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.
<table>
<thead>
<tr>
<th>Item</th>
<th>Code of Conduct - Declarations of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>To confirm the minutes of the meeting held on 6 October 2011 as correct records.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Planning Applications (Main Plans List)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Results of Planning and Enforcement Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>Rusgan House, Barbauld Street, Warrington</td>
</tr>
<tr>
<td>5.2</td>
<td>7 Fleming Drive, Winwick Park, Winwick</td>
</tr>
<tr>
<td>5.3</td>
<td>12 Derby Drive, Warrington</td>
</tr>
<tr>
<td>5.4</td>
<td>23 Rushmore Grove, Paddington</td>
</tr>
<tr>
<td>5.5</td>
<td>Land at Admirals Road, Oakwood</td>
</tr>
<tr>
<td>5.6</td>
<td>Land at Longwood Road, Appleton</td>
</tr>
<tr>
<td>5.7</td>
<td>Oak Barn, Stockport Road, Thelwall</td>
</tr>
</tbody>
</table>
Part 2

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

NIL

_If you would like this information provided in another language or format, including large print, Braille, audio or British Sign Language, please call 01925 443322 or ask at the reception desk in Contact Warrington, Horsemarket Street, Warrington._
DM31 Apologies for Absence

Apologies for absence were received from Councillors B Barr and L Ladbury.

DM32 Code of Conduct – Declarations of Interest

There were no declarations of interest received.

DM33 Minutes

Resolved,

That the minutes of the meeting held on 15 September 2011 were agreed as a correct record and signed by the Chair.

DM34 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;

DM35 2011/18512 – 810, Europa Boulevard, Burtonwood and Westbrook, Warrington – Proposed change of use of the existing storage warehouse (use class B8) to a Next Home and Garden Store (use class A) with associated works comprising a single storey side extension to provide servicing, conservatory and garden centre floor space, the installation of a mezzanine within the warehouse for sales, new car parking, provision of ancillary plant and associated alterations and improvements to the external elevations of the warehouse and store

The Executive Director of Environment and Regeneration submitted the above application with a recommendation of conditional approval.
Representations were heard for the officer recommendation.

Resolved,

That approval be given to planning application 2011/18512 subject to agreement of section 106 conditions

**DM36 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>2011/18123 M0655/D/11/2155583</td>
<td>51 Shoreham Drive, Penketh – Proposed second storey side extension</td>
<td>Refuse</td>
<td>Allow</td>
</tr>
<tr>
<td>2010/17017 M0655/A/11/2151105</td>
<td>Culcheth Sports Club, Charnock Road, Culcheth – Proposed erection of ten, 8 metre high floodlights to illuminate four tennis courts</td>
<td>Refuse</td>
<td>Allow</td>
</tr>
</tbody>
</table>

Resolved,

That the report be noted.

Signed………………………

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

**Thursday 8 December 2011**

**Start 5.30pm**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
</table>
| 1    | 2    | 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 | Approve |
| 2    | 11   | 2011/18949 | 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). | Approve |
Application Number: 2011/18930

Location: Great Sankey Primary School, Liverpool Road, Great Sankey, Warrington, WA5 1SB

Ward: Great Sankey South

Development: 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

Applicant: Children and Young Peoples Services

RECOMMENDATION: Approve subject to Conditions

Conditions:
- Standard Time limit -full 3 years
- Approved plans/drawings
- Materials to be agreed
- Detail of indoor sports facilities
- Details of re-location of rugby pitch
- Details of re-furb of cricket practice nets
- Phasing of sports facilities
- Details of off-site cricket facilities to be agreed
- Details of community use of sports facilities
- Visibility splay to be provided and retained
- Car and cycle parking to be provided & retained
- Details of access construction
- School Travel Plan to be agreed and implemented
- Accordance with submitted flood risk assessment
- Surface water drainage scheme to be agreed & implemented
- Energy efficiency & renewables
- Landscaping to be implemented
- Construction days/hours: Mon-Fri 08:00 to 18:00: Sats 08:30 to 13:30: none on Suns or Bank Hols.

Description
- Full application for a new 1.5 form entry, two storey primary school to replace the existing school
- Proposals include play areas and a Multi Use Games Area (MUGA) for the high school
- The school would provide 315 pupil places, plus 52 nursery places with 14 full time and 40 part time staff
A new main hall and small hall would be made available for community use (on Saturday mornings) – school hours would be 08.45 to 18.00 hours weekdays.

The proposed building faces Penketh High School – to help de-mystify the transition from primary to secondary education.

The school would be arranged between a teaching block and a community/halls block.

24 staff car park bays would be provided; 3 visitor bays; 2 disabled bays and parking for 10 cycles.

