private open space is being provided, the garage is too large and appears to be two storey whilst there are access problems onto School Lane.

Ward Councillor (s) - No comments received from Ward Councillor's.

Neighbours – To date, objections have been received from 5 local residents in relation to the originally proposed plans, the contents of which can be summarised as follows:

- The dwelling is out of scale with the site
- The density and height will be overbearing
- Windows in the rear elevation will cause overlooking
- The taller and larger dwelling would harm the street scene
- The dwelling will cause overshadowing
- The proposed wall across the frontage would create a walled compound
- The garage would have a significant impact on local residents
- The proposed tree planting in the rear garden will have a visual and practical impact on adjacent properties
- The ridge would be 2m higher than the existing dwelling
- The plans and supporting documentation are not sufficiently detailed to enable the Council to make a decision
- Measures should be required to ameliorate impacts from demolition and construction works

Observations

Principle of development
The site is situated within the settlement of Hollins Green which is inset from the Green Belt, as defined by Policy CC1 of the LPCS. This policy allows new
build development, conversions and redevelopment proposals provided that they comply with national policy and are sustainable in terms of LPCS policy CS1. Given this application proposes the replacement of an existing dwelling, there are no objections to the principle of the development proposed.

**Design, Scale and Street Scene**
Policy CS1 places an emphasis on the delivery of high standards of design which pay regard to local distinctiveness. Policy QE7 states that development should reinforce local distinctiveness and enhance the character, appearance and function of the local area and harmonise with the existing building.

The locality comprises a mix of traditional and modern dwellings which are predominantly two storey in scale. Most properties are set back from School Lane with generous front gardens and off street parking provision. The more modern properties on the northwestern side of School Lane have open plan frontages whereas the older properties on the southeastern side of the road have enclosed front gardens.

The proposed replacement dwelling would be two storeys in scale with a ridge height of 8.2m which is 470mm higher than the existing dwelling. The dwelling incorporates projecting twin bays at the front with double height glazing between.

The existing detached garage on the site (approved in 2015) will be incorporated into the dwelling and extended at the front. Its roof pitch is also being amended so as it matches that of the dwelling. This results in its ridge height being increased by 400mm. The main roof of the dwelling is hipped on both sides which replicates the existing dwelling and dwellings on both sides. As a response to concerns regarding the scale of the dwelling and garage, amended plans have been submitted wherein the overall height of the dwelling has been reduced. The height of the garage roof has also been reduced and hipped at the back to reduce its impact on neighbouring properties. The first floor accommodation above the garage has also been removed from the plans.

The design of the dwelling is traditional albeit with modern elements and reflects the recently constructed dwelling on the adjacent plot (67A School Lane). It will sit in line with this and the adjacent property to the northeast. The eaves of the property line through with those of properties on adjacent plots and the ridge height is closer to that of 65 School Lane.

At the front of the site, the existing hedgerow will be removed and replaced with a low brick wall incorporating three piers which will be infilled with railings. This boundary treatment allows more of the dwelling to be seen from the highway and is more akin to other boundary treatments along School Lane. Gates have also been removed from the plans.

On the basis of the above, it is considered that design and scale of the dwelling is acceptable and that it will not cause detrimental harm to the character and appearance of the street scene. The proposal therefore
complies with Policy CS1 and QE7 of the LPCS.

Impact on Living Conditions

The application site is adjoined on three sides by residential development. Policy CS1 identifies the need to safeguard residential amenity, while policy QE6 states that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers in relation to, inter alia, overlooking, privacy, sunlight, overshadowing, and noise and disturbance. The NPPF also seeks to ensure that existing and future occupants have a good standard of amenity.

In terms of first floor windows facing the rear boundary, these would be at least 10m away. They would also be approximately 22m from habitable room windows in the nearest properties to the rear. Given there are no significant level differences between the site and these properties, these interface distances are sufficient to ensure the occupiers of properties facing the site will not be detrimentally harmed. In terms of the tree planting detailed to the rear boundary on the site plan, a matter of concern in the objections, the planting of trees is not a matter that the Council can control. The first floor windows in the side elevations of the replacement dwelling serve a dressing room and an en-suite bathroom. Both of these windows look onto the side elevations of the dwellings either side of the site so will not result in overlooking that would lead to a loss of privacy.

With regards to the garage, whilst it is being extended forward, its footprint at the rear is not being changed. The roof height of the amended garage has been reduced so as the ridge is only 400mm higher than existing. Furthermore, the gable at the rear of the garage has been replaced with a hip so when compared to the existing garage, the amended roof will have a comparable impact to the existing roof.

With regards to the adjacent dwellings on School Lane, the gable end of the property to the northeast (65A School Lane) is blank at first floor level. At ground floor level there is a door to a utility room and window to a shower room the party boundary.

With regards to the impact on the property to the southwest, the replacement dwelling will sit approximately 5.7m from its side elevation and also sits in line with this property. The ridge height of the garage has been amended so as it is now 400mm higher than existing although its rear roof section is proposed to be hipped. Whilst the garage is being extended at the front, the extended part of the garage will have a limited impact on the living conditions of the occupier of this property given the main part of the garage is already in situ.

The proposal therefore complies with the requisite planning policies which seek to ensure living conditions of neighbouring occupiers are not detrimentally harmed. A pre-commencement condition is also proposed to require the applicant to submit a construction management plan for approval and thereafter undertake the works in accordance with the plan.
Parking and Access Matters

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

Policy MP1 of the LPCS states that in order to secure sustainable development the Council will support proposals where they adhere to locally determined car and cycle parking standards. Policy MP7 states that the Council will require all development to (a) demonstrate that it will not significant harm highway safety and (b) show that all trips generated by development can be adequately served by Warrington’s Transport Network.

The Council’s Parking Standards SPD requires 3 allocated parking spaces and 1 visitor parking space for the proposed dwelling. The proposed site plan demonstrates that this level of parking provision can be met within the curtilage of the dwelling. Further parking is also available within the garage although this is not needed to meeting the required parking provision.

The submitted plans have also demonstrated that the visibility splay requirements set out in Manual for Streets of 2.4 metres by 43 metres on both sides of the vehicular can be achieved. The plans also demonstrate that 2m x 2m pedestrian visibility splay can be achieved at the access point.

On the basis of the above, WBC Highways do not raise any objections. The proposal therefore complies with Policy CS1, MP1 and MP7 of the LPCS.

Land Quality

Having regard to the sensitive end use of the site, the Council’s Environmental Protection team recommend that an investigation of ground quality is undertaken to ensure that the site is suitable for the replacement dwelling. This will be made the subject of a condition.

Recommendation

Approve subject to conditions

Conditions

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

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

2. The development shall be carried out in accordance with the following documents received by the Council:
(a) The planning application forms and Design and Access Statement received on 21st June 2017.

(b) Submitted drawings nos. P001 Rev D (Proposed New Dwelling Plans and Elevations) received on 11th August 2017; Ex-001 (Proposed New Dwelling Existing Plans and Elevations); PS-1141-TS (Topographical Survey) and LOC 001 (Site Location Plan).

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

3. Prior to any construction works taking place above slab level, samples of the external roofing and facing materials (including details of any render, paintwork, and colourwash) shall be submitted to the local planning authority for approval. All replacement brickwork shall be of the same type, texture & colour as those on the relevant existing building. The development shall be constructed in accordance with the approved details/samples

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

4. If any sections of boundary fencing or walling are to be replaced (other than the boundary treatment to the site frontage detailed on the approved plans), they shall be done so prior to the first occupation of the replacement dwelling hereby permitted in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of the character and appearance of the development in compliance with Policies QE7 and QE8 of the Local Plan Core Strategy.

5. Prior to the hard surfacing of any parts of the site, full details of materials shall be submitted to and approved in writing by the Local Planning Authority. The hard surfaced areas forward of the dwelling house shall either be permeable or laid in such a way so as surface water is drained to a porous area within the site. The hard surfacing shall be completed in accordance with the approved details prior to the first occupation of the replacement dwelling hereby approved.

Reason: In the interest of the character and appearance of the streetscene in compliance with Policies CS1 and QE7 of the Local Plan Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning
(General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification); (i) no additional openings shall be formed in the elevations of the dwelling (ii) no extensions shall be carried out to the dwelling (iii) no garages or outbuildings shall be erected within the curtilage of the dwelling and; (vi) no means of vehicular access shall be constructed to the curtilage of the dwelling, unless planning permission for such development has been granted by the Local Planning Authority.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policies CS1, QE6 and QE7 of the Local Plan Core Strategy.

7. Prior to the first occupation of the dwelling hereby approved, the car parking and turning areas to serve the development shall be laid out and hard surfaced in accordance with approved drawing no. P001 Rev D (Proposed New Dwelling Plans and Elevations), made available for use and retained as such at all times thereafter.

Reason: To ensure that the site is served by appropriate off street parking in the interest of highway safety and in compliance with Policy QE6 of the Warrington Core Strategy.

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion and in accordance with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion in accordance with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).
10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement shall be adhered to throughout the construction period. The Statement shall provide for the following:

i. the parking of vehicles of site operatives and visitors
ii. loading and unloading of plant and materials
iii. storage of plant and materials used in constructing the development
iv. the erection and maintenance of security or fencing
v. wheel washing facilities
vi. measures to control the emission of dust and dirt during demolition and construction works
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In order to comply with Policy QE6 of the Warrington Core Strategy. A pre-commencement condition is needed so that all construction matters are properly controlled prior to commencement of all development including construction.
Appendix 1 – Proposed Plans

Proposed Site Plan

Proposed Street Scene
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 4

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<tr>
<td>Ward:</td>
<td>Culcheth, Glazebury and Croft</td>
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<td>Development:</td>
<td>Full Planning (Major)- Proposed demolition of existing buildings and construction of 16 dwellings with associated parking, access, amenity space and landscaping.</td>
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<td>Date Registered:</td>
<td>14-Jun-2017</td>
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<td>Applicant:</td>
<td>Elan Homes Limited &amp; Jefford Limited &amp; C</td>
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<td>8/13/16 Week Expiry Date:</td>
<td>12-Sep-2017</td>
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Reason for Referral

The application has been referred to Development Management Committee at the request of Culcheth Parish Council.

Human Rights

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

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

Site and Proposal

The application site relates to the existing Trucks 2 Go site which is a dealership for used trucks, commercial vehicles, plant machinery and trailers. The site is accessed off Warrington Road via two vehicular access points with a car park to the frontage and ancillary buildings. To the rear, the site is comprised of grassland. The site could best be described as being comprised as three distinct parts – parcel A, B and C – as set out in the application. Parcel A to the north falls within the washed over Green Belt settlement of Mee Brow/Fowley Common and is previously developed. Parcel B falls within
the defined Green Belt, and is also previously developed. Parcel C falls within the Green Belt and is greenfield. This is illustrated below:

To the north and west are the defined inset settlements, with a residential property immediately to the east, with countryside beyond but also other urban forms of development such as the wastewater treatment works further south east. The defined inset settlements of Glazebury and Culcheth are close by, to the northeast and west respectively. The application site is both previously developed and greenfield.

The application seeks full planning permission to redevelop parcels A and B which includes the demolition of the two existing buildings on site, the erection of 16No residential dwellings, the formation of a new access onto Warrington Road. Existing access points would be stopped up. The application also includes the creation of an area of amenity space and biodiversity enhancement within parcel C.

**Relevant Planning History**

2014/23704 Full Planning - Proposed erection of galvanised steel arched building to be used as a vehicle store and maintenance workshop (Resubmission of 2013/22672)
Refused

2013/22672 Full Planning - Proposed construction of galvanised steel arched
building to be used as a vehicle store and maintenance workshop. Refused

2009/15202 Proposed change of use from the display and sale of touring caravans, servicing and repairs to the display and sale of commercial vehicles Approved with conditions 04/11/2009

2004/02242 Proposed display and sale of touring caravans together with ancillary servicing & repairs, and the sale of related accessories. Approved with conditions 12/03/2004

2003/01251 Proposed demolition of existing buildings; erection of new building for use as caravan showroom; accessories shop; reception area; offices; toilets and staff kitchen: Erection of four bay workshop building, including parts store, office and toilet/wash room. Refused 11/11/2003

A01/42645 Single storey side extension to include room in roof space Approved with conditions 21/03/2001

A01/42589 Change of use from residential to a private children’s day nursery Approved with conditions 27/03/2001

Planning Policy Context

Local Plan Core Strategy (2014) (LPCS)
National Planning Policy Framework (NPPF)
Supplementary Planning Document: Design and Construction
Supplementary Planning Document: Environmental Protection (May 2013)
Supplementary Planning Document: Standards for Parking in New Development (March 2015)
Planning Practice Guidance (PPG)

Consultation Responses

Highways
No objection to revised plans received by the Local Planning Authority on 28/07/2017, subject to various informatives and the following conditions:
- Submission of a Construction Management Plan
- Scheme for the provision of electric vehicle charging points, or passive provision
- A scheme for the TROs
- Provision of visibility splays to driveways

Environmental Protection
No objection subject to various informatives and the following conditions:
- Contaminated Land (Characterisation, Remediation Strategy and Completion)
- Acoustic Mitigation - Glazing Specifications
- Acoustic Mitigation - Acoustic Fence Specifications
- Acoustic Ventilation System - Façade 1 properties
- Acoustic Ventilation System - façade 2 properties
- Construction Environmental Management Plan

**Flood Risk Team**
Request a condition in relation to detailed design for the surface water drainage layout and attenuation.

**Ecology**
No objection on nature conservation grounds. Request a condition in relation to further details of biodiversity enhancement, including new pond creation and management.

**United Utilities**
No objection subject to the following conditions:
- Foul and surface water shall be drained on separate systems.
- Surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions
- Management and Maintenance of Sustainable Drainage Systems

**Education**
Financial contribution of £48,513 required to secure appropriate enhancements at Culcheth Highway School.

**Planning Policy**
A commuted sum of £320,812 is required to secure affordable housing provision.

**Notification Responses**

**Ward Councillor (s):**
No representations received at the time of report preparation.

**Culcheth Parish Council**
The Parish Council object to the application for the following reasons:

1. **Road parking and the problems with traffic on Warrington Road.**
   - Our first concern is the inadequate parking. “At least 2 spaces per house” is unrealistic given that it is likely that each house would need more than 3 spaces and it cannot be guaranteed that the garages will be used as garages. The layout for the turning head is optimistic given that it is likely to be used for parking.
   - The visitor parking shown has 3 spaces close to the site entrance which would cause an obstruction.
   - The parking for houses 1 and 2 and their impact on 3 is contrived and unrealistic given that parking on Warrington road is not an option because of the impact on traffic. There needs to be a revised layout and possibly one less...
house.

2. Traffic on Warrington Road is heavy in the morning, afternoon/evening and whenever the local motorways are blocked. Turning right onto Warrington road will be difficult and time consuming given the number of cars generated by this proposal. Crossing the road is also difficult. We already have an unresolved problem with cars trying to exit Fowley Common Lane opposite. A joint traffic solution to these serious problems needs consideration, possibly a pelican crossing.

3. It is important for neighbours, on both sides, that boundary trees and hedges are retained.

4. We are concerned that whatever happens to the public right of way the situation with anti-social behaviour is improved.

5. We query whether building exclusively 4 and 5 bedroom houses is appropriate for the needs of our villages.

6. We request a site visit by the development control committee if this layout is recommended for approval

Neighbours
At the time of report preparation 1 No objection has been received. This is available to view on the Council’s website, a number of questions are asked in the representation, but the key planning issues raised are summarised below:

- Increase in antisocial behaviour along public footpath due to proposed boundary treatments creating a secluded plot
- Impact on service in Culcheth Village, cumulative effect with other developments on village services

Other matters

An additional representation has been received and refers to an enclosure which raises planning and highways issues however there are no attachments to the cover letter.

Appraisal

Principle
The application site is situated within the Green Belt, as defined by the Local Plan Core Strategy Policies Map. LPCS policy CS1 has regard to, among other things, the priority afforded to the protection of the Green Belt and the character of the countryside, with policy CS2 providing that within the Green Belt area, development will only be allowed where it is considered to be appropriate in accordance with national policy.

LPCS policy C5 recognises the purposes of the Green Belt relevant to Warrington which are:
- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns from merging into one another
- To assist in safeguarding the countryside from encroachment; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land
Policy C5 states that development proposals within the Green Belt will be approved where they accord with relevant national policy.

As part of the site is within a Green Belt settlement which is washed over by the Green Belt, LPCS policy CC1 is also relevant and states, among other things, that new build development may be appropriate where it can be demonstrated that the proposal constitutes limited infill development of an appropriate scale, design and character in that it constitutes a small break between existing development which has more affinity with the built form of the settlement as opposed to the openness of the Green Belt; unless the break contributes to the character of the settlement. The site however does not constitute a small break in an otherwise built up frontage due to the width of approximately 48 metres along Warrington Road and the absence of built form along the frontage. Nonetheless, LPCS policies CS2 and CS5 are clear that development proposals should accord with the relevant national policy.

The site has both previously developed and greenfield elements. Parcel A to the north falls within the washed over Green Belt settlement of Mee Brow/Fowley Common and is previously developed. Parcel B falls within the defined Green Belt, and is also previously developed. Parcel C falls within the Green Belt and is greenfield. The proposed residential development would be wholly sited within parcels A and B which is previously developed land. The area proposed for biodiversity enhancement would occupy Parcel C.

