25 February 2020

Development Management Committee

Wednesday, 4 March 2020, 6.30pm

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

Agenda prepared by Jennie Cordwell, Senior Democratic Services Officer – Telephone: (01925) 442139 E-mail: jcordwell@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

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 12th February 2020 as a correct record.

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

Report of the Director of Growth

**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

12 February 2020

Present: Councillor T McCarthy (Chairman)
Councillors J Grime, P Carey, K Mundry, R Purnell, J Wheeler,
L Morgan, S Parish, S Wright, B Maher and B Barr

DM93 Apologies for Absence

Apologies for absence were received from Councillor G Friend.

DM94 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 Grime</td>
<td>DM99</td>
<td>Ward Councillor for area in question</td>
<td>No involvement with the application, remained in the room and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr Wright</td>
<td>DM98</td>
<td>Trustee of Sir Thomas Boteler High School</td>
<td>Stood down from the committee and took no part in the discussion or vote</td>
</tr>
<tr>
<td>Cllr Wright</td>
<td>DM103</td>
<td>Ward Councillor for area in question</td>
<td>No involvement with the application, remained in the room and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr Morgan</td>
<td>DM101</td>
<td>Ward Councillor for area in question</td>
<td>No involvement with the application, remained in the room and took part in the discussion and vote</td>
</tr>
<tr>
<td>Cllr Munday</td>
<td>DM98</td>
<td>Ward Councillor for area in question</td>
<td>No involvement with the application, remained in the room and took part in the discussion and vote</td>
</tr>
</tbody>
</table>
DM95  **Minutes**

Resolved,

> That the minutes of the meeting held on 22 January 2020 were agreed as a correct record and signed by the Chairman.

DM96  **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.

DM97  **2019/36091 – LAND ADJACENT TO 88, HIGHER LANE, LYMM, WARRINGTON, WA13 0BY - Full Planning - Proposed construction of new dwelling**

The Director of Growth submitted the above application with a recommendation for approval.

A site visit took place on Friday 7 February 2020.

Representations were heard in support of and against the application.

Members noted the update report.

Resolved,

> That application 2019/36091 be approved as per the Officers recommendation subject to amended conditions as per the update report and amendment to conditions 4 and 6 as requested by the committee to include;

**Condition 4:**

<table>
<thead>
<tr>
<th>Cllr Barr</th>
<th>DM97 &amp; DM100</th>
<th>Parish Councillor for area in question</th>
<th>No involvement with the application, remained in the room and took part in the discussion and vote</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>
Agenda Item 3

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to the Local Planning for approval. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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 hoarding including decorative displays and facilities for public viewing, where appropriate
v. wheel washing facilities
vi measures to control the emission of dust and dirt during construction
vii a scheme for recycling/disposing of waste resulting from demolition and construction works
viii. Hours of construction

DM98 2019/35772 - SIR THOMAS BOTELER CHURCH OF ENGLAND HIGH SCHOOL, GRAMMAR SCHOOL ROAD, LATCHFORD, WARRINGTON, WA4 1JL - Full Planning - Proposed Installation of new 2400mm mesh and railing boundary fencing and 3000mm mesh fencing around tennis courts, to include vehicle and pedestrian gates

The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/35772 be approved as per the Officer recommendation.

DM99 2019/35800 – 48, LODGE DRIVE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4ER - Full Planning - Proposed change of use from Shop/Retail to Bar for sale of Alcoholic Beverages and ancillary use of a Coffee Bar

The Director of Growth submitted the above application with a recommendation for approval.

A site visit took place on Friday 7 February 2020.

Representations were heard in support of and against the application.

Members noted the update report.

Resolved,

That application 2019/35800 be approved as per the Officer report and subject to an amendment to condition 4 to state a reduction to opening hours from 11.30 pm to 11.00 pm, Monday to Saturday.
DM100 2019/35915 – 18, GRAMMAR SCHOOL ROAD, LYMM, WARRINGTON, WA13 0BQ - Full Planning - Proposed demolition of detached dwelling and the erection of 2No. Detached dwellings

The Director of Growth submitted the above application with a recommendation for approval.

A site visit took place on Friday 7 February 2020.

Representations were heard in support of and against the application.

Members noted the update report.

Resolved,

That application 2019/35915 be approved as per the Officer recommendation and subject to amended conditions as per the update report and amendment to condition 4 as requested by the committee to include,

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to the Local Planning for approval. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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 hoarding including decorative displays and facilities for public viewing, where appropriate
v. wheel washing facilities
vi. measures to control the emission of dust and dirt during construction
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
viii. Hours of construction

DM101 2019/36125 – VICTORIA PARK, KNUTSFORD ROAD, LATCHFORD, WARRINGTON
Full Planning - Proposed Artificial Grass Pitch (AGP) with associated features including 3.00m high ball stop fencing and entrance gates; high pitch barriers with entrance gates internally within fenced AGP enclosure; hard-standing areas complete with associated porous asphalt surfacing for portable goals storage, pedestrian access and circulation and access as well as vehicular maintenance and emergency access; artificial grass surfaced match day access; 15.00m and 16.00m high floodlight system around AGP perimeter; 6.00m high amenity lighting along hard standing access; 2.59m high maintenance equipment store located within AGP fenced enclosure; cycle park with 2.13m high covered shelter
The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/36125 be approved as per the Officer recommendation.

DM102 2019/36175 – DEWHURST ROAD, BIRCHWOOD, WARRINGTON, WA3 7QS
Full Planning - Proposed telecommunications upgrade. Proposed phase 7 monopole C/W wraparound cabinet at base and associated works

The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/36175 be approved as per the Officer recommendation.

DM103 2019/36218 – TOWN HALL, SANKEY STREET, BEWSEY AND WHITECROSS, WARRINGTON, WA1 1UH Listed building- Proposed exploratory ground work to investigate and determine the nature of the soil and foundation

The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/36218 be approved as per the Officer recommendation.

DM104 2019/36253 – SHELTER AT WARRINGTON CEMETERY, MANCHESTER ROAD, WARRINGTON, WA1 3BG Full Planning - Proposed replacement of decayed fascia, soffit and plywood deck to flat roof. Replace failed roof felt and damaged PVCU gutters.

The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/36253 be approved as per the Officer recommendation.
DM105 2019/36267 – VACANT LAND AT THE JUNCTION OF DALLAM LANE/TANNERS LANE, WARRINGTON Full Planning - Proposed change of use on a temporary basis as a private car park for up to 50 vehicles associated with The Base office development. The project includes new street lighting, access control barrier and resurfacing and lining of the existing surface

The Director of Growth submitted the above application with a recommendation for approval.

Resolved,

That application 2019/36267 be approved as per the Officer recommendation.

Signed..............................

Dated.........................
## DEVELOPMENT MANAGEMENT COMMITTEE

### Wednesday 4<sup>th</sup> March 2020

**Start 18:30**

<table>
<thead>
<tr>
<th>Item</th>
<th>Page</th>
<th>App number</th>
<th>App Location/Description</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>2019/35678</td>
<td>THE BLACKBURREN ARMS, ORFORD GREEN, ORFORD, WARRINGTON, WA2 8PL Full Planning (Major) Demolition of existing public house and construction of 52 affordable retirement units (x22 2Bed and x30 1Bed) and associated landscaping</td>
<td>Approve</td>
</tr>
<tr>
<td>2</td>
<td>41</td>
<td>2019/36202</td>
<td>LAND TO THE SOUTH OF ASTOR DRIVE AND EAST OF WITHERIN AVENUE, GRAPPENHALL HEYS, WARRINGTON, WA4 3LG Reserved matters (Major) - Proposed details regarding layout, scale, appearance and landscaping in relation to outline permission 2018/34167 for the residential development of 58 dwellings and associated development on Phase 1a.</td>
<td>Approve</td>
</tr>
<tr>
<td>3</td>
<td>80</td>
<td>2019/36204</td>
<td>LAND TO THE NORTH OF LICHFIELD AVENUE AND EAST OF WITHERWIN AVENUE, GRAPPENHALL HEYS, WARRINGTON, WA4 3LG Reserved Matters (Major) - Application for approval of Reserved matters application for details regarding layout, scale, appearance and landscaping following Outline Planning permission 2018/34167 for the residential development of 114 dwellings and associated development on Phase 1b.</td>
<td>Approve</td>
</tr>
</tbody>
</table>
**DEVELOPMENT MANAGEMENT COMMITTEE DATE 4th March 2020**

**ITEM 1**

<table>
<thead>
<tr>
<th>Application Number:</th>
<th>2019/35678</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Development:</td>
<td>Full Planning (Major) Demolition of existing public house and construction of 52 affordable retirement units (x22 2Bed and x30 1Bed) and associated landscaping.</td>
</tr>
<tr>
<td>Location Address:</td>
<td>The Blackburne Arms, Orford Green, Orford, Warrington, WA2 8PL</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Mr Rob Stratton c/o Agent</td>
</tr>
<tr>
<td>Ward:</td>
<td>Orford</td>
</tr>
<tr>
<td>Site Allocation:</td>
<td>Inner Warrington</td>
</tr>
<tr>
<td>Number of representations received:</td>
<td>80, plus petitions</td>
</tr>
<tr>
<td>Reason for Referral:</td>
<td>Ward Councillor call-in Number of objections received</td>
</tr>
<tr>
<td>Statutory expiry date:</td>
<td>13/03/2020</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>Approve subject to conditions and S106 Agreement</td>
</tr>
<tr>
<td>Case Officer:</td>
<td>Liz Snead <a href="mailto:lsnead@warrington.gov.uk">lsnead@warrington.gov.uk</a></td>
</tr>
</tbody>
</table>

**SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of residential development in this location is considered acceptable.
- The site makes a positive contribution to the borough’s housing land supply (as detailed within the SHLAA).
- The proposal addresses an identified need for housing within Warrington; 52 affordable homes for over 55s.
- The proposed development is suitable in design terms; it is well sited and includes detailing to all 4 elevations from which would be visible from public vantage points.
- The site can be safely accessed and egressed without harm to the highway network and there is sufficient off-site parking to accommodate the development.
- The living conditions of adjacent occupiers would be protected from undue detriment.
- The development will not have an unacceptable impact upon flood risk.
- The design of the proposal is in keeping with the existing character of the area.
- Although the application would result in the loss of a non-statutory heritage asset (locally listed) that positively contributes to the community, this is assessed on balance, with mitigating factors against the benefits of housing delivery.

OFFICER’S REPORT TO PLANNING COMMITTEE

1. APPLICATION SITE AND SURROUNDINGS

1.1 The application site comprises the Blackburne Arms Public House and associated hardstanding which is located to the southwest of Orford Green / School Road and to the north of Orford Park. Vehicular access into the site is from the A50 (Orford Green / School Road). The site is generally flat and with trees to the south of the site, which screen the site from Orford Park.

1.2 The site is located in Inner Warrington in the Local Plan Core Strategy and the Blackburne Arms Public House is identified as being Locally Listed.

1.3 To the west of the site are allotments and to the north is a Bowling Green and war memorial. The war memorial is located within the grounds of the Bowling Green. To the east of the site are a mixture of residential properties and retail units and to the south of the site is Orford Park. The application site is located in close proximity to a number of shops which are located on both Orford Green and School Road, the remainder of the area is predominantly residential.

2. DESCRIPTION OF PROPOSAL

2.1 The application proposes to demolish the existing public house building on the site and to erect a new 3 storey flat roofed building to create 52 one and two bedroom apartments for over 55 year olds. The development is proposed to include the following:

- 22 2 bed apartments;
- 30 1 bed apartments;
- Communal Facilities
- Scooter/cycle store;
- External Bin Store;
- Plant Room;
- External Amenity Space;
- Hard and soft landscaping; and
- 56 parking spaces

2.2 It is proposed that all of the proposed properties would be affordable rent retirement apartments and would be restricted for occupation by individuals aged over 55.
2.3 The 3 storey building would have parapet walls extending beyond its flat roof to create definition to the design. Its U shape would contain the amenity space to the rear of the site with parking proposed to the front, incorporating a landscaped area to the back of the footpath that would be highly visible from the highway.

2.4 The building would primarily be built of brick although additional, alternative, materials serve as enhancements to the design of the premises and reduce the overall scale and massing of it.

2.5 A number of the proposed apartments have views over Orford Park which is located to the rear of the site while the apartments on the west side of the building have views over the adjacent allotments.

3. AMENDED INFORMATION

3.1 During the process of the application, amended plans were received to address the issues raised by consultees. Consideration has been given to the necessity to re-consult on the additional information. In this instance it was considered that the additional information did constitute substantial difference to the originally submitted proposal and has therefore been subject to public re-consultations. The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and has re-consulted in order to make sure that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change. All representations received are summarised below and are appraised against planning policy (where they are material in determining the application) within the assessment.

The amendments included:

- Alterations to the parking on the site
- Amendments to the design to provide additional architectural detailing
- Alterations to the landscaping of the site to improve the residential amenity of the future occupiers of the site
- Changes to the layout of the site

4. LOCAL REPRESENTATIONS

Councillor Hannon - objects raising concerns regarding overdevelopment and insufficient parking.

Councillor Tarr – Objects as the proposals are not suitable for this area and there is concern about traffic, parking and design issues.