There would be no on-site “drop-off/pick-up” provision for the primary school – this would be available on a relatively wide and lightly trafficked stretch of Liverpool Road – where on street parking should not be problematic in safety or access terms.

Pedestrian drop off points at infant class play areas as well at the main entrance would be provided.

A new main vehicular entrance from Liverpool Road is proposed.

A separate pedestrian access to the school would be created adjacent to the vehicular one.

Paths within the site would be well segregated from vehicle routes.

There are no proposed changes to existing bus stop provision or to services.

A detailed description of highways/parking proposals is given below – in Appendix 1.

Kitchen deliveries would be daily at 07.30; refuse on Mondays before 09.00 and recycling fortnightly during working hours.

The applicant has conducted pre-application consultation with local residents on the site boundary – building siting; landscaping; roof appearance and height were adjusted as a result of this.

**Location**

The 2.29 ha site is currently a rugby pitch and wooded area used by Penketh High School – owned by WBC Children & Young People’s Services.

The site is bounded by a line of trees along Liverpool Road to the north; the current primary school and high school pitches to the west, with Whittle Brook running along the site boundary; the high school habitat area and a dwelling to the south. Residential development is to the east – and opposite the proposed entrance on Liverpool Road to the north.

Main vehicular access would be via Liverpool Road; there is bus stop directly opposite the site on Barnes Close.

There is a “locally-listed” Victorian school building within the existing primary school site – which is to be retained in an alternative use.

A water main and a combined sewer cross the site.

**Relevant History**

Various applications for works to existing school buildings, temporary and mobile classrooms have been submitted since 1997.
Main Issues and Constraints

- Principle
- Details of design, layout etc
- Highways/Transportation matters
- Impact on living conditions
- Land quality
- Playing fields
- Locally listed buildings
- Flood risk
- Nature conservation

Key policy/guidance checklist

The following national guidance & policy is considered to be of background and strategic level relevance to this proposal:

- Policy Statement – Planning for Schools Development (August 2011)
- PPS1: Delivering Sustainable Development + Supplement to PPS1 (Planning and Climate Change)
- PPS9: Biodiversity and Geological Conservation
- PPG13: Transport
- PPG17: Planning for Open Space, Sport and Recreation
- PPS22: Renewable Energy
- PPS25: Development and Flood Risk

Adopted Warrington UDP policies:

<table>
<thead>
<tr>
<th>DCS1; LUT2; GRN2; GRN11; SOC1;</th>
<th>Principle</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The principle of a substantial new primary school building near the existing primary school site within the urban area of Warrington is acceptable, subject to detailed criteria.</td>
</tr>
<tr>
<td></td>
<td>The existing facilities at Great Sankey Primary School are acknowledged to be inadequate, the buildings of poor quality; of outdated design; have maintenance problems and do not meet the requirements of a modern school.</td>
</tr>
<tr>
<td></td>
<td>The provision of enhanced and upgraded schools, using sustainable design and taking on board guidance associated with green space and playing areas is well supported by the planning policy framework.</td>
</tr>
<tr>
<td></td>
<td>The possible option to re-build the school in roughly its current position was discounted by the applicant – this is not viable due to the need to relocate all teaching activities in temporary accommodation during the re-build – which would have been prohibitively expensive</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DCS1; DCS7; GRN2;</th>
<th>Details of design, layout etc</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The building has been designed to be “interactive”, modern and stimulating – whilst aiming to respect the adjoining surrounding suburban and residential area. The new school would be visible from Liverpool Road, although the intention is to retain as many of the mature trees as possible along that boundary. A simple range of red brick and render is proposed. On the western elevation, red and yellow hues – colours which are present in the school badge - are used. On the east, green-blues would be used.</td>
</tr>
</tbody>
</table>
New trees would be planted to help define routes and enclosures – and to provide extra screening to residents’ properties.

The footprint of the building is staggered – rather than massed in a single large block.