Paragraph 89 (bullet point) of the NPPF allows for the 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 purposes of including land within it than the existing development.

In order to fall within this exception it is therefore necessary to establish whether or not the proposed development has a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Openness
The NPPF at paragraph 79 is clear that the essential characteristics of Green Belts are their openness and their permanence. Openness is affected by the occupation of space which was previously open.

Parcels A and B are previously developed and occupied by a truck dealership which is spread fully across this area. It is wholly laid to hard-standing and occupied by three buildings to the northeastern corner of the site, a car park to the frontage, and truck storage / parking across the remainder of the commercial site. The sizes of trucks stored do vary but on average can be around 4 metres in height, including tractor units, plant and machinery such as cherry pickers of various sizes. The boundaries are formed by palisade fencing of approximately 2.2 metres in height, with flood lighting at various points across the site with columns reaching approximately 7 metres in height.
The site (Parcels A and B) is highly urbanised as a result of the amount of hard-standing, commercial paraphernalia and the use commercial use of the land. The site has more of an affinity to the built form of the washed over settlement of Mee Brow than it does with the countryside.

In terms of built development, the existing site arrangements for parcels A and B account for approximately 4221.74 sq m of hard-standing which is used for parking / storage areas of trucks and other plant and machinery across the site and a building footprint of approximately 257.69 sq m from ancillary two storey and single storey buildings. The proposed development would have a building footprint of 1761.45 sq m and hard standing of 2457.96 sq m associated with 16 two storey detached dwellings, garages, parking areas and the highway network including footpaths.

The proposal would result in a significantly increased building footprint with detached dwellings and associated paraphernalia, with ridge heights varying but reaching a maximum of approx. 8.9 metres. The height of the development across parcels A and B would be almost double the height of the largest truck, however the built form would be broken up by landscaped areas, greenery and residential gardens. The increased height would be balanced against a reduction in the spread of hard-standing which currently occupies the whole area of parcels A and B and also the existing commercial activity associated with the presence of trucks, plant and equipment across the entirety of the same area, including other commercial paraphernalia. It is not considered that the proposal would have a greater impact on the openness of the Green Belt than the existing development.

**Purposes of the Green Belt**

The purposes of the Green Belt relevant to Warrington are set out in LPCS policy C5 which are:
- To check the unrestricted sprawl of large built-up areas
- To prevent neighbouring towns from merging into one another
- To assist in safeguarding the countryside from encroachment; and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land

The proposed development would be contained within parcels A and B which is already fully developed with an active commercial use. Parcel C is currently grassland which is defined to the boundaries by palisade fencing, thereby preventing access, although the Public Right Of Way (PROW) definitive maps identifies a route within the site. This area would be enhanced for amenity and biodiversity value and would become publically accessible as part of the proposal, with connectivity to the development and wider area. The land originally formed the planning unit of Barrons Caravan site, although it is undeveloped. The proposals include the enhancement of parcel C with landscaping and biodiversity benefits, although there would be no built development. It would accord with The NPPF at paragraph 81 which seeks to enhance the beneficial use of the Green Belt. It is not considered that the proposal would conflict with the purposes of the Green Belt as set out in policy CS5.
The proposed residential development is not inappropriate development in the Green Belt having regard to paragraph 89 bullet point 6.

Public Right Of Way
The proposed development would affect the definitive route of Culcheth & Glazebury footpath no.141 which would be obstructed by plots 10 and 11. Separate to this current planning application, a footpath diversion order under section 257 (1A) of the Town & Country Planning Act 1990 has been submitted to alter to the route of the footpath outside the application site to the route which is actually observed in practice. This is being considered separately to this planning application.

The application proposes to remove the exiting palisade fencing which adjoins the footpath and to open up parcel C to allow access. Concerns have been raised in relation to anti-social behavior along the footpath and an objection considers that the boundary treatments would result in a secluded area.

Along the boundary with plots 10 to 16, timber fencing is proposed at 2.4 metres high (1.8 metre fence with an addition 600mm trellis above). As the scheme is residential and the rear gardens back on to the PROW it is necessary to ensure privacy of private garden areas but also the amenity of users of the footpath. It is considered that boundary treatment proposed is acceptable for both privacy and visual terms, and would terminate at the boundary of plot 10. After plot 10 the footpath would open up with the removal of the palisade fencing making it less enclosed and would benefit from wider surveillance from the plots to the rear and from 10-20 Eden Avenue.

It is considered that the proposed development would enhance the environmental credentials of the route which is already confined to both sides by development. The proposal would accord with LPCS policy MP3.

Highways
The Parish Council raise concerns in relation to highways matters such as parking provision and traffic along Warrington Road, including the difficulty of traffic turning right, and also raise current problems at Fowley Common Lane opposite. The Parish Council suggest the possibility of a pelican crossing. The Highways Officer has assessed the planning application and the revised plans submitted to the Local Planning Authority on 28/07/2017 and raises no objection to the proposed development, subject to conditions. The proposal accords with the parking standards as set out in the Council's SPD: Standards for Parking in New Development (March 2015) and is therefore satisfactory in this regard. Pedestrian crossing facilities have not been requested by the Highways Officer and therefore it is not considered that a Pelican Crossing is required as no impacts have been identified to warrant mitigation in this regard.

The Highways Officer has requested a condition to secure a scheme of TROs to be funded entirely by the applicant; however this would not meet the
conditions tests and should be secured via the Road Traffic Regulation Act 1984, which is separate to the planning process.

Subject to other conditions in relation to a Construction Management Plan, a scheme for the provision of electric vehicle charging points, or passive provision and provision of visibility splays to driveways the proposal would be acceptable in highways safety terms and would accord with LPCS policies QE6 (bullet point 10), QE7 (bullet point 2), MP1 (bullet point 3) and MP3; and Supplementary Planning Document: Standards for Parking in New Development.

Amenity
The proposal provides an acceptable level of amenity for future occupiers having regard to private garden areas and separation distances within plots.

Plot 10 is situated close to the western boundary, however no habitable windows are proposed at first floor, only secondary hallway window and bathroom window which are identified as being obscured glazed. As such there would be no overlooking or loss of privacy to neighbouring gardens. Due to the proximity of plot 10 to the boundary it is considered necessary to control permitted development rights in relation to any additional windows or dormers which could give rise to overlooking or loss of privacy impacts to the nearest neighbouring properties at Eden Avenue.

In terms of plot 3 and its relationship with plot 4, there would be no overlooking or loss of privacy due to secondary windows at first floor which would also be obscure glazed. Again, it would be necessary to control permitted development rights in relation to any additional windows or dormers which could give rise to overlooking or loss of privacy impacts to the private garden area of plot 4.

The application is accompanied by an acoustic report which identifies Warrington Road as having high levels of noise from road traffic. This is confirmed by the Council’s noise mapping data. Noise mitigation is recommended in the form of acoustic fencing to the boundaries of identified plots closest to Warrington Road; specified glazing for various plots and also acoustic trickles vents for some properties. Environmental Protection advise that the acoustic fencing and glazing specifications are acceptable, however that mechanical ventilation will be required for those properties proposed along Warrington Road (Plots 1, 2 and 16). Subject to the provision of the noise mitigation and conditions recommended by Environmental Protection, future occupiers of the development would not be adversely affected by noise.

Land contamination conditions are also recommended in addition to a Construction Management Plan which would ensure acceptable levels of amenity during the construction phase of the development.

The proposed residential development would be a compatible form of development with the neighbouring residential estate and would not give rise to adverse amenity impacts on neighbouring properties or future occupiers.
The proposal would comply with LPCS policy QE6.

**Ecology**
The application is accompanied by an ecological report which has been assessed by GMEU, the Council’s appointed ecologists. GMEU state that the buildings have low potential to support bats and raise no objections on nature conservation grounds. Conditions to secure the creation and management of the pond are recommended.

The proposal is acceptable in nature conservation terms and would provide significant biodiversity enhancements which is a clear benefit of the scheme. The enhancements would be secured by condition including a Biodiversity Management Plan. The application would accord with LPCS policy QE5.

**Design**
The 16 dwellings would be arranged around a central spine road which terminates at the head of the development with a cul-de-sac. Parking provision would be provided within each plot, with driveways leading to individual or integral garages and soft landscaped areas to the fronts of each dwelling. The proposed layout would fit in with the pattern of the adjacent residential estate, and would be acceptable in terms of overall scale and appearance of the dwelling types proposed.

To the frontage of Warrington Road, the development would have an open aspect with soft landscaping, reflective of the wider frontage either side of the site. The proposal would result in a significantly enhanced streetscene along Warrington Road. The proposed development would result in clear visual and environmental benefits over and above the existing commercial site, with a tree-lined frontage which would continue with the site. The proposed landscaping scheme would offer further enhancements.

The proposed development is acceptable in design terms and would accord with the provisions of LPCS policy QE7.

**Education**
Supplementary Planning Document: Planning Obligations requires residential developments of 11 or more units to provide a contribution in order to secure appropriate enhancements to existing education facilities in the local area where there is insufficient capacity to meet the increase in school age children generated by the development.

A financial contribution of £48,513 is required to support appropriate enhancements at Culcheth High School and this has been agreed by the applicant. This would be secured by way of a s106 legal agreement.

The proposal would comply with LPCS policy MP10.

**Affordable Housing**
LPCS policy SN2 seeks to secure mixed and inclusive neighbourhoods and the policy 30% affordable housing provision on this site.
Policy SN2 expresses a preference for affordable housing to be provided on site, unless the type of housing proposed does not accord with priority needs or the nature of the site is unsuitable for affordable housing - in which case a commuted sum in lieu of on-site provision will be required. Supplementary Planning Document: Planning Obligations also addresses affordable housing provision.

It is considered that a commuted sum of the required amount in lieu of on-site provision is an appropriate way of securing affordable housing in this case. Off site provision in this case would give the potential to deliver affordable housing in a location more closely served by facilities which meet the daily needs of occupiers and it is accepted that the meeting of priority housing need tends to entail the delivery of smaller units, notwithstanding the acknowledged requirement in the SHMA for some 4 bed units.

The required commuted sum of £320,812 has been agreed by the applicant and would be secured by way of a s106 legal agreement.

The proposal would comply with LPCS policy SN2 and Supplementary Planning Document: Planning Obligations.

Conclusions

The proposal is appropriate development in the Green Belt as it meets the exception of paragraph 89 (bullet point 6) of the National Planning Policy Framework. The application would deliver a sustainable form of development which would perform the key economic, social and environmental roles such as housing delivery, including affordable housing, and associated growth, significant biodiversity enhancements and physical regeneration of the site with overall visual improvements to the frontage of Warrington Road and the washed over settlement of Mee Brow. Subject to conditions and a Section 106 agreement to secure a commuted sum of £320,812 to deliver affordable housing provision and a financial contribution of £48,513 for appropriate education enhancements at Culcheth High School; the proposal would comply with the relevant policies of the Development Plan, and is recommended for approval accordingly.

Recommendation: Approve subject to s106 legal agreement and conditions
**Conditions**

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

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

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

   WN-PL-001 REV E Planning Layout (Received by the Local Planning Authority on 28/07/2017)
   WN-CPL-001 REV F Car Parking Layout (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/BRN-01 REVA Brandon (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/WOO-01 REVA Woodhall – Type 1 (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/WOO-02 REVA Woodhall Type 2 (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/BOR-01 REVA Bordsley (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/WES-01 REV B Weston Special Plans (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/WES-02 REV B Weston Special Elevations (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/MEL-01 REV A Mellor Type 1 Plans (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/MEL-02 REV A Mellor Type 1 Elevations (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/MEL-03 REV A Mellor Type 2 Elevations (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/LIN-01 REV A Lincoln Type 1 (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/LIN-02 REV A Lincoln Type 2 (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/KEL-01 REV A Kelsall Special Plans (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/KEL-02 REV A Kelsall Special Elevations (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/HAL-01 REV A Halstead Plans (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/HAL-02 REV A Halstead Elevations (Received by the Local Planning Authority on 28/07/2017)
   WN-G-P/GAR-01 REV B Garages (Received by the Local Planning Authority on 28/07/2017)
   WN-LP-001 REV B Location Plan

   **Reason:** For the avoidance of doubt and to specify the plans to which
the permission relates

3. The boundary treatments shall be implemented in accordance with the submitted boundary treatment plans:

05036/04
Ext Works Fence G16 REV A
Ext Works Fence G09 REV A
Ext Works Fence G08 REV A
Ext Works Fence G06 REV A
Ext Works Fence G05 REV A

Reason: In accordance with the submitted details and in the interests of the appearance of the development in the locality, having regard to Local Plan Core Strategy (2014) policy QE7.

4. The development shall be carried out in accordance with the glazing mitigation measures detailed in the updated Environoise Noise Assessment Ref 20841R01bCMpak dated Monday 14th August 2017 at table 6.1 and figure 6.1.

No individual dwelling shall be occupied until a validation report confirming the installed measures for each individual dwelling has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of future occupiers from the impacts of elevated road traffic noise and to ensure compliance with both the internal and external residential noise requirements of BS8233:2014. To comply with Local Plan Core Strategy (2014) policy QE6.

5. The development shall be carried out in accordance with the acoustic fence mitigation measures detailed in the updated Environoise Noise Assessment Ref 20841R01bCMpak dated Monday 14th August 2017 at paragraph 7.1.8 and figure 7.1.

No individual dwelling shall be occupied until a validation report confirming the installed measures for each individual plot or the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of future occupiers from the impacts of elevated road traffic noise and to ensure compliance with both the internal and external residential noise requirements of BS8233:2014. To comply with Local Plan Core Strategy (2014) policy QE6.
6. Details of an acoustically treated mechanical ventilation system for Façade 1 dwellings - Plot 1, Plot 2 and Plot 16 - as identified in figure 6.1 of the updated Environoise Noise Assessment Ref 20841R01bCMpak dated Monday 14th August 2017 shall be submitted to and approved in writing by the Local Planning Authority.

The system shall provide inlet ventilation to all habitable rooms on ground and first floor levels and remove air from kitchens and bathrooms/wc areas. The system shall be provided with a suitable boost facility to increase ventilation rates to minimise the need to open windows.

The individual plots i.e. Plot 1, 2 and 16 shall not be occupied until the approved system has been implemented and a validation report for the relevant plot has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of future occupiers from the impacts of elevated road traffic noise and to ensure compliance with both the internal and external residential noise requirements of BS8233:2014. To comply with Local Plan Core Strategy (2014) policy QE6.

7. Details of an acoustically treated mechanical ventilation system for Façade 2 dwellings - Plot 3, Plot 4, Plot 5, Plot 12, Plot 13, Plot 14 and Plot 15 – as identified in figure 6.1 of the updated Environoise Noise Assessment Ref 20841R01bCMpak dated Monday 14th August 2017 shall be submitted to and approved in writing by the Local Planning Authority.

The system shall provide inlet ventilation to all habitable rooms on first floor levels and remove air from first floor bathrooms and ensuite areas. The system shall be provided with a suitable boost facility to increase ventilation rates to minimise the need to open windows.

The individual plots i.e. Plot 3, Plot 4, Plot 5, Plot 12, Plot 13, Plot 14 and Plot 15 shall not be occupied until the approved system has been implemented and a validation report for the relevant plot has been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of future occupiers from the impacts of elevated road traffic noise and to ensure compliance with both the internal and external residential noise requirements of BS8233:2014. To comply with Local Plan Core Strategy (2014) policy QE6.

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

Reason: To secure proper drainage and to manage the risk of flooding.
and pollution, in accordance with Local Plan Core Strategy (2014) policies QE4 and QE6; the Framework; and Planning Practice Guidance.

9. No development shall take place, including any site works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

This shall include a review of all construction operations proposed on site including demolition and shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary. The Construction Management Plan shall also include the following details:

The parking of vehicles of site operatives and visitors
Loading and unloading of plant and materials
Storage of plant and materials used in constructing the development
The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
Wheel washing facilities
Measures to control the emission of dust and dirt during construction
A scheme for recycling/disposing of waste resulting from demolition and construction works
Proposed locations of Site Compound Areas,
Proposed Routing of deliveries to Site Compounds or deliveries direct to site, Proposed delivery hours to site,
Proposed Construction Hours,
Acoustic mitigation measures,
Control of Dust and Air Quality on site and
Consideration for joining a Considerate Contractors Scheme.

The approved Construction Management Plan shall be adhered to throughout the construction period, unless any variation is agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the amenities of neighbouring residential occupiers during construction. To accord with Local Plan Core Strategy (2014) policy QE6 and Supplementary Planning Document: Environmental Protection (May 2013) Sections 3 and 6.

10. The development shall be carried out in accordance with the external finishes schedule and WN-EF-001 REV C (Received by the Local Planning Authority on 28/07/2017), unless any variation is approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development in the locality having regard to Local Plan Core Strategy (2014) policy QE7.
11. No development (other than demolition and site clearance works) shall take place until the steps in Sections A and B below are undertaken:

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with Local Plan Core Strategy (2014) policy QE6; The National Planning Policy Framework at paragraph 121; and Supplementary Planning Document: Environmental Protection (May 2013) Section 4.

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with Local Plan Core Strategy (2014) policy QE6; The National Planning Policy Framework at paragraph 121; and Supplementary Planning Document: Environmental Protection (May 2013) Section 4.

