To: Members of the Development Management Committee

Councillors:

Chair – T McCarthy
Deputy Chair – J Richards

B Axcell, B Barr, D Earl, G Friend, T Higgins, L Hoyle, C Jordan, L Ladbury, F Rashid, G Settle

20 December 2011

Development Management Committee
Thursday, 5 January 2012 at 6.30pm

Council Chamber, Town Hall, Sankey Street, Warrington

Agenda prepared by Jennie Cordwell, Democratic Services Assistant – Telephone: (01925) 442111, Fax: (01925) 656278, E-mail: jcordwell@warrington.gov.uk

AGENDA

Part 1

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

Item 1. Apologies for Absence

To record any apologies received.
2. **Code of Conduct - Declarations of Interest**

Members are reminded of their responsibility to declare any personal or prejudicial interest that they have in any item of business on the agenda no later than when the item is reached.

3. **Minutes**

To confirm the minutes of the meeting held on 8 December 2011 as correct records.

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

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DEVELOPMENT MANAGEMENT COMMITTEE

8 DECEMBER 2011

Present: Councillor T McCarthy (Chair)
Councillors G Friend, T Higgins,
F Rashid, L Ladbury

DM37 Apologies for Absence

Apologies for absence were received from Councillors B Barr, C Jordan and B Axcell.

DM38 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

DM39 Minutes

Resolved,

That the minutes of the meeting held on 8 October 2011 were agreed as a correct record and signed by the Chair.

DM40 Planning Applications

Resolved,

That -

1. pursuant to the Town and Country Planning Act 1990, Planning (Hazardous Substances) Act 1990 the applications for permission to develop land be considered and dealt with in the manner agreed and entered into the Planning Register;

DM41 2011/18930 - Great Sankey Primary School, Liverpool Road, Great Sankey, Warrington, WA5 1SB - Proposed construction of new primary school building to replace current existing school which is to be demolished - new multi use games area to be provided on site of old school, existing victorian school building to be retained

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

Representations were heard for and against the officer recommendation.

Resolved,
Agenda Item 3

That planning application 2011/18930 be approved subject to additional conditions.

DM42 2007/10851 - Land At Dawson House, Liverpool Road, Great Sankey, Warrington - Application to extend time limit for implementation of consent 2007/10851 (outline consent for residential development)

An update was received from the Development Services Manager to advise members the application number to be considered was 2007/10851 not 2011/18949 as listed in the agenda papers. Confirmation was also received that the number of dwellings would be 178 and not 51 as listed in the agenda papers.

The Executive Director of Environment and Regeneration submitted the above application with a recommendation of conditional approval subject to an amended section 106 agreement.

Resolved,

That planning application 2007/10851 be approved subject to section 106 agreement conditions and amendments.

DM43 Results of Appeals

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

<table>
<thead>
<tr>
<th>Application /Appeal Reference</th>
<th>Location and Description</th>
<th>Committee/Delegated Decision</th>
<th>Appeal Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/17869 M0655/D/11 /2154453</td>
<td>Rusgan House, Barbauld Street, Warrington – Change of use from A3 to A3 / A4</td>
<td>Refuse</td>
<td>Dismiss*</td>
</tr>
<tr>
<td>2010/18354 M0655/D/11 /2158916</td>
<td>7 Fleming Drive, Winwick Park, Winwick - First floor side extension and garage conversion</td>
<td>Refuse</td>
<td>Allow</td>
</tr>
<tr>
<td>2011/18071 M0655/D/11 /2158286</td>
<td>12 Derby Drive, Warrington - First floor extension to form bedroom, bathroom and study room and associated services</td>
<td>Refuse</td>
<td>Allow</td>
</tr>
<tr>
<td>2011/18220 M0655/D/11 /2157580</td>
<td>23 Rushmore Grove, Paddington - Single storey extension and first floor dormer to front</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
<tr>
<td>2011/17840</td>
<td>Land at Admirals Road, Oakwood - Installation of a 15m high pole and</td>
<td>Refuse</td>
<td>Allow</td>
</tr>
</tbody>
</table>
### Agenda Item 3

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Refuse</th>
<th>Dismiss</th>
</tr>
</thead>
<tbody>
<tr>
<td>M0655/D/11/2156326</td>
<td>equipment at ground level</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011/17847 M0655/D/11/2157000</td>
<td>Land at Longwood Road, Appleton - Installation of a 15m high timber effect telecom pole and equipment</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
<tr>
<td>2010/17173 &amp; 17176 M0655/D/11/2146414 &amp; 2147250</td>
<td>Oak Barn, Stockport Road, Thelwall - Single storey side and rear extension</td>
<td>Refuse</td>
<td>Dismiss</td>
</tr>
</tbody>
</table>

*The report listed this appeal as allowed, however an update was received to confirm the appeal had been dismissed by the Planning Inspector.*

Resolved,

That the report be noted.