**BREEAM.** Air source heat pumps would supply 23% of energy requirements.

<table>
<thead>
<tr>
<th>LUT1; SOC1;</th>
<th>Highways/Transportation matters</th>
<th>A School Travel Plan and parking/access matters have been agreed as acceptable – Appendix 1 below.</th>
</tr>
</thead>
<tbody>
<tr>
<td>DCS1; GRN2;</td>
<td>Impact on living conditions</td>
<td>The applicant has conducted pre-application consultation with local residents on the site boundary – building siting; landscaping; roof appearance and height were adjusted as a result of this. For example, the roof of the sports hall is to be split to two ridges in response to concerns from residents regarding the height of the building. The service zone to the north end of the building is single storey – to reduce overshadowing. Some nearby properties are sited at a higher level, on a slight embankment from the school site – so that the top of the proposed school building would be either roughly in line with, or below, surrounding ridgelines. Classrooms generally face away from adjacent residential properties. The building is 16m from the nearest house. Quiet areas – such as staff offices, library and corridor face the boundary with housing. Deliveries and kitchens are near the site entrance. Potential environmental impacts – such as proposed external lighting, cooking odour extraction, construction hours/days etc are also considered acceptable, subject to condition.</td>
</tr>
<tr>
<td>REP1; REP8;</td>
<td>Land quality</td>
<td>The findings of the submitted Phase II desk-top study is considered adequate to inform the detailed remediation of the site – should this be necessary once work begins.</td>
</tr>
<tr>
<td>GRN10; GRN11;</td>
<td>Playing fields</td>
<td>Sport England have confirmed that – subject to condition – there would be no negative impact on playing field provision</td>
</tr>
<tr>
<td>BH5;</td>
<td>Locally listed buildings</td>
<td>The Victorian school building would be protected - it is considered that its setting would be enhanced - due to the removal of existing school buildings which currently detract from it.</td>
</tr>
<tr>
<td>REP4; REP5; REP6;</td>
<td>Flood risk</td>
<td>Advice from the Environment Agency confirms that the submitted flood risk assessment is satisfactory.</td>
</tr>
<tr>
<td>GRN21;</td>
<td>Nature conservation</td>
<td>To be reported.</td>
</tr>
</tbody>
</table>

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

**Planning Policy** – No objection, subject to condition.
Network and Development Control (Highways) - No objection, subject to conditions – Appendix 1 - below

Environmental Protection – No objection, subject to conditions.

Nature Conservation – To be reported.

Sport England – No objection subject to conditions.

Environment Agency – No objection subject to condition.

Parish Council – No objection.

Responses to Notification (Full details on file)

Neighbours – 2 objections – key areas of concern:
- Stretch of road outside my house is marked as an access point for grass cutting/maintenance – this stretch is private and there is no right of way
- Increased parking on Liverpool Road outside houses
- Other access roads are available – further no-stopping lines are needed
- Traffic/parking associated with use of school by community
- Lighting should be low level and on a timer to switch off
- Existing primary school site could be re-used to provide both the required access and parking
- A new school would not be in keeping with the established residential area
- Loss of trees and wildlife
- Construction disruption, noise, dirt, stress and possible damage to property
- Possible damage to locally listed building
- Removal of woodland would remove screen which prevent light spliiage from school’s astroturf pitch
- Lighting and car parking should be obscured from view by trees
- New school and access road should be secure to prevent mis-use outside school/term times
- Loss of outlook

Comment:
- Access for grass cutting will no longer take place via the stretch of private road
- WBC Traffic Management will consider the use of parking restrictions when the school is operational
- Provision of a larger car park would encourage too much car use
- Re-use of existing access is not feasible – this would need costly and extensive works to create a crossing over the stream
- Land at the existing primary school will replace land “lost” when the high school when land was swapped to the new primary school site – so it could not be used for an access road or car park
- In discussion with Sport England – a MUGA pitch is to be built on the primary school site – as a replacement for the High School’s rugby pitch (for the High School’s use)
- Exterior lighting will be controlled by a timer to minimise light disturbance
- Trees along the boundary with Liverpool Road will be retained – apart from the two to be removed to create the new entrance
• Landscape proposals are designed to protect and enhance diversity – habitat surveys have been undertaken – there would be no impact on protected species
• The site would be secured – bearing in mind the duty to do this as part of a school use
• The Council intends to either let or sell the Victorian locally-listed buildings – to prevent them falling into disrepair

Conclusions and reasons for recommendation/decision
• Subject to conditions, it is considered that the proposal is acceptable in terms of its potential impacts in relation to matters of principle; details of design, layout etc; highways/transportation matters; nearby living conditions; land quality; playing fields; the locally listed building; flood risk and nature conservation and is, therefore, in accordance with policies DCS1; GRN1; LUT1; LUT3; LUT5; LUT7; LUT11 and LUT12 of the adopted Warrington UDP.