13. Prior to occupation of each dwelling hereby approved, electric vehicle charging points shall be provided within each plot and retained thereafter; or alternatively the provision of ducting and power supply to enable the retrofit of a recharge point.

Reason: To secure the necessary infrastructure for electric vehicles and in accordance with Supplementary Planning Document: Standards for Parking in New Development (March 2015).

14. Prior to occupation of Plot 3 and Plot 10 the windows shown to be obscured glazed for Plot 3 (drawing number WN-G-P/WES-02 REV B) and plot 10 (WN-G-P/KEL-02 REV A) shall be implemented as such, and any replacement windows shall also be obscure glazed.

Reason: To safeguard neighbouring properties from overlooking and loss of privacy in accordance with Local Plan Core Strategy (2014) policy QE7.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification): no windows or dormer windows shall be added to the dwelling(s) of Plots 3 and Plot 10 other than those expressly authorised by this permission, unless
planning permission for such development has been granted by the Local Planning Authority.

Reason: To safeguard neighbouring properties from overlooking and loss of privacy in accordance with Local Plan Core Strategy (2014) policy QE7.

16. Prior to the occupation of any part of the development hereby approved, or in accordance with a timeframe first agreed in writing with the Local Planning Authority, the approved landscaping details as shown on drawing number WN-LL-001 REV D Landscaping Layout (Received by the Local Planning Authority on 28/07/2017) shall be carried out in full. Any trees, plants or shrubs so planted which die or are felled, uprooted, willfully damaged or destroyed within five years of the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality. To comply with Local Plan Core Strategy (2014) policy QE7. Supplementary Planning Document: Design and Construction.

17. Prior to the creation of the pond as shown on approved drawing number WN-LL-001 REV D Landscaping Layout (Received by the Local Planning Authority on 28/07/2017) full construction details including levels shall be submitted to and approved in writing by the Local Planning Authority. The pond shall be provided in accordance with the approved details prior to occupation of the development.

Reason: Further details are required in relation to the pond and the timeframe is necessary in order to deliver biodiversity enhancements as part of the scheme. In accordance with Local Plan Core Strategy (2014) policy QE5.

18. The following visibility splays shall be provided for each dwelling prior to their occupation and subsequently maintained thereafter:
   2.4 metre by 25 metre vehicular visibility splay for each driveway.
   2 metre by 2 metre pedestrian visibility splays at the back of footway

Nothing shall be built, planted /allowed to grow above 600mm in height

Reason: To ensure the maintenance of visibility splays in the interests of pedestrian and vehicles safety and to accord with Local Plan Core Strategy (2014) policies QE6 and MP3.

19. Prior to the commencement of the development hereby approved a detailed Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity
Management Plan shall include the following:

(a) Description and evaluation of features to be managed, including the pond
(b) Any ecological trends and constraints on site that might influence management.
(c) Aims and objectives of management.
(d) Appropriate management options for achieving aims and objectives.
(e) Prescriptions for management actions.
(f) Preparation of a work schedule
(g) Details of the Management Company responsible for long-term management of the plan.
(h) Any ongoing monitoring and remedial measures.
(i) Details of the legal and funding mechanisms by which the long-term management of the plan will be secured by the developer with the Management Company.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The development shall be carried out in accordance with the approved Biodiversity Management Plan.

Reason: Further details are required in relation to biodiversity enhancement and the need to secure the delivery of the enhancement and the management of the site. In accordance with Local Plan Core Strategy (2014) policy QE5; Supplementary Planning Document: Design and Construction (Chapter 9); and the Framework.
Application Number: 2017/30593
Location: 53, Denbury Avenue, Stockton Heath, Warrington, WA4 2BW
Ward: Grappenhall
Development: Full Planning - Proposed detached dwelling
Date Registered: 15-Jun-2017
Applicant: Mr Quayle
8/13/16 Week Expiry Date: 09-Aug-2017

Reason for referral to Planning Committee

Councillor Wellborn has objected.

Human Rights

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

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

Background

This application is following the refusal of the previous application on the site. The design and access outlines the differences between this and the previously refused scheme which are:
- A reduction in the buildings footprint;
- The re-siting of the proposed dwelling so that it now runs parallel with the common boundary to number 125-127 Chester Road;
- Increase in separation distance between the side elevation of the proposed property and numbers 125-127 Chester Road has been increased to 20 metres;
- A 2 metre minimum distance introduced between the common boundary with 53 Denbury and the application site;
- Gable elevation has been replaced with a hip roof arrangement;
- Detached garage now proposed

A Heritage Statement has been submitted, to reflect the fact that the site
adjoins part of the boundary of the Ackers Road/ Marlborough Crescent Conservation Area.

A Design and Access Statement (DAS) has been submitted which describes the proposal in more detail.

**Site and Surroundings**

This application relates to a 580 sq m portion of the garden of 53 Denbury Avenue.

This greenfield site is within a residential area and is bounded on all sides by residential properties including two storey detached and semi-detached dwellings and detached and semi-detached bungalows. The site includes the existing vehicular access to 53 Denbury Avenue, and is currently occupied by a flat roof detached garage. The setting includes a recently constructed new house at 6a Summerville Gardens.

**Proposal**

It is proposed to demolish the existing detached garage and re-develop the site with a two storey, 3 bed detached dwelling. The proposal also includes a detached garage.

The proposed dwelling would be set back at least 17 metres from the back of the footway on Denbury Avenue, and would be set at the same finished floor level as 53 Denbury Avenue.

The proposed dwelling would have a shared access with the existing property at 53 Denbury Avenue, being provided with an area of hardstanding to the front which is capable of accommodating several cars. The property is also proposed to have a detached single garage and would also provide an additional parking space.

The existing property at 53 Denbury Avenue would be provided with two on-site parking spaces in a tandem arrangement to the side of the dwelling.

The site abuts the edge of the Ackers Road/ Marlborough Crescent Conservation Area; the application is therefore submitted with a Heritage Statement to aid in the assessment of impact on the Conservation Area.

The scheme has been amended during the process to reduce the size of the proposed property and to alter some of the proposed windows. The property would have a height to the ridge of 7.3 metres.

The application has been submitted with the following documentation:

- Design and Access Statement;
- Heritage Assessment;
- Tree protection measures are shown on the plans
**Relevant Site History**
2017/30040 – Proposed detached property – refused - The proposed house would appear as a harmfully overbearing feature when experienced from the rear of the bungalows at 125 & 127 Chester Road, and so would harmfully effect outlook, by reason of the proximity of the proposed house to the common boundary and the extent of the proposed build along the common boundary. The proposal would, therefore, be in conflict with policies CS1 and QE6 of the Warrington Borough Council Core Strategy and paragraph 17, fourth bullet point of the NPPF.

2017/29668 – Proposed detached property - withdrawn

**Planning Policy**
National Planning Policy Framework
Core planning principles
Chapter 4 – Promoting sustainable transport
Chapter 6 – Delivering a wide choice of high quality homes
Chapter 7 – Requiring Good Design
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change
Chapter 11 – Conserving and enhancing the natural environment

Local Plan Core Strategy
CS1 – Delivering Sustainable Development
CS2 – Quantity and Distribution of Development
CS9 – Inner Warrington
SN1 – Distribution and Nature of New Housing
QE4 – Flood Risk
QE6 – Environment and Amenity Protection
QE7 – Ensuring a high quality place
QE8 – Historic Environment
MP1 – General Transport Principles
MP7 – Transport Assessments and Travel Plans

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

**Consultation Responses**

Highways – No objection, subject to conditions.

Ecology – No objection

Environmental Protection – No objection, subject to conditions.

United Utilities – Advise with regard to drainage, the water supply to each unit and the relationship of the development to United Utilities assets.
Notification Responses

Stockton Heath Parish Council - No objection.

Ward Councillors
Councillor Mr G Wellborn objects:-
"Following concerns expressed by near neighbours, as Ward Councillor I wish to object to the above proposal, on the grounds it will be overbearing to surrounding properties, many of which are bungalows. It will cause loss of light and privacy. There are also concerns that the shared driveway with No. 53 will cause a traffic hazard. In the event you are minded to approve, I request this Application be referred to the Development Management Committee."

Neighbours
Objections/ comment from eight households:
- Not in keeping with character of the area;
- Lack of sympathy due to size of house;
- Causes overlooking of neighbours;
- Not all neighbours shown on site plan;
- Requested written confirmation of changes but none received but saw plans;
- Plot size has increased;
- Juliet balcony will overlook number 50 Denbury Avenue;
- Proposed property is inappropriate, unnecessary, overbearing and completely out of character with the neighbourhood;
- Small triangular parcel of land;
- Impact on highway safety;
- Too small a site;
- Lack of outdoor space;
- Proposed build is not an extension but a new property;
- Site is not accessible unless the garage of the existing property is demolished;
- Building a new property in an existing garden is clear garden grabbing which is clearly contrary to the Council’s local planning regulations;
- Established homes will be overshadowed and overlooked;
- Overlooking of neighbouring properties;
- The building a Large 2 storey House on this small parcel of land WILL have an unacceptable impact on the surrounding area and causing:- loss of privacy, outlook, overshadowing, noise and disturbance particularly for 125 & 127 Chester road also 51 Denbury Avenue and the new house in Summerville Gardens;
- Property is now closer to Sommerville Gardens and 129 Chester Road – in addressing the issues relating to 125 and 127 worsened the impact on other neighbours;
- I value my garden and the ability to use it with a large degree of privacy as an elderly resident;
- The gardens serving the bungalows are currently extremely private;
- Loss of privacy & effect on lifestyle; the proposed development will
dramatically overshadow mine and neighbouring bungalows, thus seriously affecting both our outlook and privacy
- Overlooking resulting in devaluation of my property
- Noise and disturbance; the size of the build for this property will mean that we are living with a daily building site for months; this is currently a very quiet area and our bedroom is to the rear of the property with a direct aspect to the area of this proposed development
- Local character and visual impact; the size of the property is over and above all other surrounding properties in the area. A majority of detached properties are bungalows and all semi-detached properties are houses. There are no other properties of this date, size and design in this area. The property does not fit in with the area. In particular this property is surrounded by all others, being squeezed into the garden of an existing property to the rear
- Surrounding character of the properties; the property will have a negative visual impact on the area, being out of character with all surrounding properties. It is surrounded by low level properties and will be seen over the top of them all, looking down into our gardens and windows
- Garden grabbing; this proposed development will considerably add to the density of the residential area. In terms of the character of this property this is an over-development of the land available, with the house being afforded a slim entrance due to the shape of the site and then filling the majority of the land available, being set directly up against the proposed boundary line on one side and only a short distance from the current boundary to neighbouring properties
- Existing garage isn’t used for living space;
- Tree inaccurately shown;
- Impact on the tree;
- Covenant on the property;
- Do new properties have permitted development rights?
- How is the percentage of coverage worked out?
- Materials out of keeping with site;
- Overbearing;
- Is the impact on 53 Denbury taken into account;
- if this was feasible when the estate was established back in 1958, the proposed house would have been constructed at this time
- Covenants within the Deeds prevent development of garden land; this has been a factor in the marketing of nearby properties
- Until fairly recently government policy encouraged a higher density of residential development within existing settlements than might have been considered some years ago; government policy is now to discourage “garden grabbing”
- Changes to Permitted Development rules has nurtured a culture of building without careful forethought coupled with the desire to make a buck by building in your garden which Local Authorities have failed to discourage even though higher Government have decreed this as undesirable and not in the best interests of local communities
- Overdevelopment of the site
- Threat to the unique character of the neighbourhood and the adverse
impact on the residential amenity of the neighbours
- Conflict with Conservation Area status
- Highway safety; random parking of cars on the pavements and highways; Denbury Avenue already suffers with this problem to a greater extent and this forces pedestrians, including parents with children in prams and disabled people in wheelchairs or on scooters, to have to occupy the highway to navigate through the avenue
- Denbury Avenue is also used as a “rat run” in peak traffic times. There is a greater problem where there is a bend in the road and even more so outside of No 53; several neighbours around No 53 have reported irresponsible parking which has caused near misses
- The plans although somewhat vague suggest that the residents will occupy the garden space for parking but I have already witnessed regular parking on the pavement outside of No. 53; coupled with the residents that will occupy the land you will have multiple cars parked on this area of the highway dramatically increasing the risk of an incident.
- A further exacerbation of this problem is because of the high perimeter fence that the Council installed at great expense around our local unoccupied field which has remained so now for several years there are more children now playing in the roads surrounding this area
- It is already known that putting certain things in an objection which the LA has to disregard somewhat nullifies the whole process as inevitably most people complain about things which are very important to them like loss of light and view, diminished property values, erosion of neighbourly relations, noise pollution, air pollution, additional pressure on local resources etc. which are ignored but fundamental to how they feel and the impact it will have on their daily lives unless they are really relevant to the planning process
- Does a house specifically need so many dressing rooms and en-suite facilities
- Several documents that have been filed on the Planning portal are not legible or clearly marked out and despite requests for this to be corrected this problem persists
- The site management of the recent previous build i.e. the kitchen extension was rather poor and amateurish such that the footpath outside has not really recovered from the unauthorised dumping of waste material coupled with building material being directed to the drains by the rather wet weather recently. A survey of the drains will reveal no doubt if any build up is evident. I also had public coming through my property viewing the work as there was no on site security. The footpath still has deposits of building waste material on it which has spread further to the area in front of my house and onto the roadside. These deposits continue to leech into the road drains
- the scheme is merely an attempt to profit out of what is essentially one of the few remaining areas in the village that has green space and is it not to build a home
- Please could you let me know what will happen to the huge tree which substantially overlooks the site. Will it be chopped down like the other tree which used to be next to the rear of the property. The reply I received regarding the previous failed application was that the application is still in the process of being assessed, however Nancy advised 07/03/17 that as a result of the number of objections received the application would be referred to the Planning Committee for a decision should you as officers be minded approving it. The next Committee meeting that the application can be considered at is the meeting on the 5th April. If you are minded to refuse then the application will be determined by officers under delegated authority with a decision being made by the 20th March?. She continued by saying that in respect of the tree the drawings show this tree being retained, however the submission does not include a tree report to demonstrate what if any impact the proposal would have on the health of this tree and as such you cannot be confident that the tree can be retained at this stage. As such if you are happy with all other aspects of the proposal then you will need to request further information from the applicant in order that we can assess impact and determine whether it will be possible to retain the tree as suggested. If requested this will be uploaded onto the website for public viewing. I replied to Nancy by stating that I don’t think the drawings demonstrate the scale of the tree nor do they give any reasonable idea of the actual size of the building and asked further if planning is based on just drawings. This was followed up by me with a picture of the beech tree in its younger years towering above the existing house. It is certainly not a small tree and I think your recent visit surprised you just how big it is compared to the drawings. Has a tree survey been completed and if so where is the information to be found?

- Since information for residents is crucial when considering making comments about changes in their neighbourhood it would be prudent of the LA to make available with reasonable effort on the part of the resident, information pertinent to the regulations presently in force. My previous experience when investing the kitchen extension revealed to me that up to date information is not readily available particularly when you consider the Permitted Development rules that now exist. I raised a complaint about this last year but the Planning website persisted with information from 15th December 2003. But now since my complaint, more recent information which gives a completely different perspective is now available. This gives misleading facts about what is permissible and what is not. One interesting dimension to this comment is that the 45-degree rule from which many plans historically have failed is not clearly defined and therefore the responses given by officers of the LA could also deemed to be the same. However an explanation would be helpful in ascertaining the correct legislation has been applied to the new build proposal and confirmation that the plans follow all the newly published information. See link
https://www.warrington.gov.uk/download/.../householder_extension_guide_lines.pdf which was the source of the original material I was directed towards last year. A clear reference to the Local Development Framework or whatever title it is now defined as would also be useful reference material;
- Delegated decisions carry an inherent risk that the person dealing with the application is not as aware of local knowledge and will then make a decision at arm’s length. Since some of the work by the LA has been conducted by Urban Vision Partnership Ltd in Salford Civic Centre can an assurance be given by Development Control that the best decision has been made in respect of the local residents. Has the application actually been referred to the Committee?

- If it transpires that planning permission is granted it is stated that objectors have no right of appeal but it must be noted that there is an exception if there is a serious legal error or a breach in the way the decision has been reached. May I remind the LA that the Local Planning Core Strategy was challenged in 2015 but although the plan remains it includes a commitment to provide a robust basis to ensure new development proposals are built in the right place and are of the highest standard. This must apply to this development also;

- Wildlife considerations need to be taken into account and so far, I do not see any reference to this. I have lived the avenue for nearly 20 years and have enjoyed the proliferation of hedgehogs, frogs, foxes, ducks, bats and pheasant in the garden although the bats flying in the garden at night have significantly declined since the recent new build next to the neighbour’s garden. Has your ecologist investigated the present population, their flight paths and habitat amongst other things?

- Please note that the above comments are intended to encourage the LA to ensure that they have demonstrated their accountability in a clear, concise and transparent manner and I respectfully request that mine and all the other many objections as addressed thoroughly too.

- Points raised where neighbours consider the application form has incorrectly been filled in

Observations

Principle of development
Until the Council can demonstrate a 5 year housing supply, paragraph 49 of the NPPF confirms that Core Strategy housing land supply policies should not be considered up-to-date. This means that the presumption in favour of sustainable development - as set out in paragraph 14 of the NPPF – applies, and it is considered that the proposal is acceptable in this context.

The application site is considered to be located in a sustainable location – being well related to bus routes and to a range of goods and services in Grappenhall and Stockton Heath.

The proposal is considered to be acceptable, as a matter of principle.

Visual Amenity
Being a backland site, there would be limited views of the proposed dwelling from public vantage points. As with the new dwelling built recently at 6a Summerville Gardens, there would be glimpses of the new house between existing dwellings – but it would not form a particularly noticeable or dominant feature in the streetscene.
Although the proposed dwelling would marginally increase housing density in the vicinity of the site, it is not considered that this would seriously harm the visual character and appearance of the area. In terms of building footprint-to-curtilage ratio, the applicant has pointed out that the proposed development would be circa 17.25 percent with the increase in garden size, which compares with the circa 23.5 percent for the nearby new house to the north east boundary at 6A Summerville Gardens (although this figure is disputed by the developer of 6A). If approved, a condition could be attached which would withdraw permitted rights to enlarge the new dwelling, and to prevent new outbuildings within its curtilage.

The properties on Denbury Avenue and Chester Road, which would form the immediate context for the development, comprise a mix of two storey units and detached bungalows. The scale and design of the proposed dwelling would add to this diversity, and would respect this context.

It is acknowledged as likely that the large beech tree on the south eastern boundary of the site with the bungalows on Chester Road would eventually either need to be substantially reduced, in terms of canopy spread, or removed altogether once the proposed new dwelling were to be built and occupied. This is likely to be necessary to protect either the living conditions of the future occupiers of the proposed new dwelling, or the integrity of the new dwelling itself. The beech tree is not protected by TPO, and its base is outside the application site, within a separate residential curtilage. The consent of the owner of the tree would be needed for work to be legally undertaken to the tree. A condition could be attached to protect the tree during the demolition of the garage and the construction of the new dwelling. Although the tree is a large, attractive and apparently healthy specimen, its potential future loss would not make a significant difference to the visual impact of the proposed dwelling in the wider public streetscene – but its loss would increase the prominence of the blank elevation when seen from the bungalows. Whilst the tree can be clearly seen from Denbury Avenue, it is not the subject of a TPO, and is a feature within an area of adjoining private back gardens, rather than of a more open or public realm.

It is also material to consider that a single new detached house was recently built on garden land to the immediate rear of the current application site, off Summerville Gardens.
Whilst each case should be considered on its own merits, the new dwelling at 6a Summerville Gardens demonstrates that the construction of individual new houses can be accommodated on garden land in this vicinity in a way that visually integrates with the established built form.

Subject to a condition to ensure the use of satisfactory materials, the proposed development is capable of making a positive contribution to its setting, in visual terms. It would not have a detrimental impact upon the character and appearance of the Ackers Road/Marlborough Crescent Conservation Area which is located to the north, by way of – for example – harming important views into or out of the Conservation Area. The proposal is therefore considered to be in accordance with policies CS1, QE7 and QE8 of the Warrington Borough Council Core Strategy and the design policies in the National Planning Policy Framework.

Residential Amenity
The application site is located within a residential area being bounded on all sides by residential properties including two storey detached and semi-detached dwellings and detached and semi-detached bungalows.
The House Extensions Guideline sets out separation distances between properties that are a general rule. These guidelines are that between habitable windows a separation distance of not less than 21 metres should be observed and a distance of 13 metres should be maintained to a blank gable wall. However, these distances may be increased where there are significant distances in site levels. While this application is for a new property, these guidelines are useful to bear in mind when looking at the impact a proposal has on adjacent properties.

The proposed dwelling is orientated parallel with the bungalows located on Chester Road. The closest part of this elevation is 20 metres from 125 Chester Road and 20 metres from 127 Chester Road and while there is a first floor side window facing towards them this is proposed to be obscurely glazed and it can be conditioned that this window has to be obscurely glazed and non-opening unless above 1.7 metres above the floor level of the room it’s located in.

The proposed dwelling contains one first floor window at the front of the property and this is located at an oblique angle to 53 Denbury Avenue. 53 Denbury does benefit from a window facing in this direction, however, this is a landing window and as such is more to provide light to the property and it would be difficult to look out of. While there is also a first floor window showed on the elevations serving bedroom 3, this is not shown on the floor plan and due to the interface with the neighbouring property this can be conditioned to be obscurely glazed.

Due to the orientation of the property in relation to the existing property at 53 Denbury Avenue, the proposal is not considered to conflict with the 45 degree code.
The proposed dwelling would be located 7 metres beyond the main rear elevation of 53 Denbury Avenue which has a first floor bathroom window closest to the application site and 5m beyond the single storey extension at 53 Denbury Avenue which houses a kitchen breakfast room served by both a window and a set of patio doors. The proposed dwelling would be located a minimum of 2m from the common boundary with 53 Denbury Avenue and this does not have any habitable room windows in the side elevation facing the application site, having a tarmac driveway to the side.

The relationship between the proposed dwelling and the property at 53 Denbury Avenue is considered to be acceptable. It is acknowledged that any future prospective purchasers of 53 Denbury Avenue would obviously be aware of the relationship between the existing and proposed units, and so would base their decision-making on this.

The single storey rear element of the proposed dwelling would be located 2m from the common boundary with the property at 6a Summerville Gardens, with the main rear elevation of the proposed dwelling being located 3m away. It is proposed that the ground floor would have habitable windows but that the closest first floor rear windows to the neighbouring property would be obscurely glazed and only the window located over 9 metres to the boundary would be clear glazed. The common boundary between the application site and the properties on Summerville Gardens is marked by a hedge of over 2m in height. It is considered necessary to remove permitted development rights from the property for the insertion of windows into this elevation.

Having regard to the boundary treatment, the level of separation that would be provided to the common boundary and the offset between the proposed dwelling and the units at 6a and 7 Summerville Gardens it is not considered that the proposal would result in those at 6a and 7 Summerville Gardens experiencing a loss of light, privacy and/or any overbearing impact.

The neighbouring property at 50 Denbury Avenue has objected to the proposal on the grounds of overlooking and loss of privacy. The proposed property is located at least 17 metres back from the footway and the distance to the front boundary of this neighbouring property is 13 metres so the property is located over 30 metres away from this neighbouring property (The minimum recommended interface distance is 21 metres).

At its closest point the proposed dwelling would be located 3m from the common boundary with the bungalows on Chester Road, which is marked by a boundary fence of differing heights. The proposed dwelling would have a hipped roof with the ridge sloping away from the bungalows and an element of the property is stepped in from the boundary and the property has a height of 7.3 metres to the top of the ridge. This application is located 20 metres from the rear of 125 and 127 Chester Road which are orientated so that the rear elevations of these properties face the side elevations of the application property. The stepped nature of the dwelling would serve to partly mitigate its impact on the properties on Chester Road. There is one first floor window
proposed in the elevation that would face 125/127 Chester Road and this is proposed to be obscurely glazed, and the possible future insertion of windows here could be restricted by condition, to prevent harmful overlooking of the bungalows. Views towards the bungalows from the ground floor windows in the proposed elevation would be largely prevented by the boundary fence. The proposal does include a first floor Juliet balcony which is located on the front elevation of the property closest to the boundary with 127 Chester Road, it is considered that with the location of the property in relation to 127 Chester Road there would be no loss of privacy from this window. In relation to 125 Chester Road, the window is located over 3 metres from the boundary with a tree located between the proposed property and 125 Chester Road. The window may cause perceived overlooking of the bottom of the garden adjacent to Denbury Avenue, however, with the angle that the window it is located at this is not considered to create a unacceptable impact on the living condition of the neighbouring property.

There is no doubt that the currently, mostly open, outlook across the back garden of 53 Denbury Avenue from 125 and 127 Chester Road would undoubtedly be reduced by the proposal - given the height and massing of the proposed dwelling; its proximity to the shared boundary and the fact that the dwelling would span a significant portion of the rear garden areas of 125 and 127 Chester Road. The test is whether the proposal would have unacceptable impact on the living conditions of the adjacent properties. The proposal has an increase separation distance from the scheme as it has been increased from 18 metres 20 metres. The separation distance is well in excess of the recommended 13 metres and with the increase in separation distance the new property is not considered to have an unacceptable detrimental impact on the living conditions of adjacent residential properties.

In terms of potential noise and disturbance, including the future likely use of the new driveway parking, it is not considered that the creation of one dwelling at the site would generate a level of activity that would result in serious harm. It would be typical of many other such relationships in suburban areas and there is no objection from the Council’s Environmental Protection team.

The agent has proposed a detached garage that is stated to be permitted development. The height of the proposed garage means that it is not permitted development and as it is shown on the plans to be assessed therefore it forms part of the planning application. The proposed garage is located adjacent to the common boundary with 125 Chester Road and is shown to be within the root protection area of the tree. With a garage of this size, it is possible to build the foundations without affecting the roots of the tree and a condition can be added to any permission stating this. The proposed garage is shown to be 14 metres away from the rear elevation of 125 Chester Road and due to the separation distances available the proposal for the garage is not considered to have a detrimental impact on the residential amenity of the neighbouring properties through overlooking, overshadowing or loss of privacy.

Future occupants of the proposed dwelling would be provided with adequate
light and outlook from their habitable room windows and with suitable outdoor amenity space.

Parking and highway safety
The proposed dwelling would have a shared access with the existing property at 53 Denbury Avenue, being provided with an area of hardstanding to the front which is capable of accommodating several cars. The property would also have a detached garage which would therefore provide an additional parking space.

The existing property at 53 Denbury Avenue would be provided with two on-site parking spaces in a tandem arrangement to the side of the dwelling.

There would be no impact on the parking provision for the existing development as the driveway will continue to provide two allocated parking spaces in a tandem arrangement. It is anticipated that visitor parking currently occurs on-street and the proposals would not change this arrangement.

There is a dispute over the internal size of the garage with the plans showing that the internal dimensions of the garage are approximately 3 x 7m but the Highways Officer has stated that it is smaller than that. For new garages the Warrington Parking Standards state that the minimum size of a garage should be 7 x 3m or 6 x 3.5m. As the measurements stated on the plans complies with the standard dimension requirements, therefore the garage should be classified as a parking space.

The proposal would create a shared forecourt area from Denbury Avenue. The shared forecourt area is considered to be acceptable as the carriageway width exceeds the minimum requirement of 4.1m and provides adequate space for vehicles to wait without causing congestion on the adopted highway.

The Council’s Highways team has previously granted approval for a vehicular access at this location and as such no visibility splays will be required - as there would be no material change to the expected level of traffic. A road opening permit will be required to extend the existing dropped kerb at the expense of the applicant.

Access to the rear gardens is provided for both the existing and proposed developments for cycle parking and bin storage.

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

There are no objections on Highways grounds.

Trees
There are a number of trees on and adjacent to and overhanging the application site. The large beech tree within the curtilage of 127 Chester Road
is visible from various public vantage points and as such this tree is considered to provide an amenity value in the street.

Whilst a tree survey has not been submitted with the application, it is considered that a condition which requires the protection of the beech tree near the boundary with 125/127 Chester Road and the other tree in the north eastern corner of the site could be attached, so that the trees could be retained at least into the short term.

**Heritage**

Although abutting the edge of the Ackers Road/ Marlborough Crescent Conservation Area, at the rear of the property “Wardleys”, it is considered that a new dwelling at the application site would not significantly impact on the special character and appearance of the Conservation Area. Whilst the proposal would take up garden land outside the Conservation Area, and so cause some alteration to the pattern and grain of development in the vicinity, this change would not be harmful to the Conservation Area – as this would not harmfully impact on public views into or out of the Conservation Area. It should be borne in mind also that a proposal for the demolition of a domestic garage and construction of a single new dwelling was granted planning permission in 2013 (2013/21440) – the position of which is also shown in relation to the Conservation Area boundary below – at which time, no serious impact on the Conservation Area was identified either:-

![Map Image](image.png)

**Other Matters**

The contents of any private deeds which may apply to the application site are not a material consideration in this instance.
Given the size and orientation of the proposed dwelling, it is not considered that undue overshadowing or loss of daylight or sunlight would occur.

In terms of bats; it is considered that there is a low likelihood that there is roost in the existing garage and that – as it is flat roofed and well maintained – there is a low likelihood that it would be used as a roost. Even if present, however, it is considered very unlikely that any roost would be of such significance that a license would not be obtained from Natural England. The temporary impact of the proposed demolition and new construction work on nearby living conditions could be satisfactorily controlled via the agreement of a Construction Environmental Management Plan.

**Recommendation**  
Approve subject to conditions.

**Conditions**

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

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

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on (b) Submitted drawing No’s

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

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

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

4. Contaminated Land Condition: Characterisation & Remediation Strategy

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

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

5. Contaminated Land Condition: Completion

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

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

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

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

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

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013). Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

6. The windows shown on the approved plans to be obscurely glazed shall at all times be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window shall be fitted with obscure glass only, of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority. Any replacement window frame shall also be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and be fitted with obscure glass of an equal degree of obscurity to that which was first approved.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy.
7. The garage hereby approved shall be used solely for the purpose of housing a private motor vehicle or other uses incidental to the enjoyment of the dwelling and no trade or business shall be carried out in or from the building.

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

8. The garage hereby approved shall be kept freely available for the parking of cars, and shall not be converted or altered to form an additional room within the dwelling without the submission and grant of a planning permission for that purpose by the local planning authority.

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

9. Prior to the occupation of the new property hereby approved, the car parking spaces identified on the approved plans shall be implemented and thereafter retained.

Reason: To ensure that off-street parking is maintained for the safe, efficient and convenient movement of all highway users and to comply with Policy QE6 of the Warrington Core Strategy and Warrington SPD: Standards for Parking in new Development.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification): (i) no external alterations shall be carried out to the dwelling(s) (ii) no extensions shall be carried out to the dwelling(s) (iii) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (iv) no vehicle standing space or hardstanding shall be provided within the curtilage of the dwelling(s) (v) no gates, walls, fences or other structures shall be erected along any boundary to the curtilage of the dwelling(s) (vi) no means of vehicular access shall be constructed to the curtilage of the dwelling(s) (vii) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission, unless planning permission for such development has been granted by the Local Planning Authority.

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

11. None of the existing trees or shrubs within the site shall be lopped, topped, felled, uprooted or willfully damaged or destroyed without the prior written consent of the local planning authority.

Reason: The existing trees and shrubs represent an important visual amenity which the local planning authority considers should be maintained, and in order to comply with Policy QE7 of the Warrington...
Core Strategy and the Warrington SPD: Design and Construction.

12. All trees to be retained on site or adjacent shall be protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. The development shall not commence unless and until the measures required by the British Standard are implemented and all measures required shall continue until the development has been completed.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity, and in order to comply Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.
Appendix
The Site In Relation to Surrounding Properties

The Elevation Which Would Face the Bungalows on Chester Road

The Rear of the Bungalows on Chester Road
The New House Permitted at 6A Summerville Gardens
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 6

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2017/30605</th>
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<tbody>
<tr>
<td>Location:</td>
<td>51-59, Winwick Road, Warrington, WA2 7DH</td>
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<tr>
<td>Ward:</td>
<td>Bewsey and Whitecross</td>
</tr>
<tr>
<td>Development</td>
<td>Full Planning - Proposed sub-division of 51-59 Winwick Road into two units and the change of use of one of the two units from a retail unit (Class A1) to create a Hot Food Takeaway unit (Class A5) with associated external alterations - including the installation of a new shopfront and ancillary works.</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>22-Jun-2017</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Domino's Pizza UK &amp; Ireland</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>16-Aug-2017</td>
</tr>
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Reason For Referral

Part of the site (the parking area) is Council owned land.

Human Rights

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

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

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

Site and Proposal

The site is 51-59 Winwick Road which is a single storey vacant shop unit. This is in a commercial area opposite the stadium, with a vacant shop and a car showroom adjacent the site.

The site is within both the Town Centre and Inner Warrington as defined by Policies CS 7 and CS 9 of the Warrington Local Plan Core Strategy (LPCS). It is also within an area of Archaeological Potential.
The proposal is for the sub division of the unit into two units and the change of use of one of those from A1 (Retail) to A5 (Hot Food Takeaway) as well as associated external alterations including the installation of a new shopfront, as well as a louvre grille and extract duct for extraction / ventilation equipment, and associated works. The hot food takeaway would be 160m2 and would employ 10 full time and 10 part time employees. Opening hours would be 11.00 - 23.00 hours seven days a week.

Relevant Planning History

Although there are some previous planning applications at this site, none are of relevance to this application.

Notification Responses

No representations have been received following the publicity given to the application consisting of neighbour notification letters and the display of a site notice.

Consultation Responses

Ward Councillors
No comments received.

Environmental Protection
No objections.

Highways
No objections.

Observations

Principle
The site is located within the Town Centre & Inner Warrington and the principle of development that generates jobs growth and contributes to the economy and secures benefits from the re-use of vacant land are supported by Policies CS 7 and CS 9 of the LPCS. The proposal would also be likely to help secure the continued vitality and viability of this part of the town centre. Overall therefore it is considered that the principle of the proposal would be acceptable.

The main issues to consider with the proposal are its impact on residential amenity; the impact on highway safety, and the design of the proposal.

Residential Amenity
The application site is in a commercial area of the town centre and there are no residential units in close proximity to the site. The Environmental Protection team have not raised any concerns regarding impacts on residential amenity from the proposals, specifically from either odour or noise. Given these considerations it is not considered that it would be likely that there would be an adverse impact on residential amenity as a result of the
proposal in accordance with Policy QE 6 of the LPCS and the Hot Food Takeaways (HFT) SPD.

Highway Safety
Given that the proposal would reduce the parking requirements from 12 to 9 car parking spaces, and given the sustainable location of the site and the parking available for 4 cars, overall the parking provision would be acceptable. Therefore it would accord with Policy MP 1 of the LPCS.

Design
The front elevation of the HFT is to have a new aluminium shopfront in grey, with other areas having the existing shopfronts retained. All roller shutters and housings are to be retained and resprayed grey to match. A new exit door and louvre grille are to be installed to the side elevation, which would not compromise the overall design of the premises. A heat extraction unit from the plant room would be located on the roof of the unit, but would not be visible from its surroundings as it would be set behind the parapet roof. The proposed oven extract duct may be visible above the parapet, but at the height of 1m set back 4.8m from the main front wall of the unit it is unlikely that this would appear as an obtrusive feature. Although the plans show this as the minimum height, the agent has clarified that they would be happy for this to be conditioned to be its maximum height. This is to be attached. Currently the unit is vacant so the roller shutters are closed at all times and this proposal would mean that the overall appearance of the unit would be improved. Therefore it is considered that the proposals would be acceptable in terms of their design and would enhance the character and appearance of the unit in the street scene, in accordance with Policy QE 7 of the LPCS.

Other matters
Although the site is 330m from the nearest secondary school (UTC Secondary School) and the HFT SPD applies controls on HFTs within 400m of a secondary school, it is considered that to restrict the opening hours of the HFT would undermine the vitality and viability of the unit, and impact on the level of employment that the unit could provide. In addition whilst the SPD refers to a 400m distance the site is 450m walk from the school. Bearing these points in mind, in this particular case it is considered that the proposed hours of operation of the HFT should not be restricted more narrowly than the times and days set out in the application.
Often HFTs have a delivery service associated with them. In this case it is not considered that this would be problematic given the commercial character of the area, and therefore no restriction on deliveries by condition is proposed.

Recommendation
That permission be granted subject to conditions.

Conditions
1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:
   C5148-A5-01 – Plan as existing
   C5148-A5-02 – Elevations as existing
   C5148-A5-03 – Plan as proposed
   C5148-A5-04 – Elevations as proposed
   C5148-A5-05 – Location Plan
   C5148-A5-06 – Block Site Plan

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

3. Notwithstanding the details shown on drawing C5148-A5-04, the Oven Extract Duct shall protrude no higher than 1000mm above the parapet wall.

   Reason: In the interests of the amenity of the area in accordance with Policy QE 7 of the Warrington Core Strategy.
Appendix 1 – Photographs/Plans
Existing Plan
Proposed Plan
Existing Elevations
Proposed Elevations
Application Number: 2017/30616

Location: Land within Warrington Town Centre bound, Temporary Market Building, Bank Street, Horrocks Lane, Warrington

Ward: Bewsey and Whitecross

Development Advertisement - Proposed main and secondary entrance signage of the new Warrington Temporary Market

Date Registered: 15-Jun-2017

Applicant: Warrington Borough Council

8/13/16 Week Expiry Date: 09-Aug-2017

Reason for referral

The Council is the applicant.

Site and proposal

Proposed installation of two internally illuminated signs above two separate entrances to the new temporary market building on the corner of Bank Street and Horrocks Lane within the town centre.

The signs would be internally illuminated (600cd/m²).

The site is in a wholly commercial setting with no known nearby residential uses.

Relevant History

Outline planning permission and reserved matters approval have been issued for the regeneration of Bridge Street Quarter and the town centre (2014/24473 & 2015/26062).

Planning Policy

National Planning Policy Framework
The NPPF sets out Core Planning Principles including high quality design and good standard of amenity
Core Strategy
QE6 Environment and Amenity Protection
QE7 Ensuring a High Quality Place
Supplementary Planning Documents
Design and Construction

Consultation Responses
Transport Development Control - No objections
Environmental Health – No objections

Notification Responses
None.

Observations
Amenity and Highway Safety
The adverts will sit on the façade of the unit. The wider environment contains similar adverts in terms of their positioning, style and size. The illuminated advertisements are considered acceptable in terms of the existing and planned future setting.
The adverts will support the commercial use, directing customers to the unit. In design terms, the signage & lettering are proportionate to the façade – it is clear and descriptive. The signage would not be overly obtrusive within the street scene or out of character having regard to the character of its setting.

Recommendation
Approve with conditions

Conditions

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.
   Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans:
   C5148-A5-01 – Plan as existing
   C5148-A5-02 – Elevations as existing
   C5148-A5-03 – Plan as proposed
   C5148-A5-04 – Elevations as proposed
   C5148-A5-05 – Location Plan
   C5148-A5-06 – Block Site Plan
   Reason: For the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its
impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.

3. Notwithstanding the details shown on drawing C5148-A5-04, the Oven Extract Duct shall protrude no higher than 1000mm above the parapet wall.

Reason: In the interests of the amenity of the area in accordance with Policy QE 7 of the Warrington Core Strategy.

4. This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity and public safety.

5. Any advertisement displayed, and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of public safety.

7. Where an advertisement is required under these Regulations to be remove, the site shall be left in a condition that doe not endanger the public or impair visual amenity.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of public safety and visual amenity.

8. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity.

9. The development shall be carried out in accordance with the following documents:
(a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 14th June 2017
(b) Submitted drawing nos. L(00)731; 17-031-02; 17-031; L900)730; L900)729; L900)728; L900)727; L900)726, received on 14th June 2017

Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 8

<table>
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<tr>
<th>Application Number:</th>
<th>2017/30813</th>
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<tbody>
<tr>
<td>Location:</td>
<td>1, Buttermarket Street, Bewsey And Whitecross, Warrington, WA1 2LY</td>
</tr>
<tr>
<td>Ward:</td>
<td>Bewsey and Whitecross, Bewsey and Whitecross</td>
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<tr>
<td>Development</td>
<td>Full Planning – Change of use from Public Highway to outside seating area to the front and side of Hideaway Cafe (Part retrospective)</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>13-Jul-2017</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Real Foods Ltd.</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>06-Sep-2017</td>
</tr>
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</table>

**Reason for referral**
The Council is the owner of the site.

**Site and Proposal**
A proposed change of use from public highway to outside seating area to the front and side of the existing café.

Café occupies the ground floor of 1 Buttermarket Street with the upper floors in other commercial use

Sited at the corner of Buttermarket Street and Market Gate and within the Conservation Area

Removable barriers comprising of stainless steel posts and polyester canvas fabric to delineate the pavement café areas. The banners are to measure 1.7m (w) with the stainless steel posts 0.8m (h)

Six tables are proposed with 18 no. covers (two tables to the front and four down the side along the Buttermarket Street frontage.)

**Planning History**

*Numerous, but most recent and relevant:*
2014/23778 – Proposed change of use from A1 to A3 – approved with conditions
Planning Policies

National Planning Policy Framework

Local Plan
CS1 Delivering Sustainable Development Policy
CS9 Inner Warrington
QE6 Environment and Amenity Protection
QE7 Ensuring a High Quality Place
QE8 Historic Environment

Supplementary Planning Documents
Design and Construction

Notification Responses
None.

Consultation Responses
Transport Development Control – No objections

Observations
Given its location within the town centre boundary – surrounding premises all in commercial use there are no objections in principle to an external eating/drinking area – similar to others approved at McDonalds and the former Lancashire Tea Rooms along Bridge Street

The proposed pavement café is to be in use from 09:00 until 21:00hrs Monday to Saturday and 10:00-21:00 Sundays and Bank Holidays -wholly commercial setting-no adverse impact on surrounding area

The purpose of the works involves the installation of removable banner posts to form an enclosure for an external area to be used by customers. The banner posts are removable and will therefore not be a permanent fixture

The application property itself is on the Local List and is sited within the Bridge Street Conservation Area. The outdoor seating area does not propose any permanent structures with minimal adverse impact upon the building itself or surrounding area

The proposed pavement café area would present no adverse implications to highway or pedestrian safety in this pedestrianised section of Market Place or Buttermarket Street, as confirmed from Transport Development Control. There is to be a note placed on the decision relating to a licensing agreement. The applicant must apply for this under separate cover.

Summary
In compliance with the relevant policies. The proposed use will add to the viability and vitality of the town centre and will not cause any adverse highway safety conditions – removable seating area
Recommendation
Approve with conditions

Conditions

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 12th Jul 2017
   (b) Submitted drawings, received on 12th July 2017

Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 9

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<th>Application Number:</th>
<th>2017/30819</th>
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<tr>
<td>Location:</td>
<td>40, Bridge Lane, Appleton, Warrington, WA4 3AX</td>
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<tr>
<td>Ward:</td>
<td>Appleton</td>
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<tr>
<td>Development:</td>
<td>Change of Use - Proposed change of use from A3 Cafe to A5 Pizzeria</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>13-Jul-2017</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Karen Howard</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>06-Sep-2017</td>
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Reason for Referral

The site is owned by the Council. Appleton Parish Council have objected; request referral to Committee and that a site visit is undertaken.

Human Rights

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

Site and Proposal

The site is the ground floor of 40 Bridge Lane which is a café. The site is part of a small parade of four units on the western side of Bridge Lane. Other units within the parade include a convenience store, newsagent and hairdressers. Above the units at first floor level are residential flats in separate occupation. A small layby, accessed off Bridge Lane is sited to the front of the units. To the rear is a vehicular service alley. The site lies within a predominantly residential area, with a large area of open space/rugby fields to the rear of the site. The application site and the adjoining retail units are identified within the Core Strategy as a Local Centre. The proposal is a change of use from A3 Café to A5 Pizzeria. The floorspace of the unit is 70m² with the site being 112m² and it would employ 2.5 full time
employees. Opening hours are proposed as 11.00 – 21.00 hours 7 days a week. The applicant submits that the café has been operating for over 12 months but it has struggled to be financially viable, and a pizzeria in this location will be a more viable business.

**Relevant Planning History**

2015/26514 Prior notification (Class C Prior Approval)- Prior approval for change of use from A1 to A3 Café – Prior Approval Given with Conditions regarding
- 3 year implementation;
- development in accordance with submitted details/plans;
- submission of scheme of soundproofing and odourproofing measures;
- restriction of timing of commercial waste collections to avoid 08.00hrs to 20.00hrs Monday to Saturday, and 10.00hrs to 17.00hrs on Sundays and Public or Bank Holidays;
- restriction of location of waste bin storage;
- plant or equipment not to cause noise level increase/be acoustically treated;
- restriction of customers admittance/trading to Monday to Saturday 08.00hrs to 21.00hrs Sundays or Public/Bank Holidays 10.00hrs to 17.00hrs.

2013/22135 Full Planning - Proposed change of use from beauty shop to hot food takeaway (A5) – Refused 24th October 2013 on the basis of:
- detrimental harm to residential amenities, by reason of noise and disturbance arising from increased evening activity and associated vehicular movements
- insufficient car parking and increase in parking at the available on street parking options and parking in bus bays would be detrimental to highway safety and the free flow of traffic on Bridge Lane
- additional traffic would exacerbate existing damage to the grass verges on the eastern side of Bridge Lane potentially creasing additional hazards for pedestrians and addition parking on the verges would further obscure visibility from resident’s driveways and would create hazards at the junction with Clydesdale Road.

99/39662 – Change of Use to Health and Beauty Salon – Approved – 01/07/99.
98/37521 – Proposed change of use from shop (A1) to hot food takeaway – Refused – 22/07/98. Subsequent appeal lodged and dismissed on 20/01/99.

**Notification Responses**

No representations have been received following the publicity given to the application consisting of neighbour notification letters and the display of a site notice.

**Consultation Responses**

Ward Councillors
No comments received.
Parish Council
Appleton Parish Council objects:-

• Significant loss of amenity for the flats above and immediately adjacent to this shop.
• Additional traffic and additional car parking issues at Bridge Lane shops.
• The change of use would increase the litter in the immediate vicinity.
• No opening hours are stated but given it is a residential area with living accommodation above the unit opening hours limits must be imposed with a closing time not beyond 9pm.

Consultation Responses

Environmental Protection
No comments received.

Highways
No objections.

Observations

Principle
The site is located within the Bridge Lane local centre as defined by Policy SN 4 of the Warrington Local Plan Core Strategy (LPCS), which are priority locations for retail and leisure development, but also community facilities and other local services. Currently the café is struggling to be financially viable, and the applicant feels that the proposal would be a more viable proposition. It would also retain some employment, and is likely to help secure the continued vitality and viability of the local centre. Overall therefore it is considered that the principle of the proposal would be acceptable.

The main issues to consider with the proposal are its impact on residential amenity and the impact on highway safety.

Residential Amenity
The site is in a small parade allocated as a Local Centre in the LPCS. There are residential flats at first floor in separate occupation. The site is in a mixed use area – with residential properties to the north, south and east.

Whilst two previous applications at this premises were refused in 1998 and 2013 for changes of use to a hot food takeaway (HFT), most recently a prior notification application has been granted subject to conditions for a café. Given that this has been implemented and is the lawful use the main consideration is whether the proposal would have significant impacts on its surroundings compared to the café use. A café use and a HFT use are broadly similar in terms of noise and disturbance associated with them. The main differences are that numbers of people visiting a HFT may be higher than a café because they do not tend to stay on the premises for a long period of time; HFTs tend to open later than a traditional café with potential for impacts on amenity, and HFTs tend to require extraction systems to deal with odours created by cooking.
In relation to numbers of people visiting the site, the applicant has indicated that seating would be provided within the premises for customers who want to eat on site. This means that some customers are likely to eat on the premises similar to the existing café. Therefore numbers of people visiting the HFT would not be likely to be significantly increased compared to the café use if fully implemented.

Regarding opening hours, the general store to one side of the application site is understood to operate 07.00-21.00 hours Monday to Friday and 07.00-21.00 hours at weekends, and the newsagents on the other side between 05.30-16.00 hours which will be extended to 20.00 hours shortly, seven days a week.

Whilst the advertised opening hours of the café are 09.00-16.00 hours Monday to Friday only, it has permission to open between 08.00hrs to 21.00hrs Monday to Saturday and 10.00hrs to 17.00hrs Sundays or Public/Bank Holidays. Under this application, the applicant has applied for opening hours of 11.00 – 21.00 hours 7 days a week. Between Monday-Saturday these would not be significantly different to the hours that the café could operate – in fact the opening time would be later. On a Sunday a 21.00 hours closing time would be later than that currently allowed, and likely to be unacceptable given that a Sunday evening is a time when it is expected that less activity occurs – therefore it would be reasonable to restrict the Sunday closing time to 17.00 hours.

Given the hours that the current café use could operate and the hours of operation of shops on either side of the site, it is considered that it is unlikely that allowing the proposal to operate between 11.00-21.00 hours Monday to Saturday and between 11.00-17.00 hours on Sundays and Public/Bank Holidays would strike a reasonable balance between allowing the proposal to operate and protecting nearby residents’ amenity.

A condition that was applied to the Prior Notification approval restricted hours of commercial waste bin collections and required bins to be stored away from the flats above the property. It is recommended that a condition is applied requiring a scheme of details to be submitted to deal with both of these matters. This would give the applicant the opportunity to outline details that would work for them, whilst ensuring sufficient detail is provided, without causing a detrimental impact on residential amenity.

In terms of odours the previous prior notification approval required details of any required soundproofing and odour proofing to be carried out to ensure that the proposed café did not have a detrimental impact on the occupiers of the flats above. Even if works have been carried out, further upgrading may be required, and therefore it is recommended that this condition is re-applied. In addition it is likely that an extraction/ventilation system would be required and whilst no details have been submitted as part of the application, in this case a condition could be applied. A condition is also recommended to ensure that any plant/equipment would not cause the background noise level to increase, or if that is not possible that it is acoustically treated.

Overall therefore it is considered that the proposal would not harmfully effect residential living conditions in accordance with Policy QE 6 of the LPCS and the HFT SPD.
Highway Safety
The proposed use would not result in a change in the Council car parking requirements compared to the current café use. Servicing can be carried out from the rear of the premises. As a result the proposed use would be acceptable, because it would not cause highway safety concerns and would accord with Policy MP 1 of the LPCS.

Other matters
The site is not within 400m of any secondary school and therefore the requirements of the HFT SPD in regard to opening hours during daytime would not apply to this proposal.

It is considered that the issue of litter can be adequately dealt with via a condition requiring details of a scheme of litter bin provision on the premises. Often HFTs have a delivery service associated with them. Whilst this this may result in a reduction in the number of customers visiting a premises; a condition is recommended to ensure that no food deliveries are undertaken from the premises.

Recommendation
Approve subject to conditions.

Conditions

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

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

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

   87/17/LP – Location Plan
   89/17/1 – Existing and Proposed Floor Plans

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

3. Prior to the first use of the premises for the use hereby approved, details of the existing and proposed building construction / structure shall be submitted to and approved in writing by the Local Planning Authority, including details of soundproofing and odourproofing measures deemed necessary to ensure the residential properties above remain isolated from the cafe use. Once approved, all agreed mitigation measures shall be implemented prior to the commencement
of use and shall be retained/maintained thereafter.

Reason: To protect residential amenity from the effects of noise and odour from commercial kitchen and café use, given the proximity of residential properties directly above and adjacent the premises in accordance with Policy QE 7 of the Warrington Core Strategy.

4. Prior to the first use of the premises for the use hereby approved, details of the method and timing of commercial waste collections and the storage location and types of commercial waste bins to be used, shall be submitted to and approved in writing by the Local Planning Authority. All commercial waste bins shall be stored and collected/emptied in complete accordance with the approved details.

Reason: To protect residential amenity from the effects of noise and odour, given the proximity of residential properties directly above and adjacent the premises in accordance with Policy QE 7 of the Warrington Core Strategy.

5. Any externally mounted plant or equipment shall not cause an increase in the ambient background noise level at the boundary of the nearest residential property. Any equipment not able to meet this requirement shall be acoustically treated prior to the commencement of the use hereby permitted, and any required treatment shall be retained as such thereafter. For the avoidance of doubt calculated noise levels from any externally mounted plant or equipment at the boundary of the nearest noise residential property should be at least 10dBA below the existing background level.

Reason: To protect residential amenity from the effects of noise, given the proximity of residential properties directly above and adjacent the premises in accordance with Policy QE 7 of the Warrington Core Strategy.

6. No customers shall be admitted to nor shall trading be allowed inside the premises except between the following hours:
   Monday to Saturday - 11.00hrs to 21.00hrs
   Sundays or Public/Bank Holidays - 11.00hrs to 17.00hrs

Reason: To protect residential amenity from the effects of noise, given the proximity of residential properties directly above and adjacent the premises in accordance with Policy QE 7 of the Warrington Core Strategy.

7. Prior to the first use of the premises for the use hereby approved, details of a scheme of litter bin provision on the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the
commencement of the use hereby permitted, and retained as such thereafter.

Reason: To protect residential amenity from the effects of litter in accordance with Policy QE 7 of the Warrington Core Strategy.

8. No food deliveries shall be undertaken from the premises.

Reason: To protect residential amenity in accordance with Policy QE 7 of the Warrington Core Strategy.
DEVELOPMENT CONTROL COMMITTEE DATE 30-Aug-2017

ITEM 10

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2017/30919</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location:</td>
<td>The Market Multi Storey Car Park, Moulders Lane, Bewsey And Whitecross, Warrington, WA1 2FA</td>
</tr>
<tr>
<td>Ward:</td>
<td>Bewsey and Whitecross</td>
</tr>
<tr>
<td>Development:</td>
<td>Advertisement - Proposed 6 fascia signs</td>
</tr>
<tr>
<td>Date Registered:</td>
<td>03-Aug-2017</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr I H Brown Ltd</td>
</tr>
<tr>
<td>8/13/16 Week Expiry Date:</td>
<td>27-Sep-2017</td>
</tr>
</tbody>
</table>

Reason for referral

The applicant is Warrington Borough Council

Site and proposal

Application seeks advertisement consent for the installation of six illuminated signs to three elevations of the partially completed multi storey car park between Academy Way and Moulders Lane within the town centre (see appendix 1 for plans)

Each sign is to be laser cut, illuminated with halo LED illumination. The lettering is to be stainless steel face and returns with a polycarbonate rear. Luminance levels of 250cd/m²

The site lies within a wholly commercial setting with no known nearby residential uses.

Relevant History

Outline planning permission and reserved matters approval have been issued for the regeneration of Bridge Street Quarter and the town centre (2014/24473 & 2015/26062).

Planning Policy

National Planning Policy Framework
The NPPF sets out Core Planning Principles including high quality design and
Amenity and Highway Safety
The adverts will sit on the façade of the multi-storey car park. The wider environment contains a variety of adverts in terms of their positioning, style and size. The illuminated advertisements are considered acceptable in terms of the existing and planned future setting. The signs are to be attached to the building, where they do not obstruct highway or visibility splays. The location is such that they would not be anticipated to offer any more distraction than other business signs in the vicinity or interfere with the observation or interpretation of any highway signals or safety critical signage. Proposed illumination would be within the guidelines set out within current guidance from the Institution of Lighting Engineers (2014 edition) and is therefore acceptable. Stainless steel signs could raise issues of reflection, but given the locations and heights none are anticipated. The adverts will support the use of the new car park, directing customers to the unit. In design terms, the signage & lettering are proportionate to the façade – it is clear and descriptive. The signage would not be overly obtrusive within the street scene or out of character having regard to the character of its setting.

Recommendation
Approve with conditions
Conditions

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

   (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 28th July 2017
   (b) Submitted drawing nos L (00) 193; L (00) 194; L900) 195 Rev A; L(00) 196 Rev A & L(00)197 Rev A, received on 28th July 2017

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

2. This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

   Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity and public safety.

3. Any advertisement displayed, and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site.

   Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

   Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of public safety.

5. Where an advertisement is required under these Regulations to be remove, the site shall be left in a condition that doe not endanger the public or impair visual amenity.

   Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of public safety and visual amenity

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and for the purposes of amenity

7. The luminance of the sign(s) shall be restricted to 300 candelas per square metre.

Reason: To avoid glare, dazzle or distraction to passing motorists, and in order to comply with Policy QE6 of the Warrington Core Strategy
<table>
<thead>
<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
<th>Development description</th>
<th>Decision type</th>
</tr>
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<tbody>
<tr>
<td>31/07/2017</td>
<td>2017/30708</td>
<td>1, FAIRWAYS, APPLETON, WARRINGTON, WA4 5HA</td>
<td>Householder - Proposed single storey rear extension, two storey side extension and single storey side garage extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30565</td>
<td>4, HALL DRIVE, APPLETON, WARRINGTON, WA4 5JL</td>
<td>Householder - Proposed two storey extension (serving the ground floor and basement) to rear of property to incorporate internal access stair.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30562</td>
<td>78, HIGHFIELD AVENUE, APPLETON, WARRINGTON, WA4 5DX</td>
<td>Householder - Proposed single storey front porch</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30774</td>
<td>53, ACTON AVENUE, APPLETON, WARRINGTON, WA4 5PS</td>
<td>42 Day Householder Prior Approval - Proposed dining room extension to extend beyond the rear wall by 3.9 metres, maximum height of 4.0 metres, and height at the eaves 2.4 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30674</td>
<td>5, BROOMFIELDS ROAD, APPLETON, WARRINGTON, WA4 3AE</td>
<td>Householder-Proposed single storey side and rear extension with ridged roof</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30636</td>
<td>STOCKTON HEATH LAWN TENNIS CLUB, DELPHFIELDS ROAD, APPLETON, WARRINGTON, WA4 5BY</td>
<td>Full Planning - Proposed installation of floodlighting to five existing tennis courts, replacement of two shale courts with an astro turf surface and renewal of perimeter fencing to tennis courts with an increase in height on Delphfields Road frontage</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30757</td>
<td>3, Farnham Close, Appleton, WARRINGTON, WA4 3BG</td>
<td>Householder - Proposed replacement conservatory to the rear of the property.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<td>Application number</td>
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## Bewsey and Whitecross

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<th>Decision date</th>
<th>Application number</th>
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<th>Decision type</th>
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<tbody>
<tr>
<td>31/07/2017</td>
<td>2017/30814</td>
<td>ROCK OIL CO, PRIESTLEY STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA5 1ST</td>
<td>Non Material Amendment - Proposed revision to provide a single solution to the surface water drainage to serve the proposed car park on previously approved application 2017/30121.</td>
<td>Approved</td>
</tr>
<tr>
<td>01/08/2017</td>
<td>2017/30572</td>
<td>THE WATERSIDE BAR AND RESTAURANT, PARK BOULEVARD, WARRINGTON, WA1 1PR</td>
<td>Full Planning - Retrospective extension to an existing white canvas marquee in the garden of the public house.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30385</td>
<td>19-21, Old Market Place, Bewsey and Whitecross, Warrington, WA1 1QB</td>
<td>Discharge of Condition - Application for approval of details reserved by Condition 3 (Insulation of any External Plant), Condition 4 (Food Premises Equipment Details), Condition 5 (Refuse Condition: Storage and Collection), Condition 6 (Opening Hours) and Condition 7 (Sanitary Provisions), following Planning Approval 2016/28619.</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>04/08/2017</td>
<td>2017/30830</td>
<td>SKATE ACADEMY (FORMER), ROLLER RINK, ACADEMY STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 2BJ</td>
<td>Request for an EIA Screening Opinion: Proposed 9 storey building comprising 144 residential dwellings, up to 650 sqm commercial/retail space on ground floor and associated parking.</td>
<td>Screening Opinion Issued</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30621</td>
<td>Land off Kerfoot Street, Warrington, WA2 8NT</td>
<td>Advertisement - Proposed 6 flat boarding signs, two pole mounted and four pole mounted fixed to storage containers and 1 scale illuminated replica of a mini motor car positioned on top of a container fronting Folly Lane</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30724</td>
<td>1, CLAP GATES ROAD, BEWSEY AND WHITECROSS, WARRINGTON, WA5 0AD</td>
<td>Householder - Proposed two storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30481</td>
<td>41, FROGHALL LANE, BEWSEY AND WHITECROSS, WARRINGTON, WA2 7JP</td>
<td>Section 192 Certificate - Proposed return to Two dwellings from one.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30690</td>
<td>18, WINMARLEIGH STREET, BEWSEY AND WHITECROSS, WARRINGTON</td>
<td>Class O Prior Approval - Proposed change of use from offices to five separate residential apartments</td>
<td>Approved with Conditions</td>
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</tbody>
</table>
### Bewsey and Whitecross

<table>
<thead>
<tr>
<th>Decision date</th>
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<tbody>
<tr>
<td>14/08/2017</td>
<td>2017/30626</td>
<td>Land off Slutchers Lane, Spectra Park and Drivetime Golf Range, Warrington, WA1 1QL</td>
<td>Proposed discharge of Conditions 6 (Surface water) Condition 10 (Surface water and attenuation scheme) Condition 12 (Method statement to protect amphibians) Condition 13 (Site survey for badgers) Condition 14 (Tree protection) and Condition 15 (Nesting Birds) on previously approved application 2016/29487</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30722</td>
<td>Land off Slutchers Lane, Spectra Park and Drivetime Golf Range, Warrington, WA1 1QL</td>
<td>Discharge of condition - Proposed discharge of condition 03 (Construction Environmental Management Plan (CEMP) on approved application 2016/29487</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>01/08/2017</td>
<td>2017/30572</td>
<td>THE WATERSIDE BAR AND RESTAURANT, PARK BOULEVARD, WARRINGTON, WA1 1PR</td>
<td>Full Planning - Retrospective extension to an existing white canvas marquee in the garden of the public house.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>04/08/2017</td>
<td>2017/30830</td>
<td>SKATE ACADEMY (FORMER), ROLLER RINK, ACADEMY STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 2BJ</td>
<td>Request for an EIA Screening Opinion: Proposed 9 storey building comprising 144 residential dwellings, up to 650 sqm commercial/retail space on ground floor and associated parking.</td>
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<tr>
<td>03/08/2017</td>
<td>2017/30497</td>
<td>751, WARRINGTON ROAD, WARRINGTON, WA3 6AR</td>
<td>Discharge of Condition - Application for approval of details reserved by Condition 3(External Lighting), 5(Security Gates), 6(Tree Report) &amp; 7(Drainage) following planning approval 2016/28892</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30765</td>
<td>Ravenhurst Court, Risley Road, Birchwood, Warrington, WA3 6PN</td>
<td>Discharge of Condition - Proposed Discharge of Condition 7(Remidiation and Verification, Contamination, Long term monitoring and maintenance) on Application 2015/26613</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30912</td>
<td>Land Bounded by, Admirals Road, Linnet Grove and, Curlew Grove, Birchwood, Warrington</td>
<td>Non material amendment - Proposed amendment to Conditions 3 and 4 to allow for separate phasing of the enabling works (Phase A) and the subsequent development i.e. the construction works (Phase B) on previously approved application 2016/28810</td>
<td>Approved</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30664</td>
<td>Land bounded by Admirals Road, Linnet Grove and Curtlew Court, Warrington</td>
<td>Discharge of condition - Proposed Discharge of Conditions 3 (Characterisation, Remidiation and Verification), Condition 6 (Construction Environment Management Plan), Condition 7 (Surface Water drainage), Condition 10 (Foul and surface water drainage principles), Condition 11 (Surface water drainage and attenuation scheme), Condition 14 (Protection of all trees, shrubs and vegetation), Condition 16 (Eradication of Japanese Rose), Condition 18 (Reasonable avoidance measures), Condition 21 (Local employment scheme), Condition 22 (Electric Vehicle Charging points), Condition 23 (Details of Leap), Condition 25 (Affordable housing) and Condition 26 (Materials) on application 2016/28810</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30629</td>
<td>16, DARNAWAY CLOSE, BIRCHWOOD, WARRINGTON, WA3 6TR</td>
<td>Full Planning - Retrospective change of use of land from open amenity space to ancillary residential use and the erection of fencing</td>
<td>Refused</td>
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<tr>
<td>15/08/2017</td>
<td>2017/30706</td>
<td>23, PALLISER CLOSE, BIRCHWOOD, WARRINGTON, WA3 6RT</td>
<td>Householder - Proposed two storey front extension with pitched roof</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location</td>
<td>Development description</td>
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<tr>
<td>16/08/2017</td>
<td>2017/30485</td>
<td>Land east of Admirals Road, South of Linnet Grove, and North of Curlew Grove, (Former site of St Olivers Plunketts School), Birchwood, Warrington</td>
<td>Variation of Conditions (Major) - Application for variation of the wording of Condition 5 (scheme for insulating the building(s) on previously approved application 2016/28810)</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30827</td>
<td>133, GORSE COVERT ROAD, BIRCHWOOD, WARRINGTON, WA3 6TL</td>
<td>Non Material Amendment - Proposed change of garage roof slope, removal of corner windows to rear and replace with small brick returns and a large bi-folding door on approved application 2017/30330</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
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<tr>
<td>31/07/2017</td>
<td>2017/30686</td>
<td>76, MYDDLETON LANE, WINWICK, WARRINGTON, WA2 8NG</td>
<td>42 Day Householder Prior Approval - Proposed Single storey rear extension with lean to roof to extend beyond the rear wall by 3.515 metres, maximum height of 3.761 metres, and height at the eaves 2.401 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30687</td>
<td>78, MYDDLETON LANE, WINWICK, WARRINGTON, WA2 8NG</td>
<td>42 Day householder Prior approval - Proposed single storey rear extension with lean to roof to extend beyond the rear wall by 3.515m, maximum height of 3.761m and height of the eaves 2.401m</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/29852</td>
<td>Land at, Pennington Lane, Burtonwood, Warrington, WA5 4EF</td>
<td>Full Planning - Retrospective change of use as previously developed land for use as a family caravan site including the sitting of 4 trailer caravans, 1 day room and 2 stable buildings</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>01/08/2017</td>
<td>2016/28937</td>
<td>MYDDLETON HALL FARMHOUSE, DELPH LANE, HOUGHTON GREEN, WARRINGTON, WA2 0RQ</td>
<td>Listed Building - Proposed replacement of windows to side (West) and rear (South) elevations with wooden leaded stormseal windows, replacement timber door.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>04/08/2017</td>
<td>2017/30437</td>
<td>THE OLD RECTORY, RECTORY LANE, WINWICK, WARRINGTON, WA2 8LE</td>
<td>Full Planning - A proposed change of use of a vacant outbuilding to a proposed cafe with an Orangery extension and a detached Garage</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>10/08/2017</td>
<td>2017/30665</td>
<td>9, ASH ROAD, WINWICK, WARRINGTON, WA2 8NQ</td>
<td>Householder - Proposed single storey front extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30801</td>
<td>THE OLD CHURCH, HOLLINS DRIVE, WINWICK, WARRINGTON, WA2 8RS</td>
<td>TPO - Proposed reduce overhanging branch as it leans over a neighbours property</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30726</td>
<td>LAND AT FORMER PARKSIDE COLLIER, NEWTON LE WILLOWS, WARRINGTON, WA12 8DR</td>
<td>Request for EIA Scoping Opinion - Proposed Parkside link road</td>
<td>Scoping Opinion Issued</td>
</tr>
<tr>
<td>15/08/2017</td>
<td>2017/30860</td>
<td>Plot 2B, Lockheed Road, Omega North, WARRINGTON, Burtonwood and Westbrook, WA5 4AH</td>
<td>Non Material Amendment - Proposed relocation of environmental station on application 2016/28656</td>
<td>Approved</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30675</td>
<td>7, Brookvale Close, BURTONWOOD AND WESTBROOK, Warrington, WA5 4LP</td>
<td>Householder- Proposed demolition of existing single garage and replace with garage and garden utility store</td>
<td>Approved with Conditions</td>
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</tbody>
</table>
## Burontwood and Winwick

<table>
<thead>
<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
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<tr>
<td>17/08/2017</td>
<td>2017/30921</td>
<td>BRADLEGH OLD HALL BARN, HALL LANE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 4BE</td>
<td>Full Planning - Proposed works to form 2 dwellings.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30922</td>
<td>BRADLEGH OLD HALL BARN, HALL LANE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 4BE</td>
<td>Listed Building - Proposed internal and external works to form 2 dwellings</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30730</td>
<td>Plot 7C, Zone 7, Omega South, WARRINGTON, WA5 7XQ</td>
<td>Advertisement - Proposed 2 x fascia illuminated signs, 2 x non-illuminated vinyl stickers and internally illuminated Monument sign</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
# Delegated Decisions

## Burtonwood and Winwick.

<table>
<thead>
<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
<th>Development description</th>
<th>Decision type</th>
</tr>
</thead>
<tbody>
<tr>
<td>04/08/2017</td>
<td>2017/30437</td>
<td>THE OLD RECTORY, RECTORY LANE, WINWICK, WARRINGTON, WA2 8LE</td>
<td>Full Planning - A proposed change of use of a vacant outbuilding to a proposed cafe with an Orangery extension and a detached Garage</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30675</td>
<td>7, Brookvale Close, BURTONWOOD AND WESTBROOK, Warrington, WA5 4LP</td>
<td>Householder- Proposed demolition of existing single garage and replace with garage and garden utility store</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
## Chapelford and Old Hall

<table>
<thead>
<tr>
<th>Decision date</th>
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<th>Location</th>
<th>Development description</th>
<th>Decision type</th>
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</thead>
<tbody>
<tr>
<td>31/07/2017</td>
<td>2017/30563</td>
<td>46, LEAMINGTON CLOSE, GREAT SANKEY, WARRINGTON, WA5 3PY</td>
<td>Full Planning - Proposed two storey side extension.</td>
<td>Refused</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30583</td>
<td>30A, HUDSON CLOSE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 9PY</td>
<td>Section 192 Certificate - Proposed single storey rear extension.</td>
<td>Approved</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30614</td>
<td>11, WYOMING CLOSE, GREAT SANKEY, WARRINGTON, WA5 8SD</td>
<td>Householder - Proposed demolition of detached double garage and construction of two storey side extension and single storey rear extension.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30738</td>
<td>14, California Close, Great Sankey, WARRINGTON, WA5 8WU</td>
<td>Householder - Proposed first floor side extension above existing garage</td>
<td>Refused</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30772</td>
<td>11, TENBURY CLOSE, GREAT SANKEY, WARRINGTON, WA5 3RN</td>
<td>Section 192 Certificate - Proposed single storey side extension with mono-pitched roof</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>31/07/2017</td>
<td>2017/30558</td>
<td>19, CULCETH HALL DRIVE, CULCETH AND GLAZEBURY, WARRINGTON, WA3 4PS</td>
<td>Householder - Proposed replacement of existing flat roof with a pitched roof, over existing single storey side/rear Garage/Kitchen and proposed single storey extension on original rear elevation.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30634</td>
<td>54, TWISS GREEN LANE, CULCETH AND GLAZEBURY, WARRINGTON, WA3 4DQ</td>
<td>Householder - Proposed single storey garage to side and replacement roof covering to existing extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>07/08/2017</td>
<td>2017/30604</td>
<td>2, THORLBY ROAD, CULCETH AND GLAZEBURY, WARRINGTON, WA3 4JU</td>
<td>Householder - Proposed single storey front infill extension with mono-pitched roof and proposed mono-pitched roof extending across existing front extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30561</td>
<td>160b, Bent Lane, Culcheth, Warrington, WA3 5ES</td>
<td>Householder - Proposed first floor side extension above existing garage and part two part single storey rear extension</td>
<td>Refused</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30666</td>
<td>NOYNA, COMMON LANE, CULCETH AND GLAZEBURY, WARRINGTON, WA3 4HN</td>
<td>Householder - Proposed two storey front, side and rear extension, re-roofing existing roof and alteration to external materials/finishes and construction of detached garage with annex.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30426</td>
<td>120, COMMON LANE, CULCETH AND GLAZEBURY, WARRINGTON, WA3 4HN</td>
<td>Householder - Proposed Demolition of 104 Twiss Green Road to form a larger plot to 120 Common Lane. Construction of a two storey side extension to 120 Common Lane, detached garage/outbuilding and detached outbuilding housing swimming pool/gym</td>
<td>Approved with Conditions</td>
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</tbody>
</table>
### Culcheth, Glazebury and Croft

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<tr>
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<tbody>
<tr>
<td>17/08/2017</td>
<td>2017/30649</td>
<td>27, FOWLEY COMMON LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 5JJ</td>
<td>Householder - Proposed removal of the existing single storey extension and construction of a two storey extension and balcony to the rear of the property. Construction of an attached double garage to the side of the property with a room above, dormer windows proposed on the front and rear elevation. New oak framed and brick porch to the front of the property where the existing entrance is located. Construction of new tarmac driveway and turning facility in front of the property.</td>
<td>Refused</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30681</td>
<td>10, CLAREMONT ROAD, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4NT</td>
<td>Householder - Proposed extensions and alterations to remodel the existing dwelling including associated landscaping, and front boundary wall/gate.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30834</td>
<td>20, BENTHAM ROAD, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 5EQ</td>
<td>Householder - Proposed 2 storey side and single storey rear extension to dwellinghouse (Resubmission of previous refusal 2017/30083)</td>
<td>Refused</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30752</td>
<td>6, RILSTON AVENUE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4PE</td>
<td>Householder - Proposed Single storey rear and part side extension.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30642</td>
<td>32, TWISS GREEN LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4BZ</td>
<td>Householder - Proposed front bay window, entrance Porch and canopy roof, and Rear single storey extension</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
## Fairfield and Howley

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<tr>
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<tbody>
<tr>
<td>03/08/2017</td>
<td>2017/30523</td>
<td>15, PADGATE LANE, WARRINGTON, WA1 3RS</td>
<td>Advertisement - Original projecting sign fascia to be repainted dark purple (mulberry buest) with separate raised letters.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30702</td>
<td>Land off Manchester Road, Warrington, Cheshire, WA1 3AF</td>
<td>Discharge of Condition - Proposed discharge of condition 9 (Sound Assessment) on previously approved application 2014/24478</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>Decision date</td>
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<tr>
<td>31/07/2017</td>
<td>2017/30600</td>
<td>13 Wrights Green, Lumb Brook Road, Appleton, WARRINGTON, WA4 3HN</td>
<td>Householder - Proposed rear two storey extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30611</td>
<td>21, ST ANNES AVENUE, WARRINGTON, WA4 2PL</td>
<td>Lawful Development Certificate - Proposed single Storey Rear Extension and Hip to Gable Roof Extension</td>
<td>Approved</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30612</td>
<td>2, HATCHERY CLOSE, APPLETON, WARRINGTON, WA4 4TF</td>
<td>Householder - Proposed single storey rear extension (garden room) and part conversion of the existing garage.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30662</td>
<td>20, PARKLAND CLOSE, APPLETON, WARRINGTON, WA4 4RH</td>
<td>Householder - Proposed single storey rear conservatory</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>04/08/2017</td>
<td>2017/29989</td>
<td>18, LINDI AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SJ</td>
<td>Full Planning - Proposed change of use of one dwelling into two dwellings incorporating the change of use of existing post office into residential use</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/29855</td>
<td>22, YORK ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2EH</td>
<td>TPO Conservation Area - Proposed removal of small magnolia blossom tree in front garden and plant evergreen shrubs and flowers.</td>
<td>Approved</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30679</td>
<td>16, ALEXANDRA ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2EL</td>
<td>TPO - T20 Lime - Proposed 20-25% crown thin, T19 Copper Beech and T16 Copper Beech - Proposed 10-15% crown thin and crown lift, Beech tree in front (central one) appears not to be covered by TPO but some works to be carried out</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30751</td>
<td>Land At, Lyncastle Road, Appleton, Warrington, WA4 4ST</td>
<td>Full Planning - Proposed development of Energy Storage Facility (including substations, transformer and battery container).</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30742</td>
<td>9, ST WILFRIDS DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SH</td>
<td>Householder - Proposed two storey kitchen, study and bedroom extension to side of dwelling</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30799</td>
<td>5, RED GABLES, PEPPER STREET, APPLETON, WARRINGTON, WA4 4SB</td>
<td>Full Planning - Proposed single storey rear extension with flat roof including 2 x roof light lanterns and garage conversion.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>18/08/2017</td>
<td>2017/30647</td>
<td>39, SHADEWOOD CRESCENT, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SN</td>
<td>Full Planning - Proposed single storey garage extension</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
# Great Sankey North and Whittle Hall

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<tr>
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<tbody>
<tr>
<td>01/08/2017</td>
<td>2017/30119</td>
<td>Land bounded by Omega Boulevard, &amp; Lingley Green Avenue, Great Sankey, Warrington</td>
<td>Reserved Matters Application (Major)- Proposed details relating to Phase 1 for 57 dwellings (appearance, Layout, Scale and Landscaping) and infrastructure following outline approval 2016/27313.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30606</td>
<td>19, BARBONDALE CLOSE, GREAT SANKEY, WARRINGTON, WA5 3GY</td>
<td>Section 192 Certificate - Proposed single storey rear extension</td>
<td>Approved</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30624</td>
<td>15, WILMOT AVENUE, GREAT SANKEY, WARRINGTON, WA5 3BJ</td>
<td>Householder - Proposed single storey rear extension, two storey side extension and single storey front extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30633</td>
<td>5, Swaledale Close, Great Sankey, WARRINGTON, WA5 3DZ</td>
<td>Householder - Proposed single storey extension to side and rear of house.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30575</td>
<td>7, HIGHFIELD AVENUE, GREAT SANKEY, WARRINGTON, WA5 2TW</td>
<td>Householder - Proposed single storey rear/side extension with flat roof including roof light lantern</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30645</td>
<td>CHAPEL BROW FARM, LIVERPOOL ROAD, GREAT SANKEY, WARRINGTON, WA5 1RE</td>
<td>Non Material Amendment - Proposed Amendment to 1) Plot 1 front garden wall added, 2) Plot 2 Front garden wall added, reconfigured rear driveway &amp; Parking amended, 3) Plot 3/4 Planting bed reduced, 4) Plot 3 stone heads omitted from first floor windows, 5) Plot 4 Enlarged window opening to rear staircase, stone heads omitted to first floor windows, hipped roof line added to rear corner, 6) plot 5 stone heads omitted from upper floor windows, double window to master bedroom changed to single, hipped roof to gable end, 7) boundary Wall changes. On application 2015/26921</td>
<td>Approved</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30650</td>
<td>Site now known as Primrose Meadow, Site of the former Dawson House, Liverpool Road, Great Sankey, WARRINGTON, WA5 3LW</td>
<td>Discharge of Condition - Proposed discharge of condition 4 (Ditch clearance) on application 2016/29329</td>
<td>Condition Discharged</td>
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</table>
## Great Sankey North and Whittle Hall

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<tbody>
<tr>
<td>18/08/2017</td>
<td>2017/30730</td>
<td>Plot 7C, Zone 7, Omega South, WARRINGTON, WA5 7XQ</td>
<td>Advertisement - Proposed 2 x fascia illuminated signs, 2 x non-illuminated vinyl stickers and internally illuminated Monument sign</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30857</td>
<td>41, THETFORD ROAD, GREAT SANKEY, WARRINGTON, WA5 3EQ</td>
<td>Householder - Proposed Front and Rear ground floor extension to create larger store / utility area with garage door to front. Extension to first floor over garage / store to slightly enlarge existing box bedroom and create an additional bedroom and bathroom.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>18/08/2017</td>
<td>2017/30779</td>
<td>78, ELMSETT CLOSE, GREAT SANKEY, WARRINGTON, WA5 3RX</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>01/08/2017</td>
<td>2017/30688</td>
<td>EVELYN STREET PRIMARY SCHOOL, EVELYN STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA5 1BD</td>
<td>Discharge of Condition - Proposed Discharge of condition 5 (Remediation and verification, contamination and long term monitoring and maintenance) on application 2014/24925</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30739</td>
<td>157, SYCAMORE LANE, GREAT SANKEY, WARRINGTON, WA5 1LY</td>
<td>Discharge of Condition - Proposed discharge of condition 4 (Landscaping) on approved application 2017/30093</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30808</td>
<td>1, Mildenhall Close, Great Sankey, WARRINGTON, WA5 1ZD</td>
<td>Householder - Proposed conversion of existing garage to living accommodation and installation of window to ground floor side elevation.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<td>02/08/2017</td>
<td>2017/30573</td>
<td>95, POWDER MILL ROAD, LATCHFORD, WARRINGTON, WA4 1GB</td>
<td>Householder - Proposed single storey rear extension with mono-pitched roof</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30637</td>
<td>8, BRIDGEGATE AVENUE, LATCHFORD, WARRINGTON, WA4 1RX</td>
<td>Householder - Proposed two storey rear and side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>07/08/2017</td>
<td>2017/30596</td>
<td>PENNY FERRY, THEWALL LANE, WARRINGTON, WA4 1NF</td>
<td>Discharge of Condition - Application for approval of details reserved by Condition 7 (Boundary treatments/means of enclosure), Condition 8 (Landscaping Scheme), Condition 9 (Bin storage scheme), Condition 10 (Foul and surface water), Condition 11 (Surface water drainage scheme) and Condition 12 (Drainage Management and Maintenance Plan), following Planning Approval 2016/28031.</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30712</td>
<td>56, MORRIS AVENUE, LATCHFORD, WARRINGTON, WA4 1SG</td>
<td>Section 192 Certificate - Proposed single storey rear extension</td>
<td>Approved</td>
</tr>
<tr>
<td>Decision date</td>
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<td>31/07/2017</td>
<td>2017/30613</td>
<td>59, PRESTBURY DRIVE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2HZ</td>
<td>Section 192 Certificate - Proposed loft conversion with rear dormer plus single storey kitchen extension to rear</td>
<td>Approved</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30581</td>
<td>239, THELWALL NEW ROAD, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2XT</td>
<td>Advertisement - x2 illuminated fascia signs, x4 non illuminated fascia signs, x8 picture board hoardings and x1 totem sign</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30584</td>
<td>27, WHITBARROW ROAD, LYMM, WARRINGTON, WA13 9AW</td>
<td>Householder - Proposed take down existing two storey garage and workshop and replace with new two storey rear extension, internal room re-arrangement, the removal of a bay window, new utility room roof and new detached garage</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>01/08/2017</td>
<td>2017/30400</td>
<td>THE BARN, FERRY LANE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2SS</td>
<td>Listed Building - Proposed Installation of a wheelchair lift. Installation of en-suite facilities and minor internal access alterations.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>07/08/2017</td>
<td>2017/30617</td>
<td>Mayfield Private Day Nursery, Mayfield Road, Grappenhall, Warrington, WA4 2NP</td>
<td>Compliance with condition - To prove that the development has been commenced within 3 years and to discharge of Condition 1 (commencement within three years of approval) on application 2014/23339.</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30576</td>
<td>Land North of Weaste Lane, Lymm, Warrington, WA13 0PH</td>
<td>Full Planning - Proposed Relocation of existing agricultural building from farmyard at Massey Brook Farm to land north of Weaste Lane.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/08/2017</td>
<td>2017/30579</td>
<td>46, WHITESANDS ROAD, LYMM, WA13 9LF</td>
<td>Householder - Proposed two storey side extension, single storey rear extension and porch to front</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/08/2017</td>
<td>2017/30710</td>
<td>10, SCHOOL DRIVE, LYMM, WARRINGTON, WA13 9UR</td>
<td>Householder - Proposed single storey kitchen extension to rear elevation</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>15/08/2017</td>
<td>2017/30520</td>
<td>33, CAWTHORNE AVENUE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 2LP</td>
<td>Householder - Proposed demolition of existing single storey extension and construction of a part two part single storey rear/side extension with pitched roofs.</td>
<td>Approved with Conditions</td>
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### Lymm North and Thelwall

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<tr>
<td>16/08/2017</td>
<td>2017/30680</td>
<td>59, WEASTE LANE, GRAPPENHALL AND THELWALL, WARRINGTON, WA4 3JR</td>
<td>Full Planning - Proposed Extension of existing dwelling together with the demolition of an existing garage</td>
<td>Refused</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30841</td>
<td>99, CHAISE MEADOW, LYMM, WARRINGTON, WA13 9NX</td>
<td>42 Day Householder Prior Approval - Proposed single storey rear extension with dual pitch roof to create extended living room accommodation to extend beyond the rear wall by 4.6 metres, maximum height of 3.9 metres, and height at the eaves 2.9 metres.</td>
<td>Refused</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location Description</td>
<td>Development description</td>
<td>Decision type</td>
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<tr>
<td>31/07/2017</td>
<td>2017/30564</td>
<td>16, THE CROSS, LYMM, WARRINGTON, WA13 0HU</td>
<td>Change of Use - Retrospective application for change of use from A1 to A4 retail to drinking establishment</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>01/08/2017</td>
<td>2017/30805</td>
<td>Land at Spring Hill Farm, Agden, Lymm, WA13 0UE</td>
<td>Prior Notification - Proposed steel portal framed agricultural building.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30324</td>
<td>18, HEYES DRIVE, LYMM, WARRINGTON, WA13 0PB</td>
<td>Householder - Proposed 2 metre high fence</td>
<td>Refused</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30673</td>
<td>14, ELM TREE ROAD, LYMM, WARRINGTON, WA13 0NB</td>
<td>Householder - Proposed Ground floor infill extension to the front of dwelling.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>03/08/2017</td>
<td>2017/30615</td>
<td>7, HENRY STREET, LYMM, WARRINGTON, WA13 0LS</td>
<td>Full Planning - Proposed change of use of No. 7 Henry Street to dental surgery (D1) and single storey link extension to rear</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30590</td>
<td>MASSEY BROOK FARM, MASSEY BROOK LANE, LYMM, WARRINGTON, WA13 0PH</td>
<td>Class Q Prior Approval - Proposed change of use of agricultural building to 2 dwellings. Buildings are located within an existing farmyard</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>08/08/2017</td>
<td>2017/30592</td>
<td>8, PARKWOOD CLOSE, LYMM, WARRINGTON, WA13 0NQ</td>
<td>Householder - Proposed two storey extension to front and rear, new wall, fences and dropped kerb including internal alterations and raising the main roof height of the dwelling with alterations to the roof form of the existing garage</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>09/08/2017</td>
<td>2017/30623</td>
<td>THE BREWERY TAP, BRIDGEWATER STREET, LYMM, WARRINGTON, WA13 0AB</td>
<td>Variation of Conditions - Application in relation to planning permission 2012/20717 to vary Condition 6 (Opening Hours) to allow customers on the premises from 10.00 until 23.30 Sundays to Wednesdays; 10.00 until 00.30 on Thursdays and 10.00 until 01.00 on Fridays, Saturdays, Bank Holidays and Public Holidays and vary Condition 7 (No live music or other regulated entertainment) to allow live music between the hours of 10:00 and 23:00 Monday to Sunday.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>09/08/2017</td>
<td>2017/30493</td>
<td>Land off Grove Avenue, to the rear of properties, 48-54, Booths Hill Road, Lymm</td>
<td>Full Planning - Proposed four new terraced dwellings</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
<td>Location</td>
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<tr>
<td>10/08/2017</td>
<td>2017/29715</td>
<td>Land adjacent to 88, Higher Lane, Lymm, WARRINGTON, WA13 0BY</td>
<td>Full Planning - Proposed new dwelling including vehicle access</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30733</td>
<td>49, HIGHER LANE, LYMM, WARRINGTON, WA13 0BA</td>
<td>Discharge of Condition - Proposed discharge of conditions 10 (External Lighting) &amp; 12 (Landscaping) on approved application 2016/29199</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30709</td>
<td>LAND OPPOSITE GRAMMER SCHOOL ROAD, LONGBUTT LANE, LYMM, WARRINGTON, WA13 0BN</td>
<td>Outline planning with all matters except for means of access reserved - Proposed detached dormer bungalow</td>
<td>Refused</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30694</td>
<td>56A, HIGHER LANE, LYMM, WARRINGTON, WA13 0BG</td>
<td>Discharge of condition - Proposed discharge of condition 4 (Tree Protection) on previously approved application 2017/29755</td>
<td>Condition Discharged</td>
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<tr>
<td>17/08/2017</td>
<td>2017/30698</td>
<td>80, CHERRY LANE, LYMM, WARRINGTON, WA13 0PD</td>
<td>Householder - Proposed replacement garden building with adjusted patio</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30697</td>
<td>5, PARKWOOD CLOSE, LYMM, WARRINGTON, WA13 0NQ</td>
<td>Householder - Proposed demolition of existing conservatory to the rear of dwelling and the erection of a single-storey orangery type conservatory to the rear of dwelling</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30711</td>
<td>14, OUGHTRINGTON LANE, LYMM, WA13 0RD</td>
<td>Householder - Proposed two storey rear extension with double pitched roof and part flat roof.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30780</td>
<td>59, SCHOLARS GREEN LANE, LYMM, WARRINGTON, WA13 0PS</td>
<td>Householder - Proposed amendments to layout of previously approved application 2016/27347 and proposed addition of rear first floor extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<td>31/07/2017</td>
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<tr>
<td>15/08/2017</td>
<td>2017/30795</td>
<td>William Beaumont Community High School, Long Lane, Warrington, WA2 8PX</td>
<td>Discharge of Condition - Proposed discharge of conditions 4 (Bicycle and motorcycle parking scheme), 5 (School travel plan), 6 (Pedestrian and vehicular access infrastructure), 8 (Comprehensive assessment of lighting details), 9 (Air extraction and filtration details for cooking equipment), 10 (Implementation of approved planting scheme), 11 (All trees to be retained), 12 (Retention of tree marked T24), 13 (Development in accordance with submitted Flood Risk Assessment), 14 (Submission of further Bat survey), 15 (Detailed proposals for the incorporation of features for roosting bats), 17 (Maximum combined noise level shall not exceed 69 dB), 18 (Noise restrictions near duct terminations), 19 (Glazing details for workshops and music rooms), 22 (A, Characterisation B, remediation and verification), 23 (A, Remediation &amp; Verification, B, Reporting of unexpected contamination and C, Long Term monitoring and maintenance) and 25 (Details of proposed Gates) On Application 2014/24768</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30793</td>
<td>25, HALLOWS AVENUE, ORFORD, WARRINGTON, WA2 8EE</td>
<td>Householder - Proposed single storey wrap around rear and side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
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<td>Discharge of Condition - Proposed discharge of conditions 4(Bicycle and motorcycle parking scheme), 5(School travel plan), 6(Pedestrian and vehicular access infrastructure), 8(Comprehensive assessment of lighting details), 9(Air extraction and filtration details for cooking equipment), 10(implementation of approved planting scheme), 11(All trees to be retained), 12(retention of tree marked T24), 13(Development in accordance with submitted Flood Risk Assessment), 14(Submission of further Bat survey), 15(Detailed proposals for the incorporation of features for roosting bats), 17(Maximum combined noise level shall not exceed 69 dB), 18(Noise restrictions near duct terminations), 19(glazing details for workshops and music rooms), 22(A, Characterisation B, remediation and verification), 23(A, Remediation &amp; Verification, B, Reporting of unexpected contamination and C, Long Term monitoring and maintenance) and 25(Details of proposed Gates) On Application 2014/24768</td>
<td>Condition Part Discharged/Part Not Discharged</td>
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## Penketh and Cuerdley

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<tr>
<th>Decision date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>31/07/2017</td>
<td>2017/30900</td>
<td>55, NEWLYN GARDENS, PENKETH, WARRINGTON, WA5 2UX</td>
<td>Section 192 (Lawful Development Certificate) - Proposed demolition of existing conservatory and construction of ground floor kitchen/dining area extension to west elevation of existing detached dwelling.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30631</td>
<td>1, THE GROVE, PENKETH, WARRINGTON, WA5 2DF</td>
<td>Householder - Proposed two storey side extension and single storey rear extension including alterations to the front landscaped garden area to tarmac surfacing</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30699</td>
<td>47, WALKERS LANE, PENKETH, WARRINGTON, WA5 2PA</td>
<td>Section 192 Certificate - Proposed single storey side extension.</td>
<td>Approved</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30646</td>
<td>28, DITCHFIELD ROAD, PENKETH, WARRINGTON, WA5 2NN</td>
<td>Householder - Proposed first floor extension to the side and proposed garage conversion</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30761</td>
<td>2, Mill Cottages, Stocks Lane, Penketh, Warrington</td>
<td>Householder - Proposed single storey side extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30779</td>
<td>78, ELMSETT CLOSE, GREAT SANKEY, WARRINGTON, WA5 3RX</td>
<td>Householder - Proposed single storey rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>Decision date</td>
<td>Application number</td>
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<tr>
<td>31/07/2017</td>
<td>2017/30546</td>
<td>BIRCH TREE FARM, RADLEY LANE, WINWICK, WARRINGTON, WA2 0TB</td>
<td>Householder - Proposed two storey extension to rear of existing dwelling and demolition of existing conservatory.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>31/07/2017</td>
<td>2017/30683</td>
<td>Land adjacent, 154, Capesthorne Road, Orford, Warrington, WA2 0JD</td>
<td>Discharge of Condition - Proposed discharge of Condition 8 Contaminated Land - Completion on application 2013/22021</td>
<td>Condition Discharged</td>
</tr>
<tr>
<td>07/08/2017</td>
<td>2017/30599</td>
<td>2, COLDSTREAM CLOSE, WINWICK, WARRINGTON, WA2 0LL</td>
<td>Householder - Proposed removal of existing conservatory and construction of proposed single storey rear extension,</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
## Poulton North

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<tr>
<th>Decision date</th>
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<th>Location</th>
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<th>Decision type</th>
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<tbody>
<tr>
<td>07/08/2017</td>
<td>2017/30515</td>
<td>5, CINNAMON LANE, POULTON-WITH-FEARNHEAD, Warrington, WA2 0AE</td>
<td>Householder - Proposed demolition of existing boundary wall to NE elevation only and construction of new 1.6m brick boundary wall.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30775</td>
<td>142, DUNDEE CLOSE, WINWICK, WARRINGTON, WA2 0UL</td>
<td>Householder - Proposed first floor side extension above existing garage and kitchen</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30768</td>
<td>14 A, Shetland Close, Winwick, WARRINGTON, WA2 0UW</td>
<td>Householder - Proposed Single Storey Rear &amp; First Floor over existing side Extension, Store Conversion and Front Canopy.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30740</td>
<td>36, St Bridgets Close, Poulton-With-Fearnhead, WARRINGTON, WA2 0EW</td>
<td>Householder - Proposed Single Storey Side/front Extension and Garage Conversion</td>
<td>Approved with Conditions</td>
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### Poulton South

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<tr>
<td>07/08/2017</td>
<td>2017/30595</td>
<td>THE FAMOUS KING AND QUEEN, PADGATE LANE, WARRINGTON, WA1 3SN</td>
<td>Full Planning - Retrospective application for wheelchair ramp and smoking shelter.</td>
<td>Approved with Conditions</td>
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## Rixton and Woolston

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<tr>
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<tbody>
<tr>
<td>03/08/2017</td>
<td>2017/29843</td>
<td>545, MANCHESTER ROAD, RIXTON-WITH-GLAZEBROOK, WARRINGTON, WA3 6JU</td>
<td>Outline Planning ? Proposed single storey one bedroom dwelling and associated works</td>
<td>Refused</td>
</tr>
<tr>
<td>04/08/2017</td>
<td>2017/30720</td>
<td>115, MANCHESTER ROAD, WOOLSTON, WARRINGTON, WA1 4AP</td>
<td>42 Day Householder Prior Approval - Proposed single storey extension to the rear of a property to extend beyond the rear wall by 5.400 metres, maximum height of 3.7 metres, and height at the eaves 2.7 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>07/08/2017</td>
<td>2017/30607</td>
<td>27, REDWOOD CLOSE, WOOLSTON, WARRINGTON, WA1 4EH</td>
<td>Householder - Proposed single storey front/side extension with mono-pitched roof, partial garage conversion into a habitable room and proposed glazing in rear elevation of main property.</td>
<td>Approved with Conditions</td>
</tr>
</tbody>
</table>
### Stockton Heath

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<tr>
<th>Decision date</th>
<th>Application number</th>
<th>Location</th>
<th>Development description</th>
<th>Decision type</th>
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</thead>
<tbody>
<tr>
<td>31/07/2017</td>
<td>2017/30639</td>
<td>4, RAYMOND AVENUE, STOCKTON HEATH, WARRINGTON, WA4 2UZ</td>
<td>Householder - Proposed part demolition of existing garage, construction of a two storey side extension, single storey rear extension, enclosed porch and internal alterations.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>10/08/2017</td>
<td>2017/30759</td>
<td>18, BARRULE CLOSE, APPLETON, WARRINGTON, WA4 5BT</td>
<td>Householder- Proposed first floor rear extension</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>14/08/2017</td>
<td>2017/30736</td>
<td>49, FAIRFIELD ROAD, STOCKTON HEATH, WARRINGTON, WA4 2UU</td>
<td>42 Day Householder Prior Approval - Proposed demolition of existing conservatory and replacement with brick orangery with flat roof and lantern to extend beyond the rear wall by 3.890 metres, maximum height of 3.1 metres, and height at the eaves 2.850 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>16/08/2017</td>
<td>2017/30585</td>
<td>Toni &amp; Guy, Victoria Square, 85, London Road, Stockton Heath, Warrington, WA4 6LG</td>
<td>Advertisement - Proposed 2x digital TV screens within shop windows</td>
<td>Refused</td>
</tr>
<tr>
<td>17/08/2017</td>
<td>2017/30703</td>
<td>32, BROOKWOOD CLOSE, WALTON, WARRINGTON, WA4 6NY</td>
<td>Householder-Proposed Single Storey Front,Side and Rear Extension Plus External Render</td>
<td>Approved with Conditions</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30671</td>
<td>Former Ship Inn and adjoining land, Chester Road,, Walton, Warrington, WA4 6EN</td>
<td>Discharge of Condition - Proposed of Conditions 21(Invasive Species) and 24(Contaminated Land Condition - Completion) on application 2014/23334</td>
<td>Condition Part Discharged/Part Not Discharged</td>
</tr>
<tr>
<td>18/08/2017</td>
<td>2017/30784</td>
<td>34, SANDY LANE, STOCKTON HEATH, WARRINGTON, WA4 2AY</td>
<td>Householder - Proposed pitched roof over existing flat roof to side of property and insertion roof light lantern in the existing flat roof element of the single storey rear.</td>
<td>Approved with Conditions</td>
</tr>
<tr>
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<tr>
<td>31/07/2017</td>
<td>2017/30744</td>
<td>12, LANGLAND CLOSE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 9SW</td>
<td>42 Day Householder Prior Approval - Proposed single storey extension to the rear of dwelling to extend beyond the rear wall by 4.613 metres, maximum height of 3.809 metres, and height at the eaves 2.563 metres.</td>
<td>Prior Approval Not Required</td>
</tr>
<tr>
<td>11/08/2017</td>
<td>2017/30409</td>
<td>17, LYDBURY CLOSE, BURTONWOOD AND WESTBROOK, WARRINGTON, WA5 9RX</td>
<td>Section 192 Certificate - Proposed single storey extension to the back of the house.</td>
<td>Refused</td>
</tr>
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DEVELOPMENT MANAGEMENT COMMITTEE
30th August 2017

WRITTEN UPDATE REPORT

Item 1 - 2016/29425 Alban Retail Park

The application is recommended for approval and the proposal relates to out of town retail development with proposed floorspace in excess of 5,000 sqm therefore in accordance with the requirements of the Town and Country Planning (Consultation) (England) Direction 2009 the LPA must refer the application to the Secretary of State to consider whether he wishes to issue a direction to determine the application.

Recommendation
The recommendation is amended to the following;

Approve subject to conditions and a s106 agreement to secure a financial contribution of £25,000 for a Travel Plan Co-ordinator; and referral to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

Item 3 – 2017/30566 – 67 School Lane, Rixton

Following neighbour notification of amended plans one additional objection has been received which can be summarised as follows:

- Despite the reduced height of the house and the attached outbuildings, the footprint has not changed.
- The redeveloped site will be of a density not seen elsewhere in the locality.
- The proximity of the replacement dwelling to the boundaries means it will affect the quality of the living environment of the surrounding properties.

The issues raised above are dealt with in the observations section of the main report on the agenda. The recommendation remains to approve the application subject to conditions.

Item 4 - 365 Warrington Road, Culcheth

Additional information regarding affordable housing off site contribution.

Policy SN2 sets out the requirement for 30% provision of affordable housing and the presumption that affordable housing is provided on the application site unless the type of housing proposed does not accord with priority needs, or the nature of the site is deemed unsuitable for affordable housing, in which case a commuted sum in lieu of on-site provision will be required.

The applicant has stated that the delivery of affordable housing via a commuted sum contribution is the most appropriate mechanism in relation to a small scale development such as this. This means that a contribution can be utilised with other contributions in order to maximise the effective and efficient delivery of affordable housing. This is more effective in meeting overall affordable housing need in the right locations than small-scale piecemeal
provision. In particular the use of this contribution to support the delivery of housing within the Warrington inner urban area would be beneficial by supporting the regeneration of that area and be the most effective outcome. That would, overall, deliver a much better outcome that small-scale limited provision within this site. Such an approach is entirely consistent with national policy which carried more weight than the Council’s SPD. However, in any event, this approach is also consistent with the Council’s SPD.

The applicant also states that this is consistent with the approach which has been accepted by the Council in relation to other small-scale sites in the outlying villages of Warrington such as the nearby similarly sized site at M&S Six Acres in Glazebury whereby affordable housing was dealt with by a commuted sum contribution and also the site at HMS Gosling in Lady Lane, Croft which is a slightly larger scale and where an affordable housing contribution was also accepted. In both of those instances the basis of acceptance was the argument outlined above that it enables the benefits of the development to be spread and to deliver regeneration within the urban area and allows for more effective and efficient delivery of affordable housing within the town.

**Item 5 – 2017/30593 – 53 Denbury Avenue**

**Conditions**

Condition 2 updated with plan numbers 1140.2C and 1140 1C received on 24/07/2017.

Additional condition referring to the first floor western facing window serving bedroom 3 of the property being obscurely glazed and non-opening in order to avoid potential loss of privacy with existing windows of No. 53.

**Item 6 - 2017/30605 - 51-59 Winwick Road**

Revised plans and extraction details supplied which remove the need for a flue. Instead carbon filter system would be used with an aluminium grille on the side elevation facing the car park. This is considered acceptable.

**Amended conditions**

Therefore condition 2 would need to be revised to refer to the revised plans, and condition 3 would not be required.

**Item 9 – 40 Bridge Lane, Appleton**

The application has been withdrawn by the applicant.