Signed……………………

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

**Thursday 5th January 2012**

**Start 6.30pm**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>2011/18815</td>
<td>Land at the junction of Stocks Lane and Warrington Road, Penketh, Warrington Proposing new commercial building containing three units with both A1 and A2 use classes.</td>
<td>Approve</td>
</tr>
<tr>
<td>2</td>
<td>11</td>
<td>2011/18861</td>
<td>3-9 Chetham Court, Warrington, WA2 8RF Proposed change of use of Units 3-9, Chetham Court to create 6 new units, including a coffee shop (A3/A5 Use) and five A3/A4 Use units, the reconfiguration and creation of associated car parking and the re-cladding of the building to improve its appearance</td>
<td>Approve</td>
</tr>
</tbody>
</table>
Application Number: 2011/18815

Location: Land at the junction of Stocks Lane and Warrington Road, Penketh, Warrington

Ward: Penketh & Cuerdley

Development: Proposed new commercial building containing three units with both A1 and A2 use classes.

Applicant: Mr Alan Thwaites, Thwaites Properties Ltd.

RECOMMENDATION: Approve subject to Conditions

Conditions:
- Development must be begun not later than three years
- Development to be carried out in accordance with approved plans
- Opening hours between 08.30hrs and 18.00hrs
- Externally mounted plant or equipment shall not cause an increase in the ambient background noise
- Visibility splays of 2.4m x 42m in easterly direction at junction Stocks Lane/Warrington Rd
- Visibility splays of 2m x 70m to the north and 2m x 24.4m to the south from the site access on Stocks Lane
- Scheme for the removal of redundant access points to be agreed and implemented
- Car and cycle parking spaces to be laid out and retained
- No amalgamation into larger unit(s)
- Materials to be submitted and agreed
- Any lighting / floodlighting to be agreed prior to installation
- Planting to northern boundary to be implemented

Reason for Referral to Committee
- Concerns raised by Ward Councillor and Parish Council
- More than 10 letters of objections received

Description
- The existing site is a small piece of vacant land on the corner of Warrington Road and Stocks Lane.
- The proposal is to construct a building for A1 and A2 uses (3 units).
- There is a communal staff and delivery access to the rear via the car park.
- A small communal kitchen and disabled WC is also provided.
- The new roof has a ridge height of 5.3m which is lower than the surrounding properties. The eaves height is 2.7m from pavement level.
• A planting box is proposed separating the car park and Victoria Road. This would have shrubs and plants to soften the visual impact from the adjoining residential properties.
• The new building would be constructed from rustic facing brick and grey concrete tiles. The shop fronts and windows would be wood.
• The new access would be from Stocks Lane adjacent to Victoria Road. A 2m x 70m visibility splay can be provided north along Stocks Lane, and 2.4m x 42m visibility splay east at the junction of Stocks Lane and Warrington Road.
• The scheme has been amended from the original submission to provide 10 parking spaces, including 1 disabled space.
• Each shop would have a wheelchair threshold doorway and level approach. There are no changes in levels within the building.

Location
• The existing site area is 582sqm.
• It is proposed that the new building would front the pavement along Warrington Road and Stocks Lane.
• Immediately to the east is St Pauls Church. Planning permission was granted in 2008 for a new church building.
• To the west on the opposite side of Stocks Lane is the Crown and Cushion Public House.
• To the south on the opposite side of Warrington Road is a row of commercial premises and to the north of the site residential properties fronting Victoria Road.

Relevant History
• 2010/17398 Proposed use of land as hand car wash facility – Refused 9th January 2011
  Comment: Reasons for refusal related to, firstly introduction non-conforming disruptive use which out of character & harmful to adjacent residential properties and secondly, the inadequate visibility and junction spacing between the site access and the junction of Warrington Road and Stocks Lane.