General Public
The applications was publicised by 77 neighbour notification letters, a site notice and press notice. As a result 80 objections have been received from residents plus petitions have also been received to save the Public House with letters being received from 33 households. The objections are summarised as follows:

**Principle**

- Loss of community facility
- Not affordable
- Loss of public house
- Loss of locally listed building
- Loss of Grade II listed building
- No need for more housing as 24,000 new homes already proposed
- Already have a retirement village in the area
- Save the pub that bears Colonel Robert Blackburne’s name

**Character and Appearance**

- Building too large in plot and is of a poor design
- Loss of Grade II listed building
- Lack of details regarding height of parapet wall
- No details of plant on roof
- Lack of detail regarding boundary treatment
- No details of fascias and soffits, but they are not detailed on the elevations given in the Statement

**Parking and Highway Safety**

- Lack of parking
- Highway safety
- Lack of swept path plans submitted
- Issue with vehicles reversing near elderly people
- Where are the visitors of the park, allotments, war memorial and bowling green going to park and no emergency access is provided
- Traffic congestion
- Lack of safe taxi drop off area
- Bin store blocks the access to the bowling green and allotments
- No bus stops on School Road or Orford Green
- Not many public houses within walking distance of the site
- Lack of consultation on the amended plans
- Neighbour comments not taken into account on amendments

**Residential Amenity**

- Only small garden area proposed for residents
- Lack of details of plant on roof that might block light
- Noise and vibration from piling
• Upper floor plans show opening doors
• Ground floor plan – not all living rooms have opening patio doors
• Conflict with opening doors and planting
• Retained walls would block light from the proposed residents ground floor windows
• Impact on the bowling green
• No coffee shop within development
• Noise

Process

• Plans don’t show the boundary between the allotments, bowling green and the pub
• There is a covenant that states that 40 foot from the boundary has to be kept clear for access to the bowls and allotment
• Red line of application is wrong
• Lack of Massing Diagram
• Lack of Crime Impact Statement
• Compliance with Approved Document Part L in the Building Regulations would require some source of renewable energy
• Issues with the contaminated land report
• Plans not to scale
• Does the proposal comply with building regulations

Other Issues

• Council should buy the pub.
• Impact on flood defences through the demolition of the building.
• Loss of employment.
• Are the flats available to Warrington for letting.
• Over 65’s may not be able to walk 2 km and may not wish to eat at the other alternatives outlined in the facilities report.

5. CONSULTEES

WBC Transport Planning and Development Control – no objection subject to conditions to ensure that parking within the site is managed in accordance with an approved management plan; and a scheme for electric vehicle charging is agreed and implemented.

WBC Conservation Officer - The application cannot be supported on the following grounds that the development would not accord with the NPPF and Policy QE8 of the Warrington Local Plan Core Strategy in that it would result in the loss of a Locally Listed Building. It has not been demonstrated that all reasonable efforts have been taken to retain and incorporate the building into the scheme or to find viable new uses for the building.
However in the event that the application is approved, would recommend that conditions relating to building recording prior to demolition and no demolition shall occur prior to a contract regarding the redevelopment of the site being signed.

**WBC Education** – no contribution required

**WBC Environmental Protection** – no objection to the proposal subject to conditions relating to noise protection for the future occupiers of the site and contaminated land.

**WBC Flood Risk Team** – no objection to the proposal subject to conditions relating to the submission of the final drainage strategy.

**WBC Health and Commissioning Team** – Contribution of £40,092 is required towards health care provision

**WBC Social Regeneration** – no objection subject to a condition relating to the submission of a local employment scheme.

**WBC Tree Officer** – no objection but has requested conditions relating to tree protection and replacement.

**Greater Manchester Ecology Unit** – no objection to the proposal subject to conditions regarding tree protection and works outside the bird nesting season.

**Environment Agency** – no objection to the proposal subject to conditions relating to finished floor levels and the resilient measures proposed in the FRA being implemented.

**United Utilities** – no objection to the proposal subject to conditions relating to drainage.

**Cheshire Police** – no objection

### 6. RELEVANT SITE HISTORY

<table>
<thead>
<tr>
<th>Planning Reference</th>
<th>Description of Development</th>
<th>Decision</th>
<th>Date of Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/34688</td>
<td>Full Planning (Major) Demolition of existing public house and construction of 63 affordable retirement units and 2x bungalows (totalling 65 dwellings) and associated landscaping.</td>
<td>Withdrawn</td>
<td>20/06/2019</td>
</tr>
<tr>
<td>97/37333</td>
<td>Proposed extension for conservatory, toilet and kitchen with extension to car parking and landscaping</td>
<td>Approve subject to conditions</td>
<td>25/02/1998</td>
</tr>
</tbody>
</table>
To enclose loggia form a glazed bay and provide a raised external terrace

Incorporation of veranda area into lounge

7. PLANNING POLICY

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the source or number of third party representations received, remains the extent to which planning proposals comply with the Development Plan. The National Planning Policy Framework (NPPF) supports this legislative position and its contents are a material consideration in determining the application.

National Planning Policy Framework 2019 (NPPF)

7.2 The National Planning Policy Framework (2019) (NPPF) confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 7 of the document states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This is balanced by Paragraph 9 which states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

7.3 Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below.

7.4 As stated above, the NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan, in the case of Warrington, refers to the Local Plan Core Strategy (2014).

Relevant Policies in the Local Plan Core Strategy (2014):

CS1 (Overall Spatial Strategy – Deliver Sustainable Development)
CS2 (Overall Spatial Strategy and Distribution of Development)
CS4 (Overall Spatial Strategy – Transport)
SN1 (Distribution and Nature of New Housing)
SN2 (Securing Mixed and Inclusive Neighbourhoods)
QE3 (Green Infrastructure)
QE4 (Flood Risk)
QE5 (Biodiversity and Geodiversity).
QE6 (Environment and Amenity Protection)
QE7 (Ensuring a High Quality Place)
QE8 (Historic Environment)
SN6 (Sustaining the Local Economy and Services)
SN7 (Enhancing Health and Wellbeing)
MP1 (General Transport Principles)
MP4 (Public Transport)
MP7 (Transport Assessments and Travel Plans)
MP10 (Infrastructure)
PV3 (Strengthening the Borough’s Workforce)

7.5 The Council has prepared a number of Supplementary Planning Documents to guide development in the Borough, documents relevant to this proposal include:
Planning Obligations
Design & Construction
Environmental Protection
Standards for Parking in New Development

8. EQUALITIES ACT (2010)

8.1 Section 149(1) of the Equalities Act 2010 establishes a duty for the Council as a public authority to have due regard to three identified needs in exercising its functions: These needs are to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- Advance equality of opportunity between people who share a relevant protected characteristic (age, disability, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion and belief, sex and sexual orientation) and people who do not share it;
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

8.2 In determining this application, the Local Planning Authority has had due regard to its duties under S149 of the Equalities Act 2010 and relevant to this proposal is the need to give due regard to advancing equality of opportunity between people who share a relevant characteristic and people who do not share it.

8.3 Having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people;
- Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is proportionately low
8.4 Although the properties will not be available for all as they will be restricted so at least one occupier of each unit will be aged 55 or over, the provision of affordable housing for individuals aged 55 or over will meet an identified need for this type of accommodation for this group. Age is a protected characteristic. It is considered that in this case the proposal results in the needs of those aged 55 and over being met.

9. ASSESSMENT

9.1 The key issues of this particular application relate to:
- The principle of the development
- Loss of the Public House
- Highways matters
- Design/ Impact on Character & Appearance
- Heritage Matters
- Residential Living Conditions
- Affordable housing; and
- Other Matters

**Principle of Development**

_The Principle of Housing within this location_

9.2 The site is unallocated within local development proposals plan and therefore there is no over-arching policy that would preclude the redevelopment of this site in principle, subject to other plan policies. The application is therefore acceptable in principle.

9.3 The National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development, with paragraph 8 advising that there are 3 objectives of sustainable development which the planning system should deliver - economic, social and environmental. This paragraph emphasises the role of the planning system to support strong, vibrant and healthy communities by ensuring that a sufficient range and number of homes to meet the needs of present and future generations can be provided and to create a high quality built environment with accessible local services, which reflect the community’s needs and support its health, social and cultural well-being.

9.4 Chapter 5 of the NPPF outlines the need for planning policies and decisions to support the Government’s objective of significantly boosting the supply of homes. Paragraph 67 states that the development plan should identify a supply of deliverable sites for the first 5 years of the plan period and developable sites or broad locations for growth for the remaining 10 years.

9.5 There has been a significant under delivery years of homes in the borough over the last three years. Net annual completions since 2016 are 492 (2016/17); 359 (2017/18) and 503 (2018/19). This equates to an under delivery of 1226 homes over the past three years against the requirement of 902 (2016/17); 792 (2017/18) and 887 (2018/19).
9.6 Based on the Strategic Housing Land Availability Assessment (SHLAA), Warrington is not currently able to demonstrate a 5 year housing land supply; based on the information contained in SHLAA 2019 it is considered that the council can only demonstrate up to a 3.7 year supply of deliverable housing land. As a result, paragraph 11 of the NPPF advises that the relevant development plan policies are considered ‘out of date’ and applications meeting the criteria of sustainable development should be granted planning permission. The exception to this is where ‘any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole’.

9.7 The site is considered to be a sustainable location for new residential development and is identified in the Council’s Strategic Housing Land Availability Assessment [ref: 3474] as being suitable, likely to become available and achievable for housing development but does not currently benefit from a planning approval for residential development. The site is considered to be deliverable in the medium term and currently contributes to the 3.7 years of identified housing land supply.

9.8 The site is located in Inner Warrington in the Core Strategy. Policy CS1 of the Warrington Core Strategy states that throughout the Borough development proposals that are sustainable will be welcomed and approved without delay. It states that in order to be sustainable development must accord with national and local policy and have regard to, amongst other things, the planned provision for housing growth; the priority afforded to accommodating growth in inner Warrington through the use of previously developed land and the need to develop sites in appropriate locations accessible by public transport, walking and cycling.

9.9 The sentiments of policy CS2 are re-iterated in policy SN1 which set out the distribution and nature of new housing required, emphasising the need to ensure that the mix of housing in terms of type, size and tenure meets identified needs and ensures that an attractive and balanced housing offer is available.

9.10 Policy SN2 of the Warrington Borough Council Core Strategy, which relates to securing mixed and inclusive communities, states that a mixture of housing types and tenures will be provided through the delivery of new homes in order to help secure mixed and inclusive neighbourhoods. The development would contribute to providing affordable housing and would assist with reaching the target set for new homes.

9.11 The NPPF is also clear in paragraph 123 that where there is a known shortage of deliverable housing land, as in Warrington, it is especially important to avoid low density housing (with flexibility allowed based on character). The site is half a hectare and so is equivalent to a density of 104 units per hectare; this is typical of many apartment schemes within inner-Warrington.
9.12 It is considered that this density is of a level that maximises the development potential of the brownfield site, taking into account the scale of the existing building, whilst respecting the character of the wider residential area.

**Principle – Identified Need**

9.13 There is an emphasis in planning policy to ensure that new developments respond to addressing housing needs across the borough. Policy SN2 is in line with Chapter 5 of the NPPF and relates to the desire to secure mixed and inclusive neighbourhoods. The policy requires developments to, amongst other criteria:

- Deliver a mix of dwellings which seek to better balance the housing market by matching supply to identified needs;
- Requiring development proposals to give specific consideration to meeting the needs of the elderly and enabling a greater degree of self-independent living

9.14 The Council’s latest Local Housing Needs Assessment (LHNA), published in March 2019, identifies a significant increase (49%) in the older person population between 2017 and 2037 and an associated increase in the need for older persons dwellings (This is above the projected increase for both the NW Region and England as a whole).

9.15 The additional demand for all types of older person’s accommodation is estimated at between 1,538 and 1,597 bed spaces up to 2037 (This includes all types of retirement/sheltered/extra care accommodation). The proposal would make a healthy contribution to ensure that this need is realised.

9.16 Furthermore the LHNA identifies a current need for affordable housing of 377 dwellings per annum. The level of delivery of affordable units over the last 5 years is outlined in the table below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Units</th>
<th>Need</th>
<th>Deficit</th>
<th>Source of Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/15</td>
<td>101</td>
<td>172</td>
<td>71</td>
<td>Mid Mersey SHMA (Jan 2016)</td>
</tr>
<tr>
<td>2015/16</td>
<td>162</td>
<td>220</td>
<td>58</td>
<td>Mid Mersey SHMA ()</td>
</tr>
<tr>
<td>2016/17</td>
<td>72</td>
<td>220</td>
<td>148</td>
<td>Mid Mersey SMHA Update (May 2017)</td>
</tr>
<tr>
<td>2017/18</td>
<td>86</td>
<td>230</td>
<td>144</td>
<td>Warrington LHNA (Mar 2019)</td>
</tr>
<tr>
<td>2018/19</td>
<td>112</td>
<td>377</td>
<td>265</td>
<td></td>
</tr>
</tbody>
</table>

It is evident from this that there has been a significant under delivery of affordable housing in recent years and, again, the proposed development would facilitate meeting this identified need for Warrington residents, providing 15% of the annual requirement.
9.17 Core Strategy policy SN2 requires a development of this scale in this location to offer a minimum of 30% of the proposed units as affordable housing with a 50/50 split between affordable rent (80% of the local market rent) and intermediate housing (including discount market housing for sale and shared ownership).

9.18 Whilst the scheme would not provide the 50/50 split between affordable rent and intermediate housing required by SN2, it would provide 100% affordable rent apartments and would be acceptable because it would exceed the affordable housing provision identified in development plan policy SN2. Furthermore given the specific need for affordable rent units generally in Warrington, the provision of the scheme entirely as affordable rented properties is supported.

9.19 The provision of 100% affordable housing for the over 55’s will be secured via a S106 agreement to ensure the affordable housing is delivered by a registered provider and secured in perpetuity. On this basis it is considered the affordable housing provision accords with policy SN2 of the Core Strategy and the objectives in the NPPF.

9.20 In summary of the principle of development section, it is therefore considered the proposed development is acceptable because:
- It contributes to meeting identified needs with the borough in terms of housing deliverability, specifically, for over 55s.
- The development maximises the amount of affordable housing that could be secured on this site, exceeding policy requirements, and meeting an identified need.
- It relates to a brownfield site.
- The development is at a suitable density, largely reflective of Warrington’s Strategic Housing Land Availability Assessment.
- The proposal development is in a suitable location.

9.21 However, notwithstanding this, it has to be demonstrated that all three strands of sustainable development are met and the site is suitable for the proposed development without resulting in any adverse impacts on the character and appearance of the surrounding area and the amenity of existing residential properties surrounding the site. These matters are discussed in more detail elsewhere in this report.