Appendix 1
Comments of Network and Development Control (Highways)

<table>
<thead>
<tr>
<th>Transport Assessment</th>
<th>It has been confirmed by the applicant that the number of pupils attending the new school is expected to remain as per existing intake, i.e. in the region of 315 pupils. Therefore the proposals should not result in additional traffic generation over and above current levels associated with the existing school.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Access Arrangements</td>
<td>It is proposed that a new vehicular access onto Liverpool Road will be created. The proposed access will measure 5.5m wide, sufficient to accommodate two way traffic flows. Visibility splays of 2.4m by 70m will also be provided at the proposed site access as shown on drawing number 2264/302 Rev A.</td>
</tr>
<tr>
<td></td>
<td>It is noted that the proposed access as shown on drawing number 2264/302 Rev A would benefit from the provision of tactile paving on the footways adjacent to the new access. This would then alert partially sighted and blind pedestrians to the presence of this new access.</td>
</tr>
<tr>
<td></td>
<td>As the proposed new access will need to join the adopted highway of Liverpool Road, we would request a planning condition to ensure the construction specification of the access is agreed. This can then also include the provision of tactile paving within the detailed scheme of access construction.</td>
</tr>
<tr>
<td>Pedestrian Access Arrangements:</td>
<td>Two new pedestrian access points are to be provided as a result of the proposals. These are to the north of the proposed vehicular access on Liverpool Road, with a secondary (flood emergency) pedestrian access also provided to the south of the new vehicular access.</td>
</tr>
<tr>
<td>Proposed Parking Provision</td>
<td></td>
</tr>
<tr>
<td><strong>The proposals seek to provide 27 parking spaces, including 2 disabled spaces and 3 visitor parking spaces. It is stated within the planning application that there are 44 full time equivalent staff at the school.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>The Council’s parking standards for Primary Schools is 1 space per 2 staff and 1 additional space per 3 members of staff. Based on the above this would therefore equate to a maximum parking provision of 37 spaces. The proposed provision of 27 spaces is therefore in accordance with the Council’s adopted maximum parking standards.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Proposed site plan 2264/302 Rev A indicates retention of the existing 11 space school car park accessed from Barnes Close. It is not anticipated that this car park will be in daily use in connection with school activities as it is not connected to the proposed school site through the school grounds. However, we would request clarification from the applicant that this is the case and that this car park will not be retained for daily use.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Required Traffic Regulation Orders</strong></td>
<td></td>
</tr>
<tr>
<td>As a result of the new school proposals, amendments to Traffic Regulation Orders within the vicinity of the site will need to be progressed. Consultations with the Council’s Traffic Management Department have confirmed the following:</td>
<td></td>
</tr>
<tr>
<td>• The existing School Keep Clear markings on Liverpool Road and Barnes Close will need to be revoked;</td>
<td></td>
</tr>
<tr>
<td>• New School Keep Clear Markings on Liverpool Road will be required immediately by the proposed site access and new pedestrian access points;</td>
<td></td>
</tr>
<tr>
<td>• There may also be a need to consider further restrictions opposite the proposed site access on Liverpool Road, i.e. single yellow lines, in recognition of the fact that there may be a greater demand for on street parking at this location as a result of the revised access proposals.</td>
<td></td>
</tr>
<tr>
<td><strong>The Council’s Traffic Management Department have confirmed that the above changes to Traffic Regulation Orders can be progressed for a cost of £7,000.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>N.B. Implementation of Traffic Regulation Orders cannot be ensured through the planning process, as they are approved via existing traffic management procedures and are subject to separate public consultation and legal approval processes.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Additionally, as the applicant for the proposal is Warrington Borough Council, it would not be appropriate to secure the progression of any desired or required TRO’s through planning condition, as this would only require that the applicant (the Council) pays the Local Highway Authority (the Council) to progress these orders on their behalf.</strong></td>
<td></td>
</tr>
</tbody>
</table>
We would therefore advise that the above Orders should be considered for approval outside of the planning process through existing alternative channels, and to this end would seek confirmation from the applicant that they are prepared to fund the progression of the above necessary orders.

School Travel Plan

The Council’s Travel Plan Officer has confirmed that a new School Travel Plan should be agreed and implemented prior to occupation of the development. This will ensure the promotion of sustainable transport alternatives is maintained and should be ensured by way of planning condition.

Summary and Conclusions

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

“Visibility splays of 2.4m by 70m shall be provided at the site access and shall be retained thereafter, with nothing being erected or allowed to grow within the splays without the prior written approval of the Local Planning Authority”

“Prior to first use of the development, the car and cycle parking spaces as shown on drawing number 2264/302 Rev A shall be provided and made available and shall be retained thereafter unless otherwise agreed in writing with the Local Planning Authority.”

“Prior to the commencement of development, full construction details of the proposed site access onto Liverpool Road shall be provided and shall be agreed in writing by the Local Planning Authority. The access shall be constructed as agreed with the Local Planning Authority.”

“Prior to occupation of the development, a revised School Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The agreed School Travel Plan shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the development.”
Application Number: 2011/18949

Location: Land At Dawson House, Liverpool Road, Great Sankey, Warrington

Ward: Great Sankey North

Development: Application to extend time limit for implementation of consent 2007/10851 (outline consent for residential development).