Main Issues and Constraints
• Retail Hierarchy
• Noise / Activity
• Highways
• Design / Amenity

Key policy/guidance checklist
• PPS4 Sustainable Economic Growth
• PPS24 Planning and Noise
• Policy LUT20 Parking
• Policy DCS1 Development Control Strategy
• Policy REP10 Noise
• Policy REP11 Odours
### Appraisal

<table>
<thead>
<tr>
<th>Policy</th>
<th>Sustainable Economic Growth</th>
<th>• Proposed building would meet the needs of the immediate locality without impacting upon retail hierarchy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TCD1</td>
<td>Hierarchy of Retail Centres</td>
<td></td>
</tr>
</tbody>
</table>
| REP10  | Noise                       | • Context is a predominantly residential area but with commercial uses close by - pub / takeaway / convenience store - activity associated with the proposed development would not be out of character within this context - proposed hours of opening are also 08.30hrs to 18.00hrs thus no significant degree of late night or early morning activity.  
• Any future applications for a change of use to a hot food takeaway would need to be considered on its particular merits at that time. |
| DCS1   | Development Control Strategy |                                                                                                                                 |
| LUT20  | Parking                     | • New 5m wide access onto Stocks Lane satisfactory – avoids junction issue problems associated with previous proposal.  
• Stocks Lane and Warrington Road access visibility of 2.4m x 42m - acceptable.  
• Site access junction onto Stocks Lane visibility splay of 2m x 70m to north and 2m x 24.4m to south - acceptable.  
• Scheme amended to increase parking spaces to 10 – size of building also reduced – scheme now in general accordance with the Council’s maximum adopted parking standards – bicycle stand provision also included.  
• Due to relatively small individual sizes of the proposed units, it is not anticipated that large delivery vehicles such as HGV's will be required to attend site – condition recommended preventing amalgamation - dedicated parking bay for deliveries also provided.  
• In summary, parking, access and delivery arrangements considered to be acceptable – no material implications for pedestrian safety, bin collection, buses, or nearby uses (houses / community centre / disabled living houses / primary school). |
| LUT1   | Land Use / Transportation Strategy |                                                                                                                                 |
| DCS1   | Development Control Strategy |                                                                                                                                 |
| LUT20  | Parking                     | • Variety of buildings close to the site of varying ages, sizes and styles – building would not be out of character within its setting – incorporates traditional pitched roof and conventional appearance.  
• Site coverage of built form less than 50% - building would not appear cramped or out of scale with its surroundings or have an adverse impact upon the setting of the adjacent church building, or the new church building yet to be constructed – modest ridge height of 5.3m – it is subordinate in size to larger surrounding buildings.  
• The most sensitive interface is with the residential properties to the north of the site – a separation of more than 27m is retained which is considered sufficient to retain adequate daylight and outlook – |
there is no loss of privacy from north facing window due to presence of intermittent parking area and the generous separation distance – parking area itself is not considered unduly visually harmful – entire site previously used as a car park – 1m high wall and 0.3m planting box would help partially screen the car park area – condition recommended to control external lighting / floodlighting.

• Very little weight can be give to considerations relating to risk of vandalism / crime, loss of property value, previous tree removal, disturbance from construction, or the desirability of the previous use of the site as a public car park.

Responses to consultation

Environmental Health: No objections
Comment: Condition recommended ensuring acoustic insulation of external plant if proves to be necessary.

Highways: No objections
Comment: Access and parking arrangements satisfactory (full comments appended).

Responses to Notification

Councillor: Objection received from Councillor David Keane. Concerns relate to the following matters:
1. The large and inappropriate scale of the development in the limited plot.
2. The positioning of the development on the site, further limiting highway visibility.
3. The lack of adequate provision for parking and delivery. It is believed that, in reality, these spaces would be utilised by staff with no provision for the public. This would exasperate the already dangerous situation in the vicinity caused by the lack of parking and the presence of many retail type outlets.
4. From experience, the delivery requirements for large vehicle manoeuvre would not be met by the proposal.
5. General highway safety in an already difficult area would be exasperated.
Comment: See policy appraisal above

Penketh Parish Council: Concerns expressed:
1. Amount of car parking spaces for 3 retail outlets insufficient, they possibly would be used by staff and this is a very poor and congested area with respect to parking already.
2. The 3 units appear to be quite small and the Parish wondered what kind of use there would be and would want assurances not for takeaways.
3. The site appears close to boundaries causing safety issues on this hazardous corner.
4. It is accepted that the land needs to be developed however it needs to be right for the area.
5. There has been much resident discussion however none attended the meeting.