Sustaining the Local Economy and Services

Loss of the Public House

9.22 Policy SN6 of the Warrington Borough Council Core Strategy seeks to assist the continued growth of the local economy and to support the sustainability of local services by avoiding the loss or change of use of viable shops and facilities where their loss would impact on the diversity of local services in communities.
9.23 The applicant has evidenced that the public house has been on the open market for sale as a licensed premises since 2012 with no interest returned in relation to its continuing use. Within this time the pub has been closed for periods. The site is now contracted to be sold, subject to the granting of planning permission, and has been since November 2018.

9.24 In the surrounding area, there are a number of other public houses with The Jolly Tanner being 0.7 miles from the site with 4 further public houses being a mile away from the site (Albion, The Famous King and Queen, The Jolly Falstaff and Keos Sports Bar). There are a number of other facilities in the area with a coffee shop and convenience shop to the north of the site. It is considered that the loss of the Blackburne Arms would not have an adverse impact on the diversity of the local services given the close proximity of alternative public houses and other premises that perform similar functions. In addition, there are other meeting places for social and leisure activities in the vicinity of the site which would provide alternative facilities to reinforce social cohesion.

9.25 On this basis that although the public house does provide a service for an element of the community, other such provisions are available within the wider area and are largely accessible by sustainable means as well as private vehicles.

Asset of Community Value

9.26 The Localism Act (2011) introduced the Assets of Community Value provision, which provides local groups the right to nominate a building or other land for listing by the Local Authority as an asset of community value. If the Local Authority decides to list an asset, when it is to be sold, local community groups are then able to make a bid to buy it on the open market. The reasons for listing are concerned with:

- If the current primary use of the building, or the use of the building in the recent past, furthers the social well-being or social interests (cultural, recreational, or sporting interests) of the local community.
- If it is realistic to think that now or in the next five years there could continue to be a primary use of the building which will further the social well-being or social interests of the local community (whether or not in the same way as before).

9.27 The designation of a site as an Asset of Community Value does not mean automatic refusal of a planning application for the change of use or demolition of the asset but if the application to designate the building or land as an asset of community was received prior to a planning application for the site then it is a material planning consideration. In this instance an application to designate the site was received following the planning application therefore this is not material to the consideration.
The application to list the Blackburne Arms as an Asset of Community Value has been recently granted. The application was submitted by a former landlord of the site and was supported by a Facebook campaign and petition.

As previously stated, although, the designation of the site as an Asset of Community Value, is not in itself a material planning consideration, the loss of a community facility is a consideration that in itself requires assessment in accordance with policy SN6. In relation to the public house, there are 5 other public houses within 1 mile of the site. Whilst it is accepted that they may to some degree serve different segments of the market and may not be the preferred choice of those favouring the application site, they nonetheless provide a good choice of drinking establishments sufficient to serve the needs of the same local community that include those who currently use the site. Although comments have been expressed in the objections that some people would not be able to reach other public houses in the area, the relative distances of these alternatives are not considered to be prohibitive for most residents.

Whilst it is stated that the premises is used as a meeting place for sports teams and has been used for craft fairs, this appears to be on an informal, ad hoc basis. Although it is recognised that the property is valued by its clientele, and plays a strong social role for them, its loss would not reduce the ability of the wider community to meet its day to day needs.

Relating the principles contained within the ACV therefore back to the local development plan policy, the proposed redevelopment of the site would not impact significantly on the diversity of local services in the community.

Viability

Policy SN6 specifically relates to supporting the sustainability of local services by avoiding the loss of viable facilitates where this loss would impact on the diversity of local services in the community. Notwithstanding the conclusions above that there would be no significant diversification in the local offer as a result of the application, it is prudent to also examine the matter of viability.

The issue of the viability of the public house has been raised by the applicant and disputed by the local residents. Although detailed viability information has not been submitted with the application, the inclusion of marketing details is material to this consideration. The site has been marketed for sale since 2012 and in the 8 years since then there has been no interested that has resulted in a sale for the purposes of continuing its current use. This suggests an issue with the long term viability of the public house.

It is noted that the site has been on the market for 8 years and has been open to all to make offers; this would include the community group that made the application for the ACV. The LPA is not aware of any such negotiations occurring. Furthermore, it is recognised that the site could close at any time and there would be no planning control over this.
9.35 To conclude the Sustaining the Local Economy and Services section, it is clear both from the number of representations received and the application for the ACV that the public house is held in high regard locally. There would be a loss of a community facility as a result of the planning application, however, it is considered that similar provisions are made elsewhere within the vicinity and can be accessed by sustainable means. Despite being marketed for 8 years, there has been no purchaser who has come forward to retain the current use in the long term. The future of the site is therefore unknown.

9.36 The proposal is contrary to the provisions of SN6 only in so far as it relates to the loss of a local service but it is considered that this would not undermine the diversity of local services in this community and its continued long term future is uncertain. As detailed within the principle section, the proposal would in itself bring some community benefits through the provision of 52 affordable units.

Highway Matters

9.37 The development is for 52 apartments with 56 parking spaces proposed with 5 designated as disabled parking spaces and 2 shown as enlarged spaces. Appendix D contained within the Parking Standards SPD requires efficient use of the spaces which are unallocated and strong management of the car park including permit holder parking; with these measures in place the required number of parking spaces is therefore acceptable at 56 spaces.

9.38 A permit holder parking scheme is the preferred option for the management of the site as it allows residents car ownership to be strictly limited to those that are allocated a permit. To ensure that strict management of the car parking is undertaken, a condition requiring a Parking Management Plan would be attached to any approval.

9.39 The application site is located in close proximity to the Bowling Green, allotments, war memorial and retail units and currently visitors to these facilities make use of the public house car park. These arrangements are not subject to any formal agreement between the public house and any other third parties and therefore, as the parking is provided on private land, the public house has the ability to terminate any parking through restrictions at any time.

9.40 However there is a requirement for pedestrian and vehicular access through the site to the bowling green, allotments and War Memorial to the north, pedestrian and vehicular access to the residential properties to the east and access to the Orford Park to the south. The applicants have demonstrated in their car parking layout the ability for pedestrians and vehicles to access the Bowling Green and allotments and access to Orford Park. In addition it has been shown indicatively on the amended plans that there is the ability to park a number of vehicles adjacent to the bowling green outside of the application site boundary and this is accepted as acceptable from a highway safety perspective. The grant of planning permission will not supercede any existing property rights of third parties and the Developer will need to resolve any conflict with such rights outside of the planning process.
9.41 Whilst it is accepted that the proposal has the potential to cause some displacement of parking for the bowling green, retail units and allotments as this existing parking situation is based on an informal arrangement and could be ceased at present without notice it is not considered that the potential impacts of any displacement could be a justifiable reason to withhold planning permission.

9.42 The internal circulation of the site has been designed to be safe for drivers and pedestrians and there is sufficient visibility. There are no collisions associated with the existing access, however the data does suggest queues extend beyond the site. The proposed Keep Clear marking should help mitigate in this regard. The proposal is not considered to have a severe impact on the highways network in relation to the trips generated from the site.

9.43 The demolition and construction phase has potential for short term impacts given the nature of the adjacent highway and a Construction Management Plan is therefore required by condition to mitigate against any significant impact.

9.44 The layout of the application site provides the appropriate space for the manoeuvring of large service vehicles and therefore would be sufficient for short stay/collection, emergency and servicing needs.

9.45 In summary, it is considered that the application would accord with relevant policies and standards, subject to the imposition of appropriate conditions, and it is considered that the development would not result in any significant adverse impacts on highway or pedestrian safety in accordance with Core Strategy policies MP1, MP4, MP7 and MP10.

**Design and Impact on Character & Appearance**

9.46 Warrington Borough Council’s Core Strategy Policy CS1 identifies the need to provide high standards of design that have particular regard to local distinctiveness. In addition, Policy QE7 requires that new development proposals should reinforce local distinctiveness and enhance the character, appearance of the area, and harmonise with the scale, proportions and materials of adjacent and existing buildings. The NPPF identifies that planning decisions should address the connections between people and places and the integrate new development into the existing natural, built and historic environment. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy QE8 of the Core Strategy relates to the heritage requirements of new development.

9.47 The proposed development is 3 storeys in height with a parapet roof detail so from outside the site the building has the appearance of a flat roof building, even though it actually has a pitched roof. It is a contemporary design but of traditional brick construction and includes some interlocking cladding mainly to emphasise the front entrance of the building. Further interest is added to the
building by brick detailing using stretcher bonds, soldier courses and the use of differing materials. The use of different materials and a number of recesses and projections mitigate the massing of the building.

9.48 The scale, massing and footprint of the building is greater than that of the existing building, however, the proposed building is located further back in the site than the existing property. The building is set back into the site and the building is proposed to have an overall height of 9.6 metres to the coping stone with 9.8 metres to the top of the lift which is set back within the building, and the existing ridge height of the building is 9.6 metres. The set back in the site is considered to reduce the overall massing of the building as viewed from the street scene and there would be no detrimental impact on visual amenities as a result. This conclusion takes in to account the increase in the finish floor levels by 0.57 metres to comply with the Environment Agency’s advice regarding flood prevention. The set back into the site means that distance views are limited.

9.49 The existing building on the site is a locally listed building; it is three storey on the eastern elevation and two storeys to all other elevations. The existing building on the site adds to the architectural merit of the area. It is taller than the surrounding properties and the proposed building reflects this as it also taller than the surrounding properties. It is considered that the new building has features of architectural merit which means that it will make a visual contribution to the area.

9.50 The building has been designed so that each of the elevations have suitable detailing as all of the elevations will be seen from the wider environment. The north and east elevations of the building will be partially seen from School Road and Orford Green, the south elevation will be viewed from Orford Park and the western elevation from the allotments. The proposal is to retain the existing brick walls to the east, west and south elevations of the building and they add to the sense of enclosure of the site and increase the security of the site.

9.51 The proposal includes the creation of landscaped areas where there is currently hardstanding. The landscaping includes a lawn area to the south of the site and shrubs and ornamental planting around the building itself. The development would optimise the use of this previously developed land in accordance with the NPPF.

9.52 The proposal would accord with the NPPF and policies QE5, QE6 and QE7 of the Local Plan Core Strategy and the Construction and Design SPD.

Heritage Matters

9.53 The application site is a locally listed building, which is a non-designated heritage asset. This is defined within the Government’s Planning Policy Guidance as ‘buildings, monuments, sites, places, areas or landscapes identified by local planning authorities as having a degree of significance meriting consideration in planning decisions but which are not formally
designated’. Whilst local listing provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application.

9.54 Policy QE8 of the Warrington Core Strategy (2014) states that applications for new development will also be required to take all reasonable steps to retain and incorporate non-statutory protected heritage assets contributing to the quality of the borough’s broader historic environment.

9.55 Paragraph 197 of the NPPF states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application … a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

9.56 The Heritage Statement submitted with the planning application states that internally very few of the original features remain particularly in the main bar areas however there is some decorative cornicing to some of rooms, timber panelling and balustrading in the stair well and a small number of original internal doors. Externally, the building retains architectural detailing befitting of buildings use as a public house at the period of its construction. Warrington BC’s Conservation Officer considers that the building has value above that identified interest including:
- Prominent chimney stacks
- Diamond and rectangular lead pattern on the windows
- Herringbone brick detailing
- Sandstone dressings, plinths, bay windows and first floor balustrade
- Decorative cornicing
- Timber panelling and balustrade
- Decorative corbelling and arches
  In addition there appears to be no serious structural problems associated with the building.

9.57 It must be the case that any development that would result in the demolition of a non-designated heritage asset would have an adverse impact.

9.58 The Heritage Statement also references evidence of water ingress in areas of the building and mould growth. The building is in need of maintenance and repair and the deterioration of the building occurred prior to the applicants becoming involved in the site. Notwithstanding this it is considered that the lack of maintenance cannot be used to justify the loss of the asset.

Steps to Retain/ Incorporate the Non-Designated Heritage Asset

9.59 Whilst it is the case that Members should consider the application as presented before them, policy QE8 of the Warrington Core Strategy (2014) states that applications for new development will be required to take all reasonable steps to retain and incorporate non-statutory protected heritage
There is materiality in considering whether this has been the case. The continued use of the development as a public house would retain the asset but the premises has been marketed since 2012 and has not secured a buyer to sustain its long term future.

9.60 The applicants have considered converting the existing building but have stated that this was ruled out due to the restrictions in access, site layout and the level of alterations, which would not support the conversion of the premises in to 52 units for retirement purposes. It is recognised that the retention of all or part of the existing structure on the site would significantly reduce the amount of land available for development. The incorporation of the existing building into the new development would also compromise the number of units that could be provided and it is also unlikely that a sympathetic extension could be achieved whilst providing a usable and accessible layout for the application site or the building internally.

Alternatives - Fall-back

9.61 The scope of change that could occur outside of the planning system, the ‘fall-back’ position, is also material to the decision. Members are invited to note that internal and external modifications to the fabric of the building could be made without planning permission as there is no internal protection to the structure and the application site retains permitted development rights for minor operations.

9.62 In summary of the Heritage section, the proposal will lead to the loss of an existing locally listed building and there is recognised to be harm in this in terms of its local significance. A balanced judgement is required in accordance with paragraph 197 of the NPPF and it is necessary to take in to account the overall level of heritage significance of the building. It is considered that the building has a higher level of historical significance than outlined in the submitted Heritage Statement. The loss of the locally listed building is considered to have moderate weight attached to it.