Applicant: Mr Andrew Leyssens, United Utilities

RECOMMENDATION: Approve subject to Section 106 Agreement

Conditions:
- Reserved matters within 5 years
- Commencement within 2 years of last reserved matter
- Phasing
- No approval for illustrative 4 storey element
- Defined access points
- Dwellings heights as shown in indicative proposals
- Job/training opportunities
- Materials to be agreed/implemented
- Landscaping to be agreed
- Landscaping to be implemented
- Tree protection
- Surface water drainage to be agreed
- No removal of vegetation 1st March to 31st August
- Bat survey
- Bat & bird box provision
- Hours of demolition: Mon-Fri: 0700 to 1900; Saturdays: 0800 to 1600; None on Sundays or Bank Hols
- Land remediation
- Noise insulation

Description
- This application seeks to extend the period within which the planning permission granted in 2007 (2007/18949) for 51 dwellings for social rent shall be implemented
- The “Greater Flexibility for Planning Permissions” document was issued by central government in November 2009 – to accompany changed legislation which streamlines the ability to extend the life of permissions
- Opportunity is taken to adjust “pre-commencement” conditions and to make minor changes to conditions to allow demolition without submission of the material previously listed in the original conditions
• Opportunity is also taken to delete condition 7 on 2007/10851 - which prevented occupation prior to 31st December 2008 (no longer relevant)
• Prior to submission, the applicant notified ward councillors; Great Sankey Parish Council and 600 local residents
• If this application is approved, a new consent will be granted and a new decision notice would be issued
• A revised S106 Agreement is needed to reflect the correct dwelling total (ie 178) and the required financial contributions which flow from that

Main Issues and Constraints
Reasons as to why the earlier permission remains unimplemented
Change in circumstances since previous permission was granted

Key policy/guidance checklist
Greater Flexibility for Planning Permissions

The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 (SI 2009 No. 2261)

Adopted Warrington UDP policies:-

<table>
<thead>
<tr>
<th>Greater Flexibility for Planning Permissions</th>
<th>Reasons as to why the earlier permission remains unimplemented</th>
<th>The inability of the applicant to secure a prospective developer – due to the economic downturn (and vacant possession issues), has prevented a start on site within the original three year term of the 2008 permission.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 (SI 2009 No. 2261)</td>
<td>Change in circumstances since previous permission was granted</td>
<td>It is considered that there has not been a material change in circumstances since the previous grant of planning permission at this site (Planning Policy advice – below).</td>
</tr>
</tbody>
</table>

Comment:
• Unless there has been a change in material circumstances since planning permission was last granted for this development (i.e. November 2007), it should not be necessary to re-visit the principle nor the detailed merits of proposal
• It is considered that there has not been a material change in circumstances since that time

Responses to consultation (Full details on file)

Planning Policy – No objection, provided a revised S106 Agreement secures adequate provision for affordable housing. In the absence of any change in material circumstances there are no objections to the proposal from a planning policy perspective.
Network and Development Control (Highways) - No objection, no change in material circumstances since 2007.

WBC Education – No objection.

Environmental Protection – No objection, subject to conditions.

Nature Conservation – No objection, subject to conditions.

Natural England – Does not appear to affect any statutorily protected species or landscapes. Broadly satisfied that mitigation measures are sufficient to avoid adverse impact on protected species.

Archaeology – No objection; no archaeological mitigation needed.

Environment Agency – No objection, subject to conditions.

Responses to notification (full details on file)

Parish Council – No objection.

Ward Members – No response.

Neighbours – No response.

Conclusions and reasons for recommendation/decision

• The reasons as to why the earlier permission remains unimplemented are considered to be valid and genuine
• It is considered that there has not been a material change in circumstances since the date of the grant of planning permission for this development (ie November 2008)
• The development as permitted by 2007/10851 remains in accordance with the Development Plan currently in force in the area
WARRINGTON BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE
8th December 2011

Report of the: Executive Director Environment and Regeneration Services
Report Author: Michael Davies – Principal Planning Officer
Contact Details: Email Address: mdavies@warrington.gov.uk
Telephone: 01925 442813

Ward Members:

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

2. Purpose of the Report:
To advise members of the results of appeals.

3. Recommendations:
To note the reports.

4. Reason for Recommendation:
To inform Members of the results of appeals.

5. Confidential or Exempt:
Not applicable

6. Financial Considerations:
None.

7. Risk Assessment:
Not required.

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

Not relevant

10. Clearance Details (Record of clearance of report):

<table>
<thead>
<tr>
<th>Name</th>
<th>Consulted</th>
<th>Date Consulted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relevant Executive Board Member</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>SMB</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Relevant Strategic Director</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Solicitor to the Council</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>S151 Officer</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Relevant Head of Service</td>
<td>Yes</td>
<td>23.11.11</td>
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11. Background Papers:

Planning application and appeal documents

Contacts for Background Papers:

<table>
<thead>
<tr>
<th>Name</th>
<th>E-mail</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Axford</td>
<td><a href="mailto:paxford@warrington.gov.uk">paxford@warrington.gov.uk</a></td>
<td>01925 442827</td>
</tr>
</tbody>
</table>
WARRINGTON BOROUGH COUNCIL  
DEVELOPMENT MANAGEMENT COMMITTEE  
8th December 2011  

REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND REGENERATION  
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2011/17869  
APPEAL REF: M0655/D/11/2154453  

LOCATION: Rusgan House, Barbauld Street, Warrington  
DESCRIPTION: Change of use from A3 to A3/A4  
DELEGATED DECISION: Refuse  
APPEAL DECISION: Allow

MATERIAL CONSIDERATIONS:
Impact of use on crime prevention and public safety

INSPECTOR’S FINDINGS:

- Within Town Centre Retail Core and Bridge Street Conservation Area – no objection in principle
- Change of use occurred several months prior to this appeal – but there does not appear to have been any evidence of crime or anti-social behaviour directly attributable to this use
- However, Police confirm that Barbauld Street is in the area where town centre crime is most common
- There are 8 other drinking establishments within 200 metres
- Premises has a role in “circuit drinking” and is likely to contribute to causes of drink-related disorder
- Premises are in a secluded location, not covered by CCTV – where Police would have to rely on foot patrols
- Risk to public safety therefore greater than that which would occur elsewhere
- Appellant intends to operate in a way that would not attract those in search of cheap alcohol – but this can not be controlled via planning law
- Suggestion that a restaurant use can not survive without late night drink trade is at odds with the suggestion that the use would provide a quality venue for customers moving on from other restaurants
- Few - or no – dwellings nearby – so can not support Council’s view about noise and disturbance to residents
- Any contribution to regeneration of town would be outweighed by harmful impact on crime and public safety
STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
- This decision follows a previous dismissed appeal at the site – with much the same conclusions

UNITARY DEVELOPMENT PLAN
DCS1
WARRINGTON BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
8th December 2011

REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND REGENERATION
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2011/18354
APPEAL REF: M0655/D/11/2158916

LOCATION: 7 Fleming Drive, Winwick Park, Winwick

DESCRIPTION: First floor side extension and garage conversion

DELEGATED DECISION: Refuse

APPEAL DECISION: Allow

MATERIAL CONSIDERATIONS:
Impact on character and appearance of the streetscene

INSPECTOR’S FINDINGS:
• Two storey detached house with attached garage on corner plot on modern estate of detached and semi-detached dwellings of a variety of designs
• At junction of Fleming Drive and Alcott Place
• Extension would be above the existing garage which is sited on the side of the property away from the junction and adjacent to the garage at 5 Fleming Drive – separation between the garages and properties is minimal
• Separation distances on the estate vary – but there is no pattern
• Extension would reduce openness between the appeal property and no 5, the relationship would be comparable to other properties on the estate
• Extension would not be prominent – although appeal property and number 9 create a symmetrical entrance to Alcott Place, there is no obvious pattern of neighbouring dwellings being of the same design
• Width of the dwelling at first floor level would be significantly increased by the extension – but there would be no alteration in the size of dwelling footprint
• Not prominent and scale would not harm character and appearance of streetscene – especially with use of matching materials
• Council’s guidelines require a distance of 1 metre from the side boundary – a distance of 0.9m could be achieved – but this discrepancy would barely be noticeable
• No harm to character and appearance of streetscene
STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
• The Council were primarily concerned that the openness presented by gaps between Nos.5 & 7 Fleming Drive at 1st floor level was fundamental to the character of the area
• The Inspector did not attach such weight to the need to preserve such spaciousness – having greater regard to the high density but varied character of the area

UNITARY DEVELOPMENT PLAN
• DCS1; HOU8
• SPG - *Side Extensions*
WARRINGTON BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
8th December 2011

REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND REGENERATION
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2011/18071
APPEAL REF: M0655/D/11/2158286

LOCATION: 12 Derby Drive, Warrington

DESCRIPTION: First floor extension to form bedroom, bathroom and study room and associated services