Comment: See policy appraisal above

Neighbours: Letters of objection from 13 neighbouring properties:
1. Already a lack of parking and severe traffic congestion - Victoria Road is a single track road – obstruction to visibility onto Stocks Lane from Victoria Road and turning into Victoria Road from Stocks Lane - wheeled bins are placed at the end of Victoria Road every Friday - Victoria Road is used as a pedestrian cut through from the Church to the Community Centre to the rear - disabled living houses and a very busy primary school in the immediate vicinity - increased traffic in the area – minimal parking provided for the 3 units - environmental / noise / disturbance from deliveries – danger to pedestrians – danger to buses.
2. Modern commercial retail units out of character - overdevelopment of the site – tree previously cut down - loss of sight line to church - loss of outlook for residents.
3. Noise and pollution.
4. Already more than sufficient amenities in the immediate area.
5. Risk of vandalism / crime to the area.
7. Disturbance from construction.
8. Land should be returned to use as public car park.

Comment: See policy appraisal above.

Conclusions and reasons for recommendation/decision
- Building of an appropriate size to meet needs of local community without harming retail hierarchy.
- The new commercial use consistent with mixed character of area.
- Adequate parking, access and delivery arrangements provided.
- Building design satisfactory, of modest scale and proportions and would not materially affect residential amenity.
- The proposal is in accordance with the relevant provisions of the development plan and there are no material considerations to indicate that the application should not be determined in accordance with the development plan.
Appendix 1 - Highways
The application proposes a new commercial building containing three units with approval for both A1 (Shops) and A2 (Financial and Professional Services) use classes being sought.

Following discussion of residents and Ward Councillor concerns with the applicant, a revised proposed site plan (ref: 62/11/BP Rev A) has been provided. This has been reviewed and the following comments are offered:

Proposed Access Arrangements
It is proposed to serve the site via a new 5m wide access onto Stocks Lane. A previous planning application on this site which proposed access onto Warrington Road was refused on highway safety grounds (due to inadequate junction spacing). Therefore, the only realistic option to access the site is by creating an access onto Stocks Lane.

In respect of the junction of Stocks Lane and Warrington Road, proposed visibility splays plan 62/11/VS demonstrates that a visibility splay of 2.4m x 42m can be provided to the east from Stocks Lane where it meets Warrington Road.

N.B. The actual visibility splay provided within the application site is based on a splay of 2.4m by 70m being provided, however this is only constrained outside of the application site by the wall of the adjacent St Pauls church. The proposed new retail units will therefore maintain existing visibility levels at the junction of Stocks Lane and Warrington Road.
In respect of the site access junction onto Stocks Lane, the proposed site plan shows a splay of 2m x 70m being provided to the north, with a splay of 2m x 24.4m being provided to the south where it then extends over the junction of Warrington Road and Stocks Lane.

The above visibility splays are acceptable and should be ensured via planning condition.

N.B. Site observations have confirmed that the footway on the eastern side of Stocks Lane to the north of the site is reduced in width at present due to a hedge that has grown over the bus stop and footway. We have therefore requested that the Council’s Highways Assets Department investigate whether this can be cut back. This will be of benefit to pedestrians, and will also improve current visibility levels from the proposed site access and the existing Victoria Road access.

_previous Site Access Arrangements
It is noted that the proposed access arrangements will not utilise existing historic site accesses onto Stocks Lane and Warrington Road. These should therefore be removed and the affected footway made good in order to ensure a good standard of pedestrian environment surrounding the site.

In addition, it is also noted that there is no formal footway crossing point for pedestrians across the junction of Warrington Road towards Station Road. It would be of significant benefit if this could be provided as part of works to remove redundant access points on Warrington Road.

The above works should be ensured via planning condition.