9.63 However, in response to the balance detailed in paragraph 197 of the NPPF the loss of the locally listed building has to be weighed against the demonstrable public benefits of the scheme. It is considered that the loss of the non-designated heritage asset is, on balance, outweighed by the benefits relating to housing need. On the basis of the above it is considered that the proposal accords with development plan policies CS1, QE6, QE7 and QE8

Residential Amenity

Adjoining Occupiers

9.64 The National Planning Policy Framework requires that new development should secure a good standard of amenity for all existing and future occupants. Core Strategy Policy CS1 identifies the need to safeguard public amenity, while QE6 identifies that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers and
future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance. The general guidance set out in the House Extensions SPD, is a good guide for ensuring adequate separation distances between new properties to ensure that the residential amenity of existing and future occupiers is not unacceptably impacted. The guidance states that the minimum separation distance is 13 metres between principle windows on a rear elevation to a blank gable and 21 metres from principle to principle windows on two storey elements. A greater separation distances is required between three storey properties by way of an additional 3m separation for each difference in storey height

9.65 The nearest adjoining residential properties, located to the north of the site (School Road) are two storey properties. The front elevation of the proposed building faces towards the side elevation of 4 School Road and 29 metres separates the front elevation of the proposed building and the side elevation of No.4. For context, the existing Public House is located 18.5 metres from the side wall of this property. Whilst the number of windows facing No.4 is increased from the existing situation, the proposed separation distance of 29 metres is in excess of the standard separation distance accepted in the House Extensions SPD to ensure that the residential amenity of the existing occupiers of a residential property are maintained.

9.66 In relation to the other neighbouring properties, the neighbouring residential properties on Orford Green have their side elevations facing towards the side elevation of the proposed property. The proposed building has main habitable windows facing towards these properties. Due to the orientation of the proposed building and the distance separating the new building from the existing properties, the proposal is not considered to have a detrimental impact on the residential amenity of the occupiers of these properties.

**Future Occupiers**

9.67 It is considered that the quality of accommodation, in terms of the size of habitable rooms, is material in considering this application and therefore the application has been assessed using the Nationally Described Space Standards (March 2015). As the application includes 1 and 2 bedroom apartments, the national standards normally require a minimum internal space of 50 m² for 1 bed one storey accommodation and 61 m² for 2 bed one storey accommodation. The application proposes a mix of one and two bed apartments that have differing layouts and the proposed total internal floor space is in line with the space standards.

9.68 For the safety and security of the future residents of the site it is proposed that the existing 2.1 metre high brick built wall around the rear and sides of the site is maintained at present and that gates are placed adjacent to the front elevation of the building to prevent authorised access to the amenity space. The proposed windows on the front elevation of the building have been altered to increase the security of the properties and to reduce the impact that
the parking of vehicles to the front of the site might have to their residential amenity.

9.69 The proposal includes a landscaped communal amenity space to the south of the site which is of an appropriate size for the scale of the proposed development and is separated from the wider park by the existing 2.1 metre high brick built wall. At the ground floor level, the apartments facing to the front of the site have windows whereas those apartments located at the rear and side, benefit from French doors opening onto the landscaped areas providing them with immediate access into the communal amenity space located at the rear of the site. It is accepted that there is one apartment on the ground floor that is considered to have a limited outlook as both the bedroom and living space face at close proximity towards the existing boundary treatment, amended plans have been received which propose an additional window to serve this property to increase the outlook and residential amenity provided to this property. It is not considered necessary to reduce the height of the boundary treatment in this location as this is necessary for the safety and security of the residents. In relation to the proposed impact of noise on the future occupiers of the site, the Environmental Protection Team have requested a condition relating to the submission of noise mitigation for the future occupiers of this site and it is considered necessary to add this condition to any permission.

9.70 It is considered that the proposal would not give rise to significant amenity issues for existing and proposed residents and complies with relevant policies in the NPPF and policies QE5 and QE6 of the Core Strategy.

Section 106 Planning Obligations

9.71 The Planning Obligations SPD sets out the approach to seeking planning obligations for the provision of affordable housing, biodiversity, education, flood risk, green infrastructure/open space, pitch sports/recreation, health, local job/employment opportunities and transport/travel infrastructure required as a result of a new development.

9.72 The Community Infrastructure Levy Regulations 2010 (CIL) set out the process and procedure relating to infrastructure requirements. Regulation 122 states that it must relate in scale and kind to the development. Regulation 123 precludes repeat requests for funding of the same items (pooling). The Community Infrastructure Levy (CIL) places the Government’s policy tests on the use of planning obligations into law. It is unlawful for a planning obligation to be a reason for granting planning permission when determining a planning application for a development, or part of a development, that is capable of being charged CIL, whether or not there is a local CIL in operation, if the obligation does not meet all of the following tests then the financial contribution should not be required from the applicant:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development

9.73 The Planning Obligations SPD requires that where necessary a development offsets the impact of the development, and on any residential development over 11 units affordable housing is required and on residential schemes of over 50 units, a contribution to Health facilities are required if it is deemed that the demand from the new homes cannot be met by existing health facilities. In this instance the contributions required from this development are:

1. 20 percent affordable housing; and
2. Health - £40,092 to offset the health needs of the population as there is capacity issues at the local surgery

9.74 In this instance significant weight has been given to 100 percent, affordable rented housing for over 55s. Therefore this requirement, which is in excess of the local policy guidance for residential schemes, will be integrated in to the S106 agreement.

9.75 The requirement for a financial contribution for Health has been assessed against the regulations and the contribution is considered to meet the tests outlined in it.

9.76 The applicant has also offered to pay required contributions that are required to meet the needs of this development. The proposal is therefore considered to comply with policy SN2 of the Local Plan and the provisions of the contributions SPD.

Flood Matters

9.77 The application has been submitted with a flood risk assessment as the site is covered by Flood Zone 2 and 3 and is a critical drainage area. The Environment Agency, United Utilities and the WBC Asset & Flood Risk Team have considered the above application and assessed the Flood Risk Assessment and have no objection in principle to the proposed development provided the applicants adhere to the recommendations made in the Assessment. The recommendations are that the finished floor levels of the building are set no lower than 8.79 metres above Ordnance Datum and that flood resilient construction measures proposed within the FRA are conditioned. The submitted proposal has a finished floor level of 8.79 metres and the overall height of the building for the 3 stories includes the increased floor levels. Overall, the proposal would accord with policies in the Core Strategy and NPPF guidance with regard to flood risk.

Biodiversity

9.78 The application was submitted with ecological surveys and assessments and these are undertaken by qualified ecologists and to an appropriate standard. The application proposes the removal of 7 trees from the site (1 from the front of the site, 5 from the side (east) and 1 from the rear of the site) and all the
trees to be removed are category C trees which means that they have been assessed as either young trees or trees of low value with a life expectancy of less than 10 years. The trees and other vegetation to be removed from the site have the potential to support breeding birds. The tree officer has no objection to the proposal, it is considered necessary to add a condition requiring the protection of the existing trees on the site and that the demolition of the building is to occur outside the bird nesting season unless the building is checked for birds’ nests prior to the demolition and none are found.

9.79 With the proposed conditions relating to implementation and surveys the proposal is considered to comply with the provisions on the NPPF and policies CS6, QE3 and QE5 of the Local Plan.

Other Issues

Land Ownership & Restrictive Covenants

9.80 The issue of the red line of the application site has been referenced within a number of the objections received. A land registry search has been undertaken on the site along with additional information in relation to this requested from the applicant. The red line around the site is reflective of the information held by the Land Registry and is also reflective of earlier planning applications on the site. It is therefore considered that the proposal is a valid planning application in relation to the correct ownership certificates having been served.

9.81 Often property titles contain restrictive covenants which prevent the owner from undertaking certain activities or in certain cases prevent re-development. The Blackburne Arms is subject to a covenant, however, it is important to note that covenants are not material considerations in determining applications for planning permission. Planning permission does not quash any restrictions on the title. Landowners should both obtain planning permission, and comply with restrictive covenants, in order for development to be carried out.

Planning Application Documents

9.82 The application has been submitted with all of the documents that are statutorily required for a full planning application for the proposed development. Consultation on the application has been undertaken twice, once providing the statutory period on receipt of the application and a second occasion following the receipt of amended plans. It is considered that all plans submitted are at a recognised metric scale.

Planning Balance

9.83 The development would result in harm in terms of the loss of an existing public house and locally listed building. However this needs to be balanced against the benefits of the scheme in relation to the provision of affordable homes. The proposal is considered to be located in a sustainable location with good access to services and public transport. Highways, residential amenity, design and the financial contributions required by the development are
considered to be neutral elements that are not included in the balancing exercise.

9.84 Moderate weight has been attributed to the loss of the locally listed building and the loss of the existing public house. The applicant has argued that significant weight needs to be placed on the contribution that this scheme would make towards both affordable homes and the needs for specialist accommodation for older people within the Authority. Significant weight has been attached to the contribution the development would make to meeting the needs for specialist housing in the area for older people and moderate weight has been placed on the contribution the development would make towards delivering affordable housing.

9.85 Having weighed all of the factors carefully, it is considered that the loss of the locally listed building and public house is outweighed by the factors identified in support of the application. Looking at the case as a whole, it is therefore considered that the application should be approved.

10 CONCLUSIONS AND RECOMMENDATIONS

10.1 The site is in an established residential area and in a sustainable location. The apartments would provide high quality living accommodation having the necessary facilities required for each unit and all primary accommodation would have an appropriate level of windows and light. The proposals would also contribute to meeting an identified affordable housing need in the area and would help to sustain local facilities and transport networks. The application demonstrates that the impact on the highway network would be acceptable. The proposal therefore complies with the provisions on the NPPF and policies of the Local Plan.

10.2 The proposal is not considered to detrimentally impact the residential amenity of adjacent residents subject to compliance with the approved documents and conditions.

10.3 Overall, it is considered that the delivery of new housing, including a significant provision of affordable housing, and improving highway safety are matters would combine to outweigh the harm from the loss of the locally listed building and the public house.

10.4 The application is considered to be policy compliant and it is therefore recommended for approval subject to conditions and a Section 106 Agreement requiring the apartments to be retained as affordable rented properties for the over 55’s in perpetuity.
11 SCHEDULE OF 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 28 August 2019
   (b) Submitted drawing numbers 18153-102-1 - Proposed Plans; 18153-113-B - South and West Elevations; 18153-110-J - Proposed Site Plan; 18153-106-H - North and East Elevations and 18153-115 - Legal 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. No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor(s) of the proposed building(s) and hard landscaped areas, in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

   Reason: No details of these matters have been submitted with the application and bearing in mind the topography of the site and to accord with Policy QE6 of the Warrington Local Plan Core Strategy and the Warrington Design and Construction SPD (2010).

4. The development hereby approved shall not be occupied until the refuse and recycling storage facilities indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

   Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to comply with 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 and the Warrington SPD: Design and Construction (2010).

5. No development shall commence (including site clearance and any demolition) until a local employment scheme has been submitted to the local planning authority for approval. The scheme shall outline the means of maximising the local impact from the development in terms of contracting and supply chain
opportunities for local businesses and job opportunities for the local community/residents. The approved employment scheme shall be fully implemented.

Reason: In order to accord with Policy PV3 of the Warrington Core Strategy. A pre-commencement condition has been imposed as the Local Authority would wish to maximize local employment opportunities at both construction and post construction stage(s).

6. Prior to any above ground works, full details of all facing/roofing materials to be used in the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. This shall include specification, manufacturers details and photographs. Only approved materials shall be implemented on site in accordance with approved plans.

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

7. Full details of all surfacing materials to be used on all hard-surfaced areas of the development outside the buildings shall be submitted to and approved by the local planning authority prior to their first use on the application site. The development shall accord with approved details and retained thereafter.

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

8. A scheme for the future management and maintenance of the proposed road and other common areas of landscaping and hard landscaping within the development shall be submitted to and approved in writing by the Council as Local Planning Authority. The common areas shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure that roads, drains and street lighting serving the development are maintained to an acceptable standard in the interests of safety; to ensure a satisfactory appearance to the highway infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

9. A scheme for the design and construction of highway improvement works, including timetable for implementation, shall be submitted to and approved in writing by the Council as Local Planning Authority. For avoidance of doubt, the works shall include:

i. Keep clear markings
ii. Works as needed to facilitate pedestrian and vehicular access to the highway.

The approved scheme shall subsequently be implemented prior to first occupation of the development hereby approved.
Reason: To ensure that the sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not exacerbate unsatisfactory highway or transportation conditions.

10. No gates or other means of obstruction shall be placed across the vehicular access formed as part of this development.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the interests of road safety.

11. The turning facility shown on the approved plans shall be kept free of all obstructions and shall be available for use at all times.

Reason: In the interests of road safety as vehicles reversing into the highway cause a hazard to other road users.

12. The parking spaces indicated on the approved plans shall be provided for the use of residents, occupiers and visitors of this development only and shall not be sold, leased or hired out to any third party.

Reason: To ensure that appropriate provision for parking vehicles is made and maintained, thereby avoiding hazards caused by indiscriminate parking.

13. The development shall not be brought into use until the areas indicated on the submitted plans and additional areas as necessary to meet the current parking standards for cycle parking have been provided in accordance with the details and specifications to be submitted to and approved by the local planning authority. The cycle parking shall be provided as approved prior to first occupation and retained for use as such thereafter.

Reason: To ensure that adequate provision is made for parking cycles on the site; and to establish measures to encourage non-car modes of transport.

14. No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Council as Local Planning Authority.

The method statement shall include, but not be limited to:

Construction traffic routes, including provision for access to the site
Entrance/exit from the site for visitors/contractors/deliveries
Location of directional signage within the site
Siting of temporary containers
Parking for contractors, site operatives and visitors
Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction
Temporary roads/areas of hard standing
Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements  
Storage of materials and large/heavy vehicles/machinery on site  
Measures to control noise and dust  
Details of street sweeping/street cleansing/wheelwash facilities  
Details for the recycling/disposing of waste resulting from demolition and construction works  
Hours of working  
Phasing of works including start/finish dates  
Arrangements to maintain access to allotments and bowling club.

For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway.

The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority.

Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.

15. Prior to first occupation of the development hereby permitted a servicing and waste management strategy shall be submitted to, and approved in writing by, the Council as Local Planning Authority. For the avoidance of doubt the strategy shall include details of how HGV movements will be managed to ensure that no layovers or waiting will occur on the highway and shall set out design and operational proposals for servicing and the storage, transfer and collection of goods and waste ensuring that appropriate arrangements are made and that logistical requirements are appropriately considered and addressed. The strategy shall be subsequently implemented in accordance with the approved details.