DELEGATED DECISION: Refuse

APPEAL DECISION: Allow

MATERIAL CONSIDERATIONS:
Impact on character and appearance of the streetscene

INSPECTOR’S FINDINGS:
- Property would mainly be seen in the context of short terraces of 2 storey houses on a common build line
- Some nearby houses have already been extended at the side – some at two storey level
- Agree that the visual “joining-up” of the separate terraces should be avoided
- Relative to existing extension next door, a gap of 1 metre to the boundary would be retained – but there would not be a gap of 2 metres - as required by Council’s “terracing code” - between properties at first floor level, and there would be no lowering of the height of the roof ridge
- With a lowering of the ridge line by approx 300mm however, Council’s policies could be achieved
- The break in the elevation and the residual gap would prevent a significant terracing effect
- This solution would not strictly accord with Council’s SPG – but the extension would then reflect the character and appearance of the area
- Subject to a condition requiring a roof design which is 300mm lower that that shown on the submitted plans, the proposal would be acceptable

STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
- Inspector applied policy and SPG less strictly than caseworker – and exercised ability to require an alternative design by condition
UNITARY DEVELOPMENT PLAN

- DCS1; HOU8
- SPG – *House Extensions*
APPLICATION REF: 2011/18220
APPEAL REF: M0655/D/11/2157580
LOCATION: 23 Rushmore Grove, Paddington
DESCRIPTION: Single storey extension and first floor dormer to front
DELEGATED DECISION: Refuse
APPEAL DECISION: Dismiss
MATERIAL CONSIDERATIONS:
Impact on character and appearance of the streetscene

INSPECTOR’S FINDINGS:
• Semi-detached bungalow with large rear dormer
• Area typified by semi-detached bungalows with a limited range of styles
• Ground floor extension at the front would project 1.5m further forward than front elevation of adjoining no 25
• Proposed front dormer would be large, with a roof ridge at the same height as the main ridge of the dwelling – it would be nearly 4 metres wide and would extend across more than half of the width of the dwelling, cutting across the vertical line of the chimney
• Very few of nearby properties have dormers – those that do are smaller
• Proposed dormer would be prominent and would not be subordinate
• Ground floor extension would look like a very large porch, and when combined with the dormer would seriously unbalance the pair of semis
• Extensions would not respect the character of the original building
• Would be incongruous and over-dominant in street scene

STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
• Inspector possibly even more critical of these scheme than the caseworker – and for the same reasons

UNITARY DEVELOPMENT PLAN
• DCS1; DCS9 and HOU8
• SPG – Front Extensions and Dormers
WARRINGTON BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
8th December 2011

REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND
REGENERATION
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2011/17840
APPEAL REF: M0655/D/11/2156326

LOCATION: Land at Admirals Road, Oakwood

DESCRIPTION: Installation of a 15m high pole and equipment at
ground level

OFFICER RECOMMENDATION: Approve

COMMITTEE DECISION: Refuse

APPEAL DECISION: Allow

MATERIAL CONSIDERATIONS:
Impact on the character and appearance of the surrounding area and
streetscene in Admirals Road.

INSPECTOR’S FINDINGS:
- Site at back edge of pavement, adjacent to a broad, grassed verge with
  a belt of established planting some 4 or 5 metres behind
- Tallest nearby trees would be no higher than 6m in height
- Mast would be slender and streamlined, not obtrusive
- Mast would be light grey so would not stand out from the sky
- Ground level cabinets would be relatively small, painted green and not
  conspicuous either
- There are no dwellings fronting this stretch of Admirals Road, or
directly facing the appeal site – although it might be visible from some
of the nearer dwellings and their gardens
- Mast would mainly be seen above or through the trees and would not
  dominate visually – even when trees are bare
- Verges, planting and layout make for an attractive, sylvan environment
  on Admirals Road
- Nonetheless a suburban setting with bus shelters, street lamps and
  other street furniture – mast would not be harmfully uncharacteristic or
  unduly prominent
- Clear evidence that mast is needed
- Site selection and mast sharing evidence is convincing
Agenda item 5.5

- Appellant's reasons for discounting a possible alternative site on open land near Birchwood Primary School are satisfactory
- Residents' health concerns not sufficient to justify refusal
- No highway safety issue and would not impede cyclists/walkers
- Approval would not set a precedent
- Noise from the mast would not cause undue annoyance
- Would not add to anti-social behaviour

STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
- The absence of direct and/or clear views from any nearby dwellings or their gardens seems to have convinced the Inspector that serious visual harm would not result
- Visual impact on the wider streetscene however, is considered to be very similar to the Longwood Road, Appleton case (also on this Agenda)

UNITARY DEVELOPMENT PLAN
- DCS1; GRN2
- SPG “Telecom Masts”
- PPG8 Telecommunications”
REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND REGENERATION
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2011/17847
APPEAL REF: M0655/D/11/2157000