Proposed Parking Provision
It is proposed to provide 10 parking spaces to serve the proposed units which now comprise 198 sqm GFA of floor space (a reduction of some 50 sqm GFA from the original proposals). The revised proposed floor space would generate the following maximum allowable parking provision in accordance with the Council’s adopted maximum parking standards:

A1 Food Retail = 1 space per 16 sqm = 12 spaces max
A1 Non Food Retail = 1 space per 22 sqm = 9 spaces max
A2 Financial and Professional Services = 1 space per 25 sqm = 8 spaces max.

The above demonstrates that the proposed provision of 10 car parking spaces to serve the development will be in general accordance with the Council’s maximum adopted parking standards.

The proposals also make allowance for the provision of one disabled parking bay within the 10 proposed spaces.

Also, the proposed site plan includes provision of 2no Sheffield Stands. This is sufficient to accommodate the parking of 4 bicycles, and is welcomed.
Deliveries and Servicing
Given the relatively small individual sizes of the proposed units, it is not anticipated that large delivery vehicles such as HGV’s will be required to attend site, provided that the 3 units are not in future amalgamated into one larger single unit. We would therefore seek to control this eventuality by way of planning condition.

In addition to the above 10 parking spaces, the proposed site plan also includes provision of a dedicated parking bay for deliveries. In its proposed position within the site this should be adequate to cater for vans or Light Goods Vehicles.

Summary and Conclusions
In view of the above, no highway objections are raised in respect of the proposals subject to attachment of the following planning conditions:

1. “Visibility splays of 2.4m x 42m shall be maintained from the junction of Stocks Lane eastwards across the site frontage at all times, with nothing being erected or allowed to grow within the splays without the prior written permission of the Local Planning Authority.”
2. Prior to first occupation of the units hereby approved, visibility splays of 2m x 70m to the north and 2m x 24.4m to the south from the site access on Stocks Lane shall be provided. The visibility splays shall be maintained at all times with nothing being erected or allowed to grow within the splays without the prior written permission of the Local Planning Authority.”
3. “Prior to the commencement of development, a scheme for the removal of redundant access points surrounding the site and the provision of pedestrian crossing points on Warrington Road shall be agreed with the Local Planning Authority. Such scheme as is agreed shall be implemented prior to first occupation of the units hereby approved.”
4. “The car and cycle parking spaces shown on drawing number 62/11/BP Rev A shall be provided and made available prior to first use of the units hereby approved, and shall be retained thereafter unless otherwise approved in writing by the Local Planning Authority.”
5. “The individual units hereby approved shall not be amalgamated into one single unit without the express written permission of the Local Planning Authority.”
PLANS LIST          ITEM 2             05-Jan-2012

Application Number: 2011/18861
Location: 3-9, Chetham Court, Warrington, WA2 8RF
Ward: Poplars and Hulme, Bewsey and Whitecross

Development: Proposed change of use of Units 3-9, Chetham Court to create 6 new units, including a coffee shop (A3/A5 Use) and five A3/A4 Use units, the reconfiguration and creation of associated car parking and the re-cladding of the building to improve its appearance.

Applicant: Winwick Quay LLP

RECOMMENDATION: Approve subject to Section 106 Agreement

Conditions:
• Standard Time limit -full 3 years
• Plans compliance
• No permitted change to retail Use
• No amalgamation of units without consent
• Any external plant not to increase background noise levels
• Cooking equipment to have air extraction/filtration
• Refuse collection
• No sub-division of units without consent

Reason for Referral to Committee
• Departure from the Development Plan

Description & Location
• Full application for the conversion of units – as set out above – which form part of the “LA Bowl” building
• The LA Bowl use itself does not form part of this application
• Planning permission to convert other parts of the building was granted in November 2010 (2010/16854).
• The building is near the visually prominent junction of Cromwell Avenue and Winwick Road, with the former Fiat site to the north
• The site is bounded by and accessed to/from Calver Road – with Cromwell Avenue to the immediate south and Winwick Road to the immediate east itself

Relevant History
The premises are part of a larger site where planning permission was granted for the following in December 2009 (2008/14053):-
“Erection of 8 new units (units 1A, 5A, 6A, 14A, 17, 19A & 24A) (Use Classes B1; B2 and B8), reconfiguration of units 9, 10, 11, 17, 18 & 19 (Use Classes B1; B2 and B8) and external alterations to existing elevations at Cameron Court; erection of 2 new units (units 6a & 7a) (Use Classes B1; B2 and B8)
and reconfiguration of units 3, 4, 5, 6, 7, 8 & 9 (Use Classes B1, B2 and B8) and external alterations to existing elevations at Colville Court; reconfiguration of units 1-9 and 22-25 (Use Classes B1, B2 and B8) and external alterations to existing elevations at Chetham Court; associated car parking and construction of link road between the A49 (Mill Lane) and Calver Road.”