Reason: To ensure that adequate on-site provision is made for servicing and waste management collection including allowance for the storage, transfer and collection of waste to reduce impact on residential amenity and the general amenity of surrounding occupiers.

16. A scheme for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport.

17. No development shall commence until the following conditions have been satisfied and discharged by the LPA and written approval to commence development works has been issued by the LPA. All requirements to be
completed in accordance with the following guidance references: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following must be provided (as required) to fully characterise the site in terms of potential risk to sensitive receptors:

- Preliminary Risk Assessment (PRA or Desk Study)
- Intrusive Site Investigation
- Generic Quantitative Risk Assessment (GQRA)
- Detailed Quantitative Risk Assessment (DQRA)
- Remedial Options Appraisal

PRA is the minimum requirement. DQRA only to be submitted if GQRA findings require it. The investigation(s) and risk assessment(s) must be undertaken by competent persons and all findings must form the subject of a written report.

B: SUBMISSION OF A REMEDIATION & VERIFICATION SCHEME: If required by Section A, a remediation scheme must be agreed with the LPA to ensure the site is suitable for the intended use and mitigate risks to human health, controlled waters and environmental receptors. Proposals should be derived from the Remedial Options Appraisal and form the subject of a written Remediation & Verification Strategy Report, detailing proposed remediation measures/objectives and how proposed remedial measures are to be verified/validated. All must be agreed in writing with the LPA.

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 Local Plan Core Strategy and Paragraph 121 of the National Planning Policy Framework. A pre-commencement condition is imposed as it is imperative that all human risks are considered at an early stage and that plans and proposals properly consider these matters from the outset.

18. 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 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 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 REP8 of the adopted Local Plan (23 January 2006); Policy QE6 of the Submitted Local Plan Core Strategy (September 2012); Paragraph 121 of the National Planning Policy Framework (March 2012), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

19. Prior to first occupation of any building(s) hereby approved a satisfactory programmed landscaping scheme and landscape maintenance plan, which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to the Local Planning Authority for approval. The maintenance plan shall include details of dealing with ice on hard surfaces in order to avoid harm to tree stock. The approved scheme shall be implemented during the first planting season following the completion of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first twenty 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 Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

20. Prior to the commencement of any development (excluding any demolition or any site clearance), a 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 shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme should seek to minimise the potential for adverse impact within the root protection areas of the existing tree stock. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.
Reason: To promote sustainable development, protect existing tree stock, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG and Policy QE6 of the Warrington Core Strategy.

21. A scheme for insulating the building envelope from noise sources both within and outside the property or properties shall be submitted to and approved by the LPA before construction above ground floor slab level commences. This scheme must achieve the internal noise levels set out below and include any transportation, industrial, commercial and entertainment noise and shall be based on findings from an appropriate noise assessment.

The following noise levels will need to be achieved in habitable rooms and outdoor areas as set out in BS8233:2014 and/or Who Guidelines:
• Daytime Noise (07:00-23:00) Living Rooms & Bedrooms - 35 dB LAeq,16hr
• Daytime Noise (07:00-23:00) Dining Areas - 40 dB LAeq,16hr
• Daytime Noise (07:00-23:00) Outdoor Amenity Areas - 50 dB LAeq,16hr
55dB LAeq,16hr can be accepted in exceptional cases where normal mitigation cannot reach the 50dB level.
• Night time Noise (23:00 – 07:00) Bedrooms - 30 dB LAeq,8hr,
• Night time noise (23:00 – 07:00) Bedrooms - 45dB LAmax no more than 10-15 times per night (WHO guidelines)

These levels must be capable of being achieved with windows open. For the purposes of calculation and unless specific window attenuation calculations are provided, noise reduction through a partially open window should be assumed to be 15dBA. If the above levels cannot be achieved with open windows, then the scheme must also include provisions for acoustically treated mechanical ventilation that will not compromise the acoustic performance of any proposals.

Prior to the first occupation of the approved use or any individual phase of development, the developer shall submit a validation report, in writing, to the Local Planning Authority, demonstrating the inclusion of all mitigation measures as agreed along with a report to show evidence of the installation of mitigation measures within the building to validate the submitted proposal scheme.

Reason: To ensure a satisfactory standard of living environment for incoming occupiers and to comply with Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); and Paragraphs 170(e) & 180(a) of the National Planning Policy Framework (February 2019); and Section 6 of the Environmental Protection Supplementary Planning Document (May 2013)

22. This permission does not grant or imply consent for the felling of any trees on the site apart from those shown to be removed on the approved plan.

Reason: For the avoidance of doubt as there are a number of trees within the site covered by Tree Preservation Orders, and in order to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.
23. All trees to be retained on site 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.

24. Tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not be undertaken between March and August inclusive, unless the absence of nesting birds has been confirmed by further surveys or inspections approved by the Local Planning Authority.

Reason: In order to avoid adverse impacts on nesting birds and to comply with the Wildlife and Countryside Act 1981 (as amended)] and the NPPF.

25. No demolition works shall commence until a contract for the subsequent redevelopment of the site, as permitted by Planning Permission 2019/35678, has been signed.

Reason: To ensure that the new development will proceed following the loss of the Heritage Asset, in accordance with the NPPF.

26. Prior to the commencement of development (including demolition of the building) a photographic record of the building shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to maintain an archive record of this locally listed building prior to any demolitions taking place and to accord with Policy QE8 of the Warrington Core Strategy and the NPPF.

27. The application shall be carried out accordance with the submitted flood risk assessment and the following mitigation measures it details:
   • Finished floor levels of proposed buildings shall be set no lower than 8.79 metres above Ordnance Datum (AOD).
   • Flood resilient construction methods to be incorporated in the proposed buildings.

Reason: To reduce the risk of fluvial flooding to the proposed development and future occupants and to reduce the potential damages from the residual risk of fluvial flooding and to comply with the provisions of the NPPF and Policy QE4 of the Local Plan.
12 PLAN EXTRACTS

Appendix One – Proposed Site Layout Plan
Appendix Two – Proposed Floor Plans

Proposed ground floor plan

Proposed first and second floor plan
Appendix Three – Proposed Elevations

South Elevation

West Elevation

East Elevation
Appendix Four – Photographs of the site

Front elevation of the Public House

Existing brick boundary treatment
Looking towards the front elevation of the Public House and School Road

View towards the site from Orford Park

View towards the back of the site from Orford Park
ARTICLE 35 STATEMENT Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF)
**DEVELOPMENT MANAGEMENT COMMITTEE DATE 4th March 2020**

**ITEM 2**

<table>
<thead>
<tr>
<th><strong>Application Number:</strong></th>
<th>2019/36202</th>
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<tbody>
<tr>
<td><strong>Description of Development:</strong></td>
<td>Reserved matters (Major) - Proposed details regarding layout, scale, appearance and landscaping in relation to outline permission 2018/34167 for the residential development of 58 dwellings and associated development on Phase 1a.</td>
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<tr>
<td><strong>Location Address:</strong></td>
<td>Land to the south of Astor Drive and east of Witherin Avenue, Grappenhall Heys, Warrington, WA4 3LG</td>
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<tr>
<td><strong>Applicant:</strong></td>
<td>Homes England and Rowland Homes Ltd</td>
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<tr>
<td><strong>Ward:</strong></td>
<td>Grappenhall</td>
</tr>
<tr>
<td><strong>Site Allocation:</strong></td>
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<td><strong>Number of representations received:</strong></td>
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<td><strong>Reason for Referral:</strong></td>
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<td><strong>Statutory expiry date:</strong></td>
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<td><strong>Recommendation:</strong></td>
<td>Approve subject to conditions</td>
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| **Case Officer:** | Liz Snead  
lsnead@warrington.gov.uk |

**SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- The principle of development has been established by the outline consent.
- The design and appearance of the development is appropriate and respects the existing character of the area.
- The living conditions of adjacent occupiers would be protected from undue harm subject to conditions.
- The proposal will not have an unacceptable impact upon local highway network and provides an acceptable level of car parking provision meeting the Council’s standards.
- The proposal includes adequate protection of protected species and ecological mitigation.
- The development will not have an unacceptable impact upon flood risk.

OFFICER’S REPORT TO PLANNING COMMITTEE

1. APPLICATION SITE AND SURROUNDINGS

1.1 The application site currently comprises an open field of 2.41 hectares. The site is not allocated in the Local Plan Core Strategy, however outline planning permission for up to 400 dwellings was granted in January 2017. The land was originally acquired by the Commission for New Towns and has consent since September 1989 under sections 7(1) and 7(2) of the New Town Act 1981, as part of land at Grappenhall Heys for the development of residential and open space. The land is in the ownership of Homes England formerly the Homes and Communities Agency (HCA).

1.2 The application site is not in Green Belt and is not designated as public open space and as the land was identified for future development it is not allocated for any other use through local plan designation. The majority of the land is not open to the public to access, being farmland, although some routes through the site exist including a public right of way to part of the southern boundary. The wider site subject to the 2017 outline planning application covers an area of approximately 19.7 hectares with the Phase 1a site, subject to this application, covering 2.41 hectares.

1.3 Phase 1a is the smallest of the development phases. Phase 1a of the development is the northern most corner of the wider application site and it is located to the north of phase 1b. The final phase of the development is located to the south and west of the current application site. The entire site is shown at appendix one with the phases labelled.

1.4 The site is immediately adjacent to the east of Grappenhall Heys Local Wildlife Site (LWS) and the Dingle and Ford’s Rough LWS (also an Ancient and Semi-Natural Woodland) lies 300 metres to the west. To the north of the site is an existing residential area which has a variety of housing styles and heights. To the south of the site is a further part of the site subject to the outline consent and to the east is an existing woodland area.

2. DESCRIPTION OF PROPOSAL

2.1 The application is for approval of reserved matters relating to appearance, landscaping, layout and scale for 58 dwellings.

2.2 The application follows outline planning permission (2018/34167) for up to 400 dwellings including means of access. The wider site has been subdivided into 3 phases; this application seeks reserved matters approval for Phase 1a of the wider development with a separate application for Phase 1b also under consideration by Development Management Committee on 4 March. At present no application for reserved matters has been submitted for the final phase.
2.3 The application proposes the following mix of detached; semi-detached and terraced dwellings with 30 percent affordable housing provided:

<table>
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<th></th>
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<td>9</td>
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2.4 The application site would be accessed via a continuation of Astor Road with properties at the entrance to the site continuing the style and character of the existing properties on Astor Road. The development is outward facing and this respects the characteristics of the wider area. The scheme includes landscape buffers to the west, south and east boundaries with proposed footpaths to the wider area both to the west and south of the site.

3. AMENDED INFORMATION

3.1 During the process of the application, amended plans were received to address the issues raised by consultees. Consideration has been given to the necessity to re-consult on the additional information. In this instance it was considered that the additional information did constitute substantial difference to the originally submitted proposal and has therefore been subject to public re-consultation. The LPA has acted fairly and reasonably taking into account the duty to fully consider representations from interested parties and has re-consulted in order to make sure that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change. All representations received are summarised below and are appraised against planning policy (where they are material in determining the application) within the assessment.

3.2 The amendments to the scheme include:
- Alteration to the proposed parking on the site;
- Relocation of drives for single properties
- Clarification on separation distances and land levels to the properties on Wolfe Close
- Alterations to the proposed landscaping including species proposals

4. LOCAL REPRESENTATIONS

Parish Councils

Appleton Parish Council – Raises concerns summarised as;
**Highways:**
- Construction traffic to this site and would request that planning conditions be imposed so that access is restricted during rush hour periods in order to avoid congestion. Construction traffic should use Witherin Avenue only.
- The footpaths do not connect to the existing surrounding footpaths. This should be addressed in order to link the housing development to the surrounding areas. There are also no internal footpaths in the proposed housing development.
- The single road access to Grappenhall Heys and would ask that any planning conditions restrict access for construction traffic during rush hour periods in order to avoid congestion.
- The lack of cycle ways in the proposed housing development.

**Amenity:**
- The lack of green space, especially in comparison with the proposed housing development at Appleton Cross.

**Design:**
- The style of the proposed house types in particularly the outlook of some of the houses onto blank gable ends.

**Affordable Housing:**
- The affordable housing which should be spread around both sites not clustered together.

**Grappenhall Parish Council – Raises concerns and asks for consideration of issues summarised as:**

**Highways:**
- Impact of houses on Astor Drive and Bourchier Way, which has limited existing offroad parking.
- The roads look too narrow and difficult for either refuse lorries or emergency vehicles to access and turn around with potential accidents and physical damage occurring.
- Connectivity of footpaths to wider area.
- Too little of off-road and on- highway parking; no consideration to visitor parking.
- There is no provision for cyclists or cycle parking.
- Consideration needs to be given to disabled access and parking.
- There is no indication of bus route.
- Consideration of the impact to the existing school (Grappenhall Heys) layout which already has traffic issues and requires a redesign of access away from Keepers Road.
- Electric car charging points.

**Design:**
- Housing density is too large and too densely packed in.
• Poor design and layout e.g. houses with windows have a view of a wall.
• House style design and appearance needs to be in keeping with the existing development.

Amenity:
• Visual amenity and loss of privacy.
• Insufficient green space and trees – contrary to character of wider area.
• Maintenance of trees and greenspace.
• Noise and disturbance from houses and vehicle movements on existing residents.
• Screening doesn’t look adequate for existing residents which affects their “visual amenity”.
• Adequacy of street lighting
• The application does not proposed facilities such as shops (links to sustainable travel).
• Children will need to play in the street due to no green areas.
• There are no bungalows for older people.
• Existing fences/ walls appear to be maintained to delineate to new properties - these fences etc belong to the existing householder and it appears to be another way of cutting costs for the builder.

Environment and Ecology:
• Potential impacts on existing wildlife including badgers, birds, hedgehogs.
• Surface water drainage issues.
• Pollution levels – impacts of play near cars.

Suggested Conditions relating to:
• No vehicles on site before 8am in the morning.
• No vehicles allowed past the Walled Garden before 8am in the morning due to the residents of Lichfield, Dashwood etc. needing to get to work.
• No vehicles to enter or leave site after 4.30pm, no work to be done after 5pm or machinery left running
• No weekend working, no bank holiday working.
• Future repair to Lichfield Avenue; no tarmacing over blocked paving.
• All workers must park on the land acquired by the builder and not be parking on Lichfield and surrounding areas.
• Street cleaner machine required on a daily basis for all the mud.
• Any damage done to any of the water pipes and other facilities under Lichfield by the vehicles going onto the field must be mended immediately so no inconvenience is experienced by current residents.
• This is a dog walking and wildlife area - no dangerous chemicals etc. to be left unattended so an animal can get hurt.

General Public

The applications was publicised by 339 neighbour notification letters and a site notice and press notice. As a result 77 objections have been received from residents with letters received from 58 households. These are summarised as follows:
Principle

- No provision for schools, medical centres or other services
- Land is Green Belt
- Have all Brownfield sites been built out first
- Lack of infrastructure e.g. doctors
- No shops in the local area
- Who’s going to be able to afford these properties
- Properties should be affordable
- Large number of vacant properties already in the area
- Lack of self-build plots on the site

Character of area

- The site is overdeveloped and the density is too high
- Why are roof tiles a mix of red and grey
- All properties should face the pathway serving the walled garden
- Not in keeping with character of area
- Lack of single storey properties
- Appearance of properties not in keeping with the character of the area
- Poor design overall of the properties
- Affordable houses not fully distributed around the site
- Different materials proposed for the driveways of the affordable houses

Parking and Highway Safety

- Additional traffic and congestion
- Lack of infrastructure
- Impact on the Cat and Lion junction
- Lack of parking
- Object to the emergency access through Tresham Drive
- Tresham Drive and Bouchier Way are narrow roads and have parking on plot
- Insufficient access to site
- Lack of public transport in the area
- Air pollution
- Lack of electrical vehicle charging points
- In application 2018/34167 in a memo from the Environment & Transport Directorate dated 15/1/2019 states that any major residential access road can serve up to 150 units. Under this plan this brings the number to 163.
- Conflict with condition on the outline regarding number of vehicles served from a single access.
- Detrimental impact on highway safety
- Parking spaces are too small
- People won’t use tandem parking spaces
- Existing residents park on Astor Drive – where are these vehicles going to park?
- Existing residents parking on Astor Drive make it a narrow road to drive through
- Single access not adequate
Residential amenity
- Impact on residents during build – length of construction period should be limited
- Developer using existing boundary treatments
- Impact on the residential amenity of 2 Wolfe Close
- Loss of Privacy, overlooking and overbearing
- Loss of light and visual amenity
- No changes to the impact from the previous proposal upon 2 and 3 Wolfe Close
- Lack of separation distance
- Difference in land levels
- Noise
- Proposal infringes Human Rights
- Overshadowing
- Impact on visual amenity
- No provision for communal or recreation areas
- Popular walking route and the building of houses will ruin the route
- Lack of play areas
- Loss of existing areas used for recreation

Arboriculture, Ecology and Environment
- Impact on wildlife and wildlife habitat
- Lack of Green space
- Loss of trees
- Proximity to the woodland
- Woodland Trust request a 30 m buffer zone this should be observed
- No management information in relation to the green space including who will pay for it
- Not clear if wildlife friendly measures are being proposed bat boxes etc
- Nest boxes should not be on houses
- Proposals should comply with the Environment Bill 2015 [requirement for biodiversity net gain on all sites]
- Will increase flooding
- No sustainability proposed e.g urban drainage, rainwater collection and charging points for electric cars

Heritage
- Impact on walled garden

Procedural
- No plot substitution allowed without consultation
- Should be considered with all applications currently being built out

Other
- Boundary of the village green has been redrawn
• Permitted development rights should be removed

Non-Material Issues
• Loss of value to properties through affordable dwellings
• Loss of a view

5. CONSULTEES

WBC Transport Planning and Development Control – no objection but has requested conditions be added to any permission relating to electrical vehicle charging points, gradient of driveways, permitted development rights removal for garage conversions

WBC Environmental Protection – no objection

WBC Flood Risk – no objection

WBC Social Regeneration – no objection subject to a condition relating to the submission of a local employment scheme [this condition is attached to the outline consent so there is no need to reapply to the reserved matters application]

WBC Tree Officer – no objection

Greater Manchester Ecology Unit – no objection but has requested condition be added to any permission relating to breeding birds, bats, great crested newts, landscape implementation and management

Woodland Trust - Objects to the planning application on the grounds of potential disturbance and impact to the Woodland Trust site (Grappenhall Heys). Until the following conditions are met, the Trust will continue to hold concerns regarding this application:
- No pathways or access into our site without expressed permission and agreement with the Trust prior.
- A minimum 30m buffer between all areas of our site and the adjacent housing, excluding gardens and the access road.

6. RELEVANT SITE HISTORY

<table>
<thead>
<tr>
<th>Planning Reference</th>
<th>Description of Development</th>
<th>Decision</th>
<th>Date of Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/34480</td>
<td>Reserved Matters (Major) - Reserved matters application for details regarding layout, scale, appearance and landscaping in relation to outline permission</td>
<td>Refused for the following reasons: 1. The scheme is considered to have a detrimental impact on highway safety as a result of inadequate visibility at the priority junctions and private drives, lack of pedestrian connectivity and inappropriate location of parking.</td>
<td>08/05/2019</td>
</tr>
</tbody>
</table>
The proposals are therefore considered to conflict with policies MP1 and QE6 of the Local Plan Core Strategy and the provisions of the NPPF.

2. The proposed development would not reinforce local distinctiveness or enhance the character and appearance of the area by virtue of the design of the proposed properties. The proposed development would not harmonise with the appearance of the existing buildings and fails to respect the architectural integrity of the wider area. The development therefore conflicts with Policy QE7 of Warrington Local Plan and the relevant sections of the NPPF.

3. The proposed development would, by virtue of the scale and massing and proximity to neighbouring boundaries of existing properties, result in an overbearing impact and loss of residential amenity to neighbouring gardens of 3 Wolfe Close and 78 Tresham Drive through overlooking and loss of privacy. This would lead to an oppressive environment for the occupants of the adjoining properties in respect of the enjoyment of their garden areas. The proposal is therefore considered to be contrary to the National Planning Policy Framework, Policy QE6 of the Warrington Local Plan Core Strategy.

4. The proposal is considered to adversely affect the level of residential amenity that the future occupiers of the site can reasonably expect to enjoy and the development would not provide future occupants with a satisfactory standard of living by virtue of poor separation distances between proposed dwellings, overshadowing of proposed
dwellings and inadequate room sizes and the proposal is therefore considered to be contrary to policies CS1 and QE6 of the Warrington Local Plan and the provisions of the NPPF.

5. The proposal by reason of the type of affordable housing proposed and their location clustered together and concentrated in one area is considered to represent an unsustainable development that is unreflective of the mix of the proposed housing types. The proposal is therefore considered to be contrary to policies CS1 and SN2 of the Warrington Local Plan and the provisions of the NPPF.

6. The proposal is considered to be contrary to condition 16 and 21 of the outline consent as insufficient ecological mitigation and landscaping has been provided with the application to offset the loss of the biodiversity on the site. The proposal is therefore considered to be contrary to policy QE5 of the Warrington Local Plan and the provisions of the NPPF in terms of biodiversity net gain.

<p>| 2018/34167 | Variation of Condition (Major) - Proposed variation of the wording of Condition 16 (Landscape and Environmental Management Plan), Condition 18 (Open Space) and Condition 26 (Number of properties being served from one Single Access Point to be increased from 100 to 114) on previously approved subject to s106 agreement | 29/03/2019 |</p>
<table>
<thead>
<tr>
<th>Application Number</th>
<th>Description</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018/33342</td>
<td>Non Material amendment - Proposed amendment to Condition 2 to include the Grappenhall Heys Site Phasing Plan (drawing ref: 30205) and proposed amendment to the wording of Condition 3 part C for the commencement of development on each phase separately to read: For each phase, as identified on the Grappenhall Heys Site Phasing Plan (drawing ref: 30205), approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced on previously approved application 2017/29929</td>
<td>Approved</td>
<td>08/08/2018</td>
</tr>
<tr>
<td>2018/34043</td>
<td>Non Material Amendment - Proposed amendment to the wording of all the conditions to only require the submission of details applicable to each phase within any reserved matters application on previously approved</td>
<td>Part approved and part refused as it was considered that elements of the proposal were beyond the scope of the Non Material Amendment process</td>
<td>21/12/2018</td>
</tr>
</tbody>
</table>
7. PLANNING POLICY

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the source or number of third party representations received, remains the extent to which planning proposals comply with the Development Plan. The National Planning Policy Framework (NPPF) supports this legislative position and its contents are a material consideration in determining the application.

National Planning Policy Framework 2019 (NPPF)

7.2 The National Planning Policy Framework (2019) (NPPF) confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 7 of the document states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This is balanced by Paragraph 9 which states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

7.3 Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below.
7.4 As stated above, the NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan, in the case of Warrington, refers to the Local Plan Core Strategy (2014).

Relevant Policies in the Local Plan Core Strategy (2014):

CS1 (Overall Spatial Strategy – Deliver Sustainable Development)
CS2 (Overall Spatial Strategy and Distribution of Development)
CS4 (Overall Spatial Strategy – Transport)
SN1 (Distribution and Nature of New Housing)
SN2 (Securing Mixed and Inclusive Neighbourhoods)
QE3 (Green Infrastructure)
QE4 (Flood Risk)
QE5 (Biodiversity and Geodiversity).
QE6 (Environment and Amenity Protection)
QE7 (Ensuring a High Quality Place)
QE8 (Historic Environment)
SN7 (Enhancing Health and Wellbeing)
MP1 (General Transport Principles)
MP4 (Public Transport)
MP7 (Transport Assessments and Travel Plans)
MP10 (Infrastructure)
PV3 (Strengthening the Borough’s Workforce)

7.5 The Council has prepared a number of Supplementary Planning Documents to guide development in the Borough, documents relevant to this proposal include:

- Planning Obligations
- Design & Construction
- Environmental Protection
- Standards for Parking in New Development

7.6 The Grappenhall & Thelwall Neighbourhood Plan:
No further progress has occurred on the Neighbourhood Plan apart from the area of the plan being designated it therefore has no weight in the determination of this application.

8. EQUALITIES ACT (2010)

8.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010. It is considered that the application has no differential impacts.

9. ASSESSMENT

The key issues of this particular application relate to:
The principle of the development
Highways matters
Design/ Impact on Character & Appearance
Residential Living Conditions
Affordable housing
Landscape
Biodiversity

Principle

9.1 The principle of residential development on the application site was established in the New Town Act 1981. Outline planning permission was granted for residential development at Development Management Committee in October 2017 and therefore the principle of residential development within the wider site for 400 houses has been established.

9.2 The outline consent and subsequent variation of conditions application were approved subject to a section 106 agreement relating to:

- Bus Service Contribution;
- Bus Stop Contribution;
- Pedestrian Crossing Contribution;
- Signage Contribution;
- Health Care Contribution;
- Built Leisure Contribution;
- Sports Pitches Contribution;
- Primary Education Contribution; and
- Secondary Education Contribution

9.3 This application seeks reserved matters approval for appearance, landscaping, layout and scale in accordance with the outline permission for 58 dwellings. Each of the reserved matters will be covered within the report.

9.4 The land at Grappenhall Heys that is the subject of planning applications 2019/36202 and 2019/36204, has been included in the Council’s housing land supply since 2009. It forms part of a larger parcel (SHLAA Site Ref: 1646) identified to deliver 400 units over the next five years (2019/20 to 2023/24). The wider site makes a significant contribution (approximately 10 percent) to the Council’s 5 year supply of 3,816 units with this specific site delivering 1.5 percent of the Council’s supply. Currently, the Council are not able to demonstrate that they can maintain a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement and hence have failed the Government’s Housing Delivery Test (HDT). The SHLAA 2019 identifies that the Council currently have a 3.7 years deliverable supply and these applications are included in the current housing land supply and the decision on these applications will affect the deliverable supply of housing.

9.5 In summary, the principle of the proposed development has been established and was considered acceptable in terms of the provisions of the NPPF and
policy CS1 of the Local Plan Core Strategy and the site continues to make a positive contribution to housing land supply in the borough. This report therefore considers the appearance, landscaping, layout and scale of the proposal.

Highway Matters

9.6 Policy CS1 of the Warrington Borough Council Core Strategy identifies the need to protect public safety. Policy QE6 of the Warrington Borough Council Core Strategy 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.

9.7 Policy MP1 of the Warrington Borough Council Core Strategy 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 of the Warrington Borough Council Core Strategy states that the Council will require all development to (a) demonstrate that it will not significantly harm highway safety and (b) show that all trips generated by development can be adequately served by Warrington’s Transport Network. Where a development will have a significant effect on the transport network policy MP7 advises that appropriate mitigation measures, including any necessary transport infrastructure, will need to be put in place before the development is used or occupied.

9.8 This application is for reserved matters following an outline permission for the erection of up to 400 dwellings originally approved under application reference 2017/29929. The original outline application approved one point of access from Astor Drive and a further potential access for emergency vehicles from Tresham Drive. The applicant accords with the access plan approved at outline stage albeit the emergency access is not progressed through to the reserved matters. It is considered that the proposal accords with the principles of the Design Manual for Roads and Bridges and Manual for Streets and that the access arrangements are appropriate for the number of dwellings proposed. The emergency access is not considered to be necessary as the proposal for a single access to the site complies with the principles of design guidance.

9.9 A number of representations have raised concern regarding the number of dwellings served by each access exceeding 150 dwellings when the new properties are combined with the existing properties surrounding the application site. The Council’s Highways Officer has considered the number of dwellings and the routing of the access taking into account number of issues such as emergency service access, potential for public transport provision, pedestrian/cycle linkage, future maintenance considerations and potential access issues in the event of unforeseen works such as a sewer collapse; as well as wider planning considerations. This consideration has included the existing properties served by the access and it is considered that the proposal accords with the principles of the Design Manual for Roads and Bridges and
Manual for Streets and that the access arrangements are appropriate for the number of dwellings proposed.

9.10 The proposed access is a continuation of the existing Astor Drive and it is proposed to create a carriageway with a width of 5.5 metres with 2 metre footways to match existing. These carriageway and footway widths are maintained throughout the site. Vehicle tracking drawings have been submitted with the application and they prove that the Astor Drive road connection and internal layout allow appropriate provision for the access, turning and manoeuvring of emergency and service vehicles. All junctions have the appropriate visibility splays provided within the adopted highway. The layout itself is not conductive to high vehicle speeds.

9.11 The layout meets the required parking standards with the majority of parking provided within the curtilage of the new dwellings without a reliance on spaces within the garages. As sufficient parking is provided within the curtilage of the new dwellings for the occupiers without a reliance on the proposed garages, it is not considered necessary to remove permitted development rights for garage conversions for the properties with garages. The layout also allows for the on-street parking to cater for additional visitors. In terms of connectivity of the site, footways are provided throughout the site and at key points there are connections to the wider existing pedestrian and cycle network. As the site is a sloping site, it is also considered necessary to add a condition limiting the gradient of the drives to no more than 1 in 12.5.

9.12 The Highways Officer has also requested that a condition relating to electrical vehicle charging points be added to the reserved matters application. This condition has been requested from the applicant and a response has been received that as this is a reserved matters application, the proposed condition relating to electrical vehicle charging point cannot be added to this consent as it does not directly relate to appearance, layout, scale or landscaping. It is considered that the provision of electrical vehicle charging points can be a reserved matters issue as it relates to the external appearance of a building (on the assumption that plug points are not provided within garage areas). On this basis electrical vehicle charging points will be required to all properties without a garage.

9.13 No details relating to cycle parking have been provided with the application and it is considered necessary to add a condition requiring details of this to be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of each property.

9.14 In relation to the construction of the properties, the outline consent is subject to a condition requiring the submission of details relating to the routing of the deliveries to the site, the areas for vehicle parking and hours of work and this condition will be determined through consultation with the relevant consultees.

9.15 For the above reasons, it is considered that there would be no detrimental impact as a result of the proposal upon the highway network and the resultant
development would not result in adverse impacts in terms of highway safety. Therefore considered acceptable in accordance with Core Strategy policies CS1, QE6, MP1 and MP7.

**Appearance and Scale**

9.16 Warrington Borough Council’s Core Strategy Policy CS1 identifies the need to provide high standards of design that have particular regard to local distinctiveness. In addition, Policy QE7 requires that new development proposals should reinforce local distinctiveness and enhance the character, appearance of the area, and harmonise with the scale, proportions and materials of adjacent and existing buildings. The NPPF identifies that planning decisions should address the connections between people and places and the integrate new development into the existing natural, built and historic environment. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

9.17 The site which is accessed from Astor Drive is situated adjacent to an existing residential area. The existing residential development in the area was built in phases beginning in the 1990’s and this is shown in the variety of designs that are within the area, which includes large detached three storey dwellings set in generous plots around a pond adjacent to the north of the site on Wolfe Close. Properties on Astor Drive are predominantly three storey semi-detached and terraced properties with the property adjacent to the entrance of the site on Astor Drive is a detached two/three storey property with prominent front facing dormers. The properties on Bourchier Way which back onto the application site are a mixture of two and three storey properties. Whilst, properties on Tresham Drive (adjacent to plot 15 northeast corner of the site) are orientated so that their side elevation face towards the application site and are located in close proximity to the site. All of the properties located to the north of the site are all red brick with the quoins and certain brick courses in a buff stone and there are two different roof materials used, one red and one grey.

9.18 The applicant has proposed eight different house types with a mix of two and three storey properties and vary from terraced to large detached properties. The scale of the development is considered acceptable with the appropriate regard given to ensuring that the location of any three storey dwellings accords with the surrounding built form.

9.19 The proposal has detached properties at the entrance to the site facing onto the new road continuing Astor Drive and these properties include a number of the key architectural features that link the site back to the existing built environment of the area. These features include quoins, stone lintels and stone cills, and are successful in ensuring that the properties link back to the existing built environment but that they have a character of their own as well.
The palette of materials is considered to reflect that of the surrounding area and are therefore acceptable subject to a condition to ensure that the high quality of the development extends to the materials used.

**Layout**

9.20 Policy QE7 of the local plan and the NPPF require that new development use the density and mix of development to optimise the potential of the site without damaging the character of the area. The applicant has proposed eight different housing types, thereby providing a wide range of different dwellings.

9.21 In relation to the density of the site, the NPPF is clear in paragraph 123 that where there is a known shortage of deliverable housing land, as in Warrington consideration should be given to maximising the potential of land in terms of density. To comply with this provision of the NPPF, there would therefore be a requirement to build all new residential developments at a high density. Warrington’s SHLAA assumes a density of between 30 and 50 dwellings per hectare within the outer areas in which the site is located. The density of the proposed scheme is 24 properties per hectare cannot be considered to be high density and is lower than would be expected in other outer areas in Warrington. In assessing whether these densities form a suitable use of the land consideration has been given to the outline planning consent, which established a baseline density across the site, and the design and character of the proposal in relation to the establish residential surroundings, as allowed for by both the NPPF and the Local Plan. It is considered that that the proposed density of 24 properties per hectare is in keeping with the densities in the adjacent established residential areas and therefore it is acceptable in this instance.

9.22 As set out in more detail below, the affordable housing units are well distributed across the site, in accordance with good practice.

9.23 The site is designed so that the site is accessed from a main access running through the site with secondary roads located off it with the creation of a number of turning heads at the end of the roads. There are no through routes proposed through the site with all roads ending in the creation of cul-de-sacs which is in keeping with the character of the area. The site has been designed so that the landscaping (and areas of ecological mitigation) are to the south of the site with limited areas of landscaping proposed to the eastern and western boundaries of the site. All of the properties are set back into the plot with an element of the parking located to the front of the site with a number of the properties also benefiting from parking to the side of the property.

9.24 A number of the properties only have smaller areas of residential amenity space than the others and it is considered appropriate to remove permitted development rights from these properties only for extensions. The rest of the properties benefit from a larger area of amenity space and it is not considered necessary to remove permitted development rights from these properties.
9.25 Overall, it is considered that the proposed layout expresses the principles of the layout agreed at outline stage, including adequate areas of ecological mitigation and open space and linkages to the existing footpath networks.

9.26 On the basis of the above it is considered that the proposal accords with development plan policies CS1, QE6 and QE7 and as such is acceptable subject to the stated conditions.

Residential Amenity

9.27 The National Planning Policy Framework requires that new development should secure a good standard of amenity for all existing and future occupants. Core Strategy Policy CS1 identifies the need to safeguard public amenity, while QE6 identifies that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

Adjoining occupiers

9.28 The general guidance set out in the House Extensions SPD, although not directly relevant, is a good guide for ensuring adequate separation distances between new properties to ensure that the residential amenity of existing and future occupiers is not unacceptably impacted. The guidance states that the minimum separation distance is 13 metres between principle windows on a rear elevation to a blank gable and 21 metres from principle to principle windows on two storey elements. A greater separation distances is required between three storey properties by way of an additional 3m separation for each difference in storey height.

9.29 The existing properties located to the north of the site (Bourchier Way) are a mixture of two and three storey properties. The proposal has a minimum separation distance of 24 metres between the back wall of the existing three storey properties and the rear elevations of the new properties, therefore achieving or exceeding the relevant guidance in the Council’s SPD.
9.30 A number of the properties in Wolfe Close are adjacent to the applications site; the closest properties to Wolfe Close are plots 53 and 58 with plot 53 being an L shaped property with its side elevation facing towards Wolfe Close. The proposed separation distance between the rear elevation of 2 Wolfe Close (3 storey) and the side elevation of plot 53 is 17 metres and the separation distance between the rear elevation of 3 Wolfe Close (3 storey) and side elevation of plot 53 is 16.3 metres.

9.31 There are windows proposed in the side elevation of plot 53, however, they are proposed to be obscure and non-opening. In assessing the impact upon the adjoining properties it is considered that the relationship to 2 Wolfe Close is acceptable as the orientation and design of proposed dwelling on plot 58 combined with a window to side gable separation distance achieving the required standard. Similarly the relationship with 3 Wolfe Close achieves the required separation distance of 16 metres. The difference in land level has also been taken into account as part of this analysis in relation to the impact of the proposal on the existing residential properties. This part of the proposal has been amended since the refusal of the reserved matters in application in 2019 with the property on Plot 53 being a minimum of 13 metres and the section below demonstrates compliance with the separation distances. The finished floor level of plot 53 is proposed to be 1 metre higher than the existing floor level in 2 Wolfe Close. The proposal includes the reduction in land levels on the site by up to a metre and the levelling of the site to allow a finished
floor level of 45.25 metres for plot 53 with plot 54 having a finished floor level of 46.15 metres.

Cross section through 2 Wolfe Close and plot 53 showing separation distance and land levels

9.32 It is considered to be reasonable to add a condition requiring that the windows shown in the submitted plans in the side elevation of Plot 53 are retained as obscurely glazed. It is also considered reasonable to remove permitted development rights for new windows and dormers from this property to ensure that the residential amenity of the neighbouring properties are preserved. It is also the permitted development rights for all properties of this design as the side elevations of these properties are located in close proximity to common boundaries.

9.33 4 Wolfe Close is set well back into the plot and is located at an angle to the proposed properties and the separation distance from the rear of this property to the proposed property at plot 58 is over 17 metres. This separation distance is considered to be acceptable.

Future Occupiers

The application proposes a high-quality residential environment and the layout of the site achieves compliance with the Council’s adopted standards for separation distances between built forms to ensure that an acceptable standard of accommodation is provided. Each dwelling is provided with private amenity space and communal areas, including play space, are provided within the layout of the overall application site. These areas provide suitable provision for children to play and the quality of the environment for these areas will be controlled under the reserved matters application for the next phase and the existing play equipment in the surrounding area provides an additional appropriate facility.
9.34 It is considered that the quality of accommodation, in terms of the size of habitable rooms, is material in considering this application and therefore the application has been assessed using the Nationally Described Space Standards (March 2015). As the application includes 2 bedroom properties, the national standards normally require a minimum internal space of 70 m² for 2 bed two storey accommodation. The application proposes 2 bedroom terraced properties that have the same internal layout and they have a total internal floor space of 70.6 m², which is in line with the space standards. The properties represent a significant increase in the quality of the living accommodation proposed to the previous application. The space standards include details on all housing types, however, the previous application was specifically refused on the proposed size of the 2 bed units. The space proposed for all the property types has been referenced against the space standards and all the properties have sufficient living space.

9.35 With the proposed conditions, it is considered that the proposal would not give rise to significant amenity issues for existing residents and complies with relevant policies in the NPPF and policies QE5 and QE6 of the Core Strategy.

Affordable Housing

9.36 The conditions and section 106 of the outline consent require that 30 percent of the housing provided on the site is affordable housing with 50 percent of this to be affordable rent and 50 percent immediate affordable which in this case is shared ownership. The application has proposed the provision of 30 percent affordable housing on the site in the following format:

*Affordable rent:*
- 2 bedroom terraced properties - 6
- 2 bedroom semi-detached properties - 3

*Intermediate – Shared ownership:*
- 3 bedroom terraced properties – 3
- 3 bedroom semi-detached properties – 5

9.37 The Planning Obligations SPD states at para 3.22 that the Council will have regard to the most up to date information on housing needs in negotiating the dwelling mix on new housing developments. The application proposes that the affordable units are located in the eastern side of the site. SN2 and the NPPF require that new development creates mixed and inclusive neighbourhoods and as part of this, the affordable units should be pepper potted across the site rather than all located in the same area.

9.38 The SPD goes on at para 3.23 to refer to the 2016 Mid-Mersey SMHA which indicated that for Warrington approximately 75 percent of the affordable housing need is for 1 and 2 bedroom affordable homes and approximately 25 percent for 3 bedroom properties. There is only a very small residual need for larger properties.
9.39 The affordable properties are proposed in the form of 2 and 3 bedroom properties which is in keeping with the details outlined in the SMHA and the affordable properties are distributed across the site. The applicant has confirmed that they are in conversation with registered providers with a number interested in the site but no contract has been signed. The proposal is considered to comply with the provisions of the NPPF and policy SN2 of the local plan.

**Landscape**

9.40 As part of the outline application there was a requirement to mitigate the loss of the biodiversity of the site in the form of areas of high ecological value habitat within the landscaping of the site. Condition 16 on the outline consent indicated the level of mitigation that was considered to be appropriate on the site in terms of high ecological value habitat. The level of mitigation was agreed to be 2.41 hectares across the entire site with each phase of the development delivering the relevant percentage of the mitigation. On this basis this phase of the development is required to provide 12.23% of the required 2.41ha of the ecological mitigation, the proposed area exceeds this providing 0.40ha of ecological mitigation which equates to 16.59% of the required total. The level of ecological mitigation is therefore acceptable and means that there is an increase in the amount of ecological mitigation proposed across the site.

9.41 The ecological mitigation and landscaping is proposed on the north eastern, southern and western boundaries of the site. The proposal allows for the continuation and improvement of existing landscaping which has the ultimate aim of creating habitat linkages and corridors which would provide commuting and foraging habitat for bats and birds. The ecological mitigation is provided through the type of landscaping proposed on the site with the planting including native species, species diversification and tree planting within the landscape buffer areas.

9.42 Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. As part of reserved matters application a Landscape and Environmental Management plan (LEMP) has been provided in line with conditions 16 (and 21) on the outline and this submission is considered to be acceptable. However, no details of how this is to be provided has been supplied and it is therefore considered necessary to add a condition requiring the management element of it to be agreed prior to the occupation of the first property on this phase.

**Biodiversity**

*Bats*

9.43 As a result of this phase of the development, there are no structures or mature trees to be lost and therefore no updated bat surveys were required. Any impacts to bats were fully mitigated against by conditions on the outline consent. The submitted application includes proposals for bat boxes on the
site as part of the ecological mitigation and it is proposed that these measures are conditioned to ensure that they occur on the site.

**Badgers**

9.44 Under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. Surveys dealing with all animals were submitted with the application at outline stage and no further surveys or measures are required at this stage in the application. Badgers are a highly mobile species and there is a condition on the outline consent requiring prior to any earthworks commencing on site that either details of a licence to deal with potential badgers is submitted or a statement is submitted stating why there will be no effect on badgers.

**Great Crested Newts**

9.45 Updated Great Crested Newts surveys have found no evidence that they will provide a constraint on the development. No objection to the information provided in relation to Great Crested Newts but conditions are requested relating to the submission of additional information depending on build times. Should the development commence on site prior to end of April 2020 there will be no requirement to resurvey for Great Crested Newts; a condition would be attached to the permission to ensure that a resurvey would take place in the end of a delayed start.

**Local Wildlife Sites**

9.46 Grappenhall Heys Local Wildlife Site lies immediately adjacent to the western and eastern boundaries of the site. The proposed site layout indicates a reasonable buffer to the wildlife site. The outline consent includes conditions to ensure that there is no impact on the Wildlife site through the construction process and the long term impact on the wildlife site was considered by the outline application.

**Nesting Birds**

9.47 The outline consent includes a condition that there should be no removal of any tree during bird nesting season. This application includes proposals for bird boxes and it is proposed that these measures are conditioned to ensure implementation.

**Trees**

9.48 There is only one tree proposed to be removed from the site and this is a goat willow with the rest of the trees being proposed to be remain on the site as part of the application. The Woodland Trust (as a neighbour to the site) has objected to the development and has recommended that a 30 metre buffer zone be maintained between the application site and the adjacent woodland (Grappenhall Heys). Grappenhall Heys Wood is described by the Woodland Trust as secondary woodland and does not benefit from statutory protection. If
a buffer zone of 30 percent was applied to the site then a significant percentage of the site would be sterilised which would lead to the loss of over 35 percent of the properties proposed on the site. The required 30 metres is suggested to prevent fly tipping from gardens into the woodland and demand for trees to be removed due to impact on residential amenity. The 30 metres is not considered to be necessary as there are existing boundaries between the application site and the woodland and all but 2 of the properties share no common boundary with the adjacent woodland and therefore any pressure on the existing woodland is minimal.

9.49 Proposals for the protection of the trees to the west of the site during construction have been put forward and these measures are considered to be acceptable. All of the properties located on the eastern edge of the site are orientated so that they are separated from the woodland by either open space or the access road to the properties. There is a similar arrangements with the properties to the west of the site with 2 of the properties gardens abutting the woodland, however, there are the side gardens of the property. It is accepted that there might be pressure from the future residents of the adjacent properties to prune the trees, however, these trees are not protected and the landowners are entitled to trim overhanging branches back. The quality of these trees has also been assessed and they were not considered to be high quality worthy of being covered by a tree preservation order. It is not considered that the future impact on the trees is an adverse impact that would significantly and demonstrably outweigh the benefits of delivering housing on this site.

9.50 With the proposed conditions relating to implementation and surveys the proposal is considered to comply with the provisions of the NPPF and policies CS6, QE3 and QE5 of the Local Plan.

Heritage Matters

9.51 Grappenhall Heys walled garden is located to the south of the application site and it is not covered by any designation and it is therefore considered to represent a non-designated heritage asset. It is separated from the development by existing trees that are proposed to be retained. The impact of the principal of residential development on the non-designated heritage asset was assessed during the outline consent. The assessment to be made now is if the proposed appearance and layout of the residential development has a detrimental impact on the setting of the non-designated heritage asset.

9.52 It is considered that due to the separation distances available and the orientation and design of the properties that the proposal does not have a detrimental impact on the setting of the non-designated heritage asset. The proposal is therefore considered to be acceptable and complies with the provisions of the NPPF and policy QE8 of the Local Plan.
Flood risk and drainage

9.53 At outline stage, the submitted Flood Risk Assessment was reviewed and the proposed drainage strategy was considered acceptable.

9.54 The Council’s Local Lead Flood Authority confirm that the detailed scheme now submitted shows surface water drainage which is acceptable. United Utilities have expressed no objection subject to their model requirements for detailed surface water disposal, as required by condition attached to the outline permission.

9.55 On the basis of the above it is considered that the proposal accords with the development plan policy QE4 of the Core Strategy.

Other Issues

9.56 The issue of loss of a view and the location of the affordable properties devaluing properties have been raised through the consultation process. While the effect of a proposal on the value of surrounding properties is not a material planning consideration, the affordable properties have also been designed to be indistinguishable from the remainder of the properties and as they have the same design and quality of materials as the remainder of the site are not considered to devalue the site. The issue of loss of a view has also been raised, while also not a planning consideration, the impact on the residential amenity of the future and existing properties has been fully considered in the report.

9.57 If the application is approved then the submitted plans will be referenced in a condition and any amendments to this would require further agreement from the local planning authority.

9.58 There is no requirement in the Local Plan to make provision for Self-Build and Custom housing as part of any housing mix. The S106 Agreement related to the outline planning permission contains no requirement to provide any Self-Build & Custom housing in the housing mix.

Planning Application Documents

9.59 The application has been submitted with all of the documents that are statutorily required for a full planning application for the proposed development. Consultation on the application has been undertaken twice, once providing the statutory period on receipt of the application and a second occasion following the receipt of amended plans. It is considered that all plans submitted are at a recognised metric scale and are available for view on the Warrington Borough Council website.
10. CONCLUSIONS AND RECOMMENDATIONS

10.1 The principle and access to the development site is acceptable and this has been approved by the outline consent. This application has been considered in terms of the reserved matters of appearance, layout, scale and landscaping are acceptable. The proposed properties are considered to include the architectural merit that is required in this location. The proposal includes ecological mitigation to offset the loss of the existing agricultural land and is in excess of the required level of ecological mitigation to be provided on the site. It is considered that the proposal would not have a harmful impact on the amenities of the adjacent properties and the future occupiers of the site. The application demonstrates that the impact on the highway network would be acceptable. The proposal therefore complies with the provisions on the NPPF and policies of the Local Plan.

10.2 The application is recommended for approval subject to conditions.

11. SCHEDULE OF CONDITIONS

1. This reserved matters approval relates to outline planning permission 2018/34167 only, and shall not be implemented otherwise in accordance with the following approved drawings and documents;
   Location Plan (R099/1001 Revision A)
   Topographical Survey (SM.TS.13 Revision A)
   Combined Illustrative Layout (Revision B)
   Planning Layout (R099/1 Revision C)
   Coloured Layout (R099/1 Revision C)
   Fencing Layout (R099/2 Revision B)
   1.8m High Close Boarded Timber Fence (SD.1 Revision A)
   1.8m High Screen Wall (SD.46 Revision A)
   Materials Schedule Plan (R099/3 Revision B)
   External Surfaces Layout (R099/4 Revision B)
   Parking and Visibility Splays Plan (R099/7 Revision B)
   Interface Distances (R099/8 Revision A)
   Affordable Housing Distribution Plan (R099/AHD Revision B)
   Affordable Housing Statement (Revision B)
   Street Scenes (R099/1000 Revision A)
   Energy Statement (Revision A)
   Drainage Statement (12913-CRH-ZZ-XX-RP-C-0001-F5_Tech Note)
   SW & FW Drainage Strategy (12913-CRH-XX-ZZ-DR-C-4501 Revision P9)
   Proposed Road Layout and FFL’s (12913-CRH-HDG-ZZ-DR-C-4101 Revision P8)
   Preliminary External Works Proposal (12913-CRH-XX-ZZ-DR-C-4251 Revision P2)
   Swept Path Analysis – Large Refuse Vehicle (SCP_190035_ATR03 Revision D)
   Swept Path Analysis – 12m Rigid HGV (SCP_190035_ATR04 Revision D)
Phase 1 Environmental Assessment (5148512/GrappenhallHeys/v1, dated February 2017)
Phase II Geo-Environmental Site Investigation (12-613-r1-Rev2, dated September 2019)
Tree Survey Plan (P.1099.18.01)
Tree Data Table (P.1099.18)
Arboricultural Impact Assessment (1099.18 Revision B)
Landscape Proposals Plots 1-15, 23- 34 (2241_01 Revision G)
Landscape Proposals Plots 16-22, 37-46 (2241_02 Revision G)
Landscape proposals plots 35-36, 47-58 (2241_03 Revision G)
Landscape proposals all site (2241_04 Revision H)
Landscape proposals – public open space 1 of 2 (2241_05 Revision D)
Landscape proposals – public open space 2 of 2 (2241_06 Revision D)
Landscape Specification and Planting Schedules (Issue 07)
Landscape & Ecology Management Plan (L1099.18.01 Revision B)
Site Section (R099/1002)
Combine Illustrative Layout – Revision B
Hatton, Art Stone Heads & Cills V2 (HT139/P/115 Revision B)
Hatton, Art Stone Heads & Cills with Render V2 (HT139/P/119 Revision A)
Hatton, Handed Elevations (HT139/P/121)
Hatton, Handed Floor Plans (HT139/P/122)
Wallingford, Art Stone Heads & Cills V2 (HT140/P/102)
Wallingford, Quoins (HT140/P/103)
Belgrave, Quoins (HT146/P/118)
Belgrave, No Quoins (HT146/P/119)
Belgrave, Handed Elevations (HT146/P/120)
Belgrave, Handed Floor Plans (HT146/P/121)
Lowry, Planning Drawing, End (HT164/P/5)
Lowry, Planning Drawing, Mid (HT164/P/6)
Lowry, Handed Elevations, End (HT164/P/7)
Lowry, Handed Floor Plans, End (HT164/P/8)
Gladstone, Planning Drawing, End (HT165(H)/P/6)
Gladstone, Planning Drawing, Mid (HT165(H)/P/7)
Gladstone, Handed Elevations (HT165(H)/P/8)
Gladstone, Handed Floor Plans (HT165(H)/P/9)
Townley, Planning Drawing, Quoins (HT168/P/102)
Kingswood, Planning Drawing, Floor Plans (HT174/P1)
Kingswood, Art Stone Heads & Cills (HT174/P2)
Kingswood, Art Stone Heads & Cills, Render (HT174/P3)
Kingswood, Handed Floor Plans (HT174/P4)
Kingswood, Art Stone Heads & Cills, Render Handed Elevations (HT174/P5)
Sandwell, Floor Plans (HT175/P/1)
Sandwell, Art Stone Heads & Cills (HT175/P/2)
Sandwell, Quoins (HT175/P/4)
Sandwell, Handed Elevations (HT175/P/5)
Sandwell, Handed Elevations, Quoins (HT175/P/6)
Reason: For the avoidance of doubt and to comply with Section 92 of the Town and Country Planning Act 1990.

2. Prior to any above ground works, full details of all facing/roofing materials to be used in the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. This shall include specification, manufacturers details and photographs. Only approved materials shall be implemented on site in accordance with approved plans.

Reason: In the interests of the appearance of the development in the locality in accordance with policies CS1 and QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

3. The development shall be undertaken in complete accordance with the submitted Landscape Management Plan Rev B (prepared by Acerta, reference 1099.18 dated 23rd January), email received on 21.02.20 and submitted drawings Landscape Proposals – All Site (Drg No: 2241_04 Rev H); Landscape Proposals – Public Open Space (Drg No: 2241_05 Rev D); Landscape Proposals – Public Open Space (Drg No: 2241_06 Rev D); Landscape Management Plan Areas (Drg No: P.1099.18.03); Bird Box Locations (Drg No: R099/6 Rev C).

As required by Condition 4, the planting shown in drawings; Landscape Proposals – All Site (Drg No: 2241_04 Rev H); Landscape Proposals – Public Open Space (Drg No: 2241_05 Rev D); Landscape Proposals – Public Open Space (Drg No: 2241_06 Rev D) shall be implemented no later than the end of the first planting season following the occupation of the last dwelling hereby approved.

Once implemented, the management and monitoring set out in the submitted Landscape Management Plan should be undertaken for the specified periods.

Reason: In order that the proposal provides sufficient compensatory ecological habitat which is appropriately managed in accordance with Policies CS 1, QE 5 and QE 6 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

4. The planting shown in drawings; Landscape Proposals – All Site (Drg No: 2241_04 Rev H); Landscape Proposals – Public Open Space (Drg No: 2241_05 Rev D); Landscape Proposals – Public Open Space (Drg No: 2241_06 Rev D) shall be implemented no later than the end of the first planting season following the occupation of the last dwelling hereby approved. Any approved planting which is removed, dies or becomes seriously damaged or diseased within a period of five years from first planting, shall be replaced with other planting of similar size, species and maturity in the first available planting season.

Reason – The proposed planting is important visually in the design, character
and appearance of the proposed development, and is needed to create a high quality environment and sense of place as part of the completed development as required by policies CS1; CS8; QE3 and QE7 of the Local Plan Core Strategy and Design and Construction SPD.

5. Prior to the occupation of the last dwelling hereby approved, all of the bird boxes shown in drawing ‘Bird Box Locations (Drg No: R099/6 Rev C)’ shall be installed.

Reason: In order that the proposal provides sufficient compensatory ecological habitat which is appropriately managed in accordance with Policies CS 1, QE 5 and QE 6 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

6. If earthworks associated with the approved development do not commence before 30th April 2020, the ponds on site and within 250m of the site boundaries shall be re-surveyed for great crested newts and the findings supplied to the local planning authority for approval.

Reason - To mitigate the impact on great crested newts in accordance with paragraph 175 of the NPPF 2018 and with policy QE5 of the Local Plan Core Strategy for Warrington and with Conservation of Habitats and Species Regulations 2017.

7. The development shall not commence until the tree protection measures set out in the submitted Arboricultural Impact Assessment Rev A (Prepared by Ascerta - dated 18.09.19) are implemented and these protection measures shall be in place for the duration of construction works.

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.

8. No dwelling shall be occupied until a means of vehicular and pedestrian access to it has been constructed in accordance with