LOCATION: Land at Longwood Road, Appleton

DESCRIPTION: Installation of a 15m high timber effect telecom pole and equipment

OFFICER RECOMMENDATION: Approve

COMMITTEE DECISION: Refuse

APPEAL DECISION: Dismiss

MATERIAL CONSIDERATIONS:
Visual impact on streetscene and on the amenity of those living in 6 Harrow Close

INSPECTOR’S FINDINGS:

• Street scene characterised by grass verges and areas of well established landscaping
• A pleasant sylvan ambience
• Planting also screens surrounding properties from the road
• Considerable street furniture in vicinity – including cluster of 8m high street lights around the roundabout
• Number of semi-mature trees on rising ground nearby – tallest of which is 10m high
• Mast would be noticeably higher than streetlights and backdrop of trees – and thicker than street light columns
• Height and thickness would draw the eye – so that mast would be unduly conspicuous in the street scene – especially when the leaves are off the trees
• At the rear of 6 Harrow Close there are openings to the main sitting room and a well-used patio – separated from where the mast would be sited by a narrow strip of landscaping on Longwood Road
• In direct line of sight from these indoor and outdoor sitting areas is a gap in the roadside planting – this would provide a clear view of the mast and would dominate the outlook
• Acknowledge importance of securing telecom coverage
• Recognise that applicants have searched for alternative sites in this part of the Borough
• Recognise benefits that flow from two telecom companies sharing a mast
• Would harm street scene and amenity that should be enjoyed by occupants of Harrow Close
• Given an ICNIRP certificate was provided, the Council was correct not to have considered possible health effects further
• No objection on grounds of driver distraction or highway safety

STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
• Inspector’s conclusion that the proposal would result in serious visual harm to the wider streetscene contrasts sharply with the expressed Officer view – especially given comparison with appeal cases elsewhere in the Borough (where refusals based on visual harm have not been supported by Inspectors)
• Also notable in that the harm to one particular dwelling – rather than a larger number of dwellings - was also highlighted as a reason for dismissing the appeal

UNITARY DEVELOPMENT PLAN
• DCS1; GRN2
• SPG “Telecom Masts”
• PPG8 Telecommunications”
WARRINGTON BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT COMMITTEE
8th December 2011

REPORT OF THE STRATEGIC DIRECTOR OF ENVIRONMENT AND REGENERATION
TOWN & COUNTRY PLANNING ACT 1990 – RESULT OF APPEALS

APPLICATION REF: 2010/17173 & 17176
APPEAL REF: M0655/D/11/2146414 & 2147250

LOCATION: Oak Barn, Stockport Road, Thelwall

DESCRIPTION: Single storey side and rear extension

DELEGATED DECISION: Refuse

APPEAL DECISION: Dismiss

MATERIAL CONSIDERATIONS:
Impact on special architectural and historic interest of listed building and conservation area

INSPECTOR’S FINDINGS:
- Oak Barn is grade II listed, in Thelwall Conservation Area
- Appeal property is part of the listed barn – which was converted to residential use in 1990
- Despite conversion, the building retains much of its historic interest
- Even existing detached double garage is a subservient and separate feature
- Proposal would be awkward and incongruous; would domestify former barn and erode its character
- Extension upwards and rearwards would not be subservient; would be intrusive and would undermine simple form of the listed building
- Matching materials would not overcome these concerns
- Proposal would harm listed building and would not preserve or enhance the conservation area
- Applicant’s justification does not outweigh the substantial harm to this heritage asset and there would be no public benefit

STRATEGIC DIRECTOR OF ENV & REGEN COMMENTS:
- Inspector helpfully notes that visibility from public vantage points is not the key consideration – ie, whether there is harm per se to a listed building is the key point

UNITARY DEVELOPMENT PLAN
- DCS1; BH3; BH8
## DEVELOPMENT MANAGEMENT COMMITTEE

### Thursday 8 December 2011

#### Decisions

<table>
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<tr>
<th>Item</th>
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<th>Recommendation</th>
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<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>2011/18930</td>
<td>Great Sankey Primary School, Liverpool Road, Great Sankey, Warrington, WA5 1SB</td>
<td>Approve with extra conditions</td>
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<tr>
<td></td>
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<td>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</td>
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<td>2</td>
<td>11</td>
<td>2011/18949</td>
<td>Land At Dawson House, Liverpool Road, Great Sankey, Warrington</td>
<td>Approve as rec – sub to S106 amendments</td>
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<td></td>
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<td>Application to extend time limit for implementation of consent 2007/10851 (outline consent for residential development).</td>
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