Planning permission was granted for a gym in units 1, 24/25 and part units 2/3 and 22/23 in November 2010 (2010/16854).

Main Issues and Constraints
- Principle of Proposed Uses
- Highways/Transport matters
- Detailed matters; design, landscaping etc
- Other material considerations

Key policy/guidance checklist
National Planning Policy & Guidance
- PPS1; Delivering Sustainable Growth
- PPS4; Planning for Sustainable Economic Growth
- PPG13; Transport

Supplementary Planning Guidance/Documents:
- Design and Construction
- Landscape Design Guide for New Developments

Adopted Warrington UDP policies

<table>
<thead>
<tr>
<th>TCD1; DCS1 DCS2; LUT1;</th>
<th>Principle of Proposed Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In general terms, the physical and economic renewal of this site is considered desirable. Warrington’s strategic regeneration vision is set out in a number of key documents. The site is within the Northern Spine Regeneration Area, which is located along one of the main routes into Warrington. This area is identified as a focus for new economic development. The key regeneration documents relating to the proposals and the application site are: · Warrington Unitary Development Plan (2006) · Regional Strategy – The North West Plan (2008) · Regeneration Framework for Warrington (2009) · Local Development Framework Core Strategy Objectives and Options (2010). It is acknowledged that there is clear potential for the physical updating and renewal of the site - that would have a positive impact on nearby wards - which currently suffer from high levels of deprivation. Whilst it is accepted that not all new work opportunities would be available to the immediate local community - the proposals would help to increase the level of employment in the local area. The proposals will primarily provide job opportunities in the retail sector, however there will also be opportunities in the restaurants and in service and support roles (eg, maintenance, cleaning and security). Research, most recently noted in the</td>
</tr>
</tbody>
</table>
Government White Paper Health Lives Healthy People (November 2010) has found that improved health is one of the positive impacts from increased employment opportunities as a result of higher income levels leading to a greater accessibility to health care.

The proposals would raise issues with regard to policies which aim to concentrate significant new retail and “town centre type” uses within town or other existing retail centres. By reason of the scale of retail and town centre type development in this out-of-centre location, the proposal is considered to be a Departure from the Development Plan (ie the adopted Warrington UDP).

Overall however, it is considered that notwithstanding conflict with elements of adopted UDP and national planning policy and guidance - which require thorough justification for new out-of-centre retail development (in order to protect the viability of the town and other centres) that overriding weight should be attached to the following material factors:
- the project represents a rare opportunity to continue the environmental and visual transformation of a large site within the Winwick Road corridor in earnest;
- It is not considered either that the proposal would seriously limit or prejudice the ability of the Council to plan positively in order to underpin and secure investment in Warrington Town Centre, the Bridge St area and other areas – because these other areas would remain as the prime focus for retail uses and for a wide range of other “town centre” uses. Conditional control over the uses are essential in this regard.

<table>
<thead>
<tr>
<th>LUT1; LUT5; LUT7; LUT10; LUT20</th>
<th>Highways/Transport matters</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed increased parking provision has not been justified in relation to the proposed and existing uses on the current application site;</td>
<td></td>
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<tr>
<td>The proposed trip generation information provided is insufficient in that it does not account for the A4 and A5 uses now proposed; and</td>
<td></td>
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<tr>
<td>Information about trip generation has been a matter of concern particularly relating to drive thru and takeaway uses. The description of development and details of the proposals have been amended to reduce concern over these issues. A previously proposed “drive thru” coffee shop has also been removed.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DCS1; DCS7; GRN2; GRN22;</th>
<th>Detailed matters; design, landscaping etc</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed development provides for considerable improvement to the appearance and presentation of buildings on a key gateway site on a major arterial route into the town. At the current time this will only be delivered through development of the type proposed here. Marketing of the premises for their permitted uses has not sparked interest and therefore</td>
<td></td>
</tr>
</tbody>
</table>
**Other material considerations**  
The site is already a leisure destination with a bowling alley and children’s indoor play centre. The proposals relate to this existing function enabling some distinction from other locations where it would be appropriate to apply the full force of policy relating to the loss of employment land and to the protection of the town centre.

In addition to the physical upgrading of buildings further environmental improvements to the A49 can be delivered. A previous scheme envisaged the need for a new road junction onto the A49. This is no longer required for the development now proposed. Resources set aside to deliver highway improvements are now to be provided by the applicant to enable implementation of these environmental improvements. This would be secured through a section 106 agreement. This is consistent with wider objectives of the council’s statements to regenerate the A49 corridor.

These matters are material considerations to be given weight in the process of determination of this application.

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**Responses to consultation** (Full details on file)

**Planning Policy:** Object

- The proposed town centre uses have not been sufficiently justified in this out of centre location.
- There is debate over the necessity to undertake the sequential and impact tests.
- Allowing the proposal could set a precedent for future out of centre development of town centre uses.
- The proposal would create a leisure destination in itself in an unsustainable location.
- No material planning considerations outweigh the policy tests
- There are therefore policy objections to this proposal.

**Comment:** There is a legitimate policy objection to this proposal. Ideally this type of use should be located in the town centre.

The existing uses on the site and the benefits secured through the development should be given weight. Crucially, consideration has been given the specific impact of these proposals on the ability to secure investment in the town centre. The uses proposed predominately feed off leisure uses. They attract existing visitors to the site and can operate at multiple locations where the same principle leisure host exists. In the specific circumstances of this case it is considered that the wider objectives of policy are not compromised through the grant of planning permission.

**Highways:** Object – See Appendix 1 for details

Objection base on initial proposals and legitimately questions the acceptability of particular uses which would not relate to the existing leisure uses on site
and would generate significant trips in their own right. Amended plans have sought to remove this objection. It is considered that this concern can be resolved. A verbal update on this point will be provided.

Environmental Protection: No objection, subject to conditions.

Environment Agency: No objection, subject to conditions.

Responses to Notification
Neighbours: no comments received

Conclusions and reasons for recommendation/decision
Approval is recommended subject to conditions; subject to S106 Planning Obligation and subject to referral to the National Planning Casework Unit.

Notwithstanding conflict with elements of adopted UDP and national planning policy and guidance - which require thorough justification for new out-of-centre retail development (in order to protect the viability of the town and other centres) it is considered that overriding weight should be attached to the following material factors:

The project represents a rare opportunity to continue the environmental and visual transformation of a significant site within the Winwick Road corridor;

It is not considered that the grant of consent would set a potentially seriously harmful precedent for future out-of-centre retail and similar development in the Borough – because of the particular potential of this proposal to secure acknowledged strategic objectives – including those in the Council’s Regeneration Framework 2009.

It is not considered either that the proposal would seriously limit or prejudice the ability of the Council to plan positively in order to underpin and secure investment in Warrington Town Centre, the Bridge St area and other areas – because these other areas would remain as the prime focus for retail uses and for a wide range of other “town centre” uses.

By reason of the scale and nature of the proposed development, it is considered necessary that referral to the National Planning Casework Unit is necessary, should Members resolve to approve the application subject to conditions and subject to S106 Agreement as set out in this report.

The proposed development is considered to be accord with the provisions of policies DCS1; DCS6; DCS7; GRN1; GRN2; GRN4; GRN5; GRN12; GRN22; GRN23; GRN24; HOU7; REP1; REP4; REP10; REP11; REP16; LUT1; LUT5; LUT7; LUT10; and SOC1 of the adopted Warrington UDP.

Appendix 1 – Comments from WBC Highways

| The proposed change of use, as stated within the planning application, would relate to 1879 sqm of existing floorspace, with an additional 38 sqm of floorspace being created. The proposals also seek to provide an additional 74 parking spaces to the north |
Proposed Car Parking Provision

of the site adjacent to the A49 Winwick Road.

Pre application discussions in relation to the proposed development were on the basis of a proposed change of use of 6 units to A3 use only, and did not refer to A4 or A5 uses, or the additional 74 parking spaces now proposed.

Existing car parking provision on site is 262 spaces. The application proposes to increase this to 336 spaces. The applicants Planning Statement asserts that the additional parking now proposed on the site was previously approved as part of planning approval 2008 / 14053.

However, it is noted that planning approval 2008 / 14053 approved B1, B2 and B8 uses as part of a much wider scheme providing additional industrial units to the north of the current application site.

Additionally it is noted that application 2008 / 14053 proposed the construction of a link road from Calver Road to Winwick Road, in order to mitigate the traffic impact of increased traffic generation and parking provision on the site on the operation of the Calver Road / Cromwell Avenue signalised junction. It would also appear that the link road was proposed in order to replace previously agreed highway improvements.

These mitigation measures are not now proposed as part of this current planning application.

In view of the above, we would request that the applicant now justifies the proposed increase in parking provision on site in the context of the Council’s adopted maximum parking standards for the existing and proposed uses on site. Especially given existing capacity issues at the Cromwell Avenue / Calver Road junction, we would wish to ensure that proposed parking provision does not exceed the Council’s adopted maximum standards in this instance.

The planning application states that there is no cycle parking provision on site. However as shown on proposed site plan drawing number ....L(00)12 Rev P it is now proposed to provide 5 stands (10 cycle parking spaces) to serve the development. This is welcomed.

The applicants Transport Statement provides trip generation estimates for A3 use only. This is insufficient as the proposed development is for any combination of A3, A4 and A5 uses. No trip generation estimates have been presented for A4 and A5 uses.

It should be noted that A5 uses can potentially generate up to 2 and a half times the daily trip generation of A3 uses. Therefore the applicant’s current assessment of trip generation is likely to be significantly underestimating the traffic generation potential of the proposed uses.

The applicants Transport Statement includes an assessment of car parking occupancy during a weekday evening. Whilst this appears to demonstrate that the proposed additional parking demand generated by the development can be accommodated within the existing car park, this assessment only accounts for A3 use and not A3 / A4 / A5 uses as proposed within the application.

<table>
<thead>
<tr>
<th>Proposed Car Parking Provision</th>
<th>Cycle Parking</th>
<th>Likely Trip Generation</th>
<th>Car Park Occupancy</th>
<th>Servicing</th>
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Permitted Changes of Use

Summary and Conclusions

A plan has also been supplied within the above Transport Statement to demonstrate that the proposed facility can be adequately serviced by a HGV. This is acceptable.

It is also noted that there is a permitted change of use from A3 / A4 / A5 uses to A1 use (Shops) and A2 use (Financial and Professional Services).

No information has been submitted in respect of the traffic generation that could be expected should this change of use occur (which could realistically happen without any further need for planning permission). It has therefore not been demonstrated that the traffic generation arising from these uses can be accommodated within the on site car park or the wider highway network.

We would therefore wish to seek clarification from the applicant as to whether they would accept a planning condition restricting their permitted development rights so as to preclude a future uncontrolled change of use to A1 and A2 uses.

Should this not be acceptable to the applicant we would wish to agree the scope of a Transport Assessment to test the impact of these potential future uses on the local highway network.

In view of the above we would wish to object to the proposed development on the following grounds:

- The proposed increased parking provision has not been justified in relation to the proposed and existing uses on the current application site;
- The proposed trip generation information provided is insufficient in that it does not account for the A4 and A5 uses now proposed; and
- No information has been supplied by the applicant in relation to the potential future change of use of the site to A1 and A2 uses and its potential impact on the local highway network.
## DEVELOPMENT MANAGEMENT COMMITTEE

### Thursday 5th January 2012

### DECISIONS

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<tr>
<th>Item</th>
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<th>App Location/Description</th>
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<tr>
<td>1</td>
<td>2</td>
<td>2011/18815</td>
<td>Land at the junction of Stocks Lane and Warrington Road, Penketh, Warrington Proposed new commercial building containing three units with both A1 and A2 use classes.</td>
<td>Approve AS REC</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>2011/18861</td>
<td>3-9 Chetham Court, Warrington, WA2 8RF Proposed change of use of Units 3-9, Chetham Court to create 6 new units, including a coffee shop (A3/A5 Use) and five A3/A4 Use units, the reconfiguration and creation of associated car parking and the re-cladding of the building to improve its appearance</td>
<td>Approve APPROVE UPDATE CONDITIONS/SUB TO S106 AND REFERRAL TO SEC OF STATE</td>
</tr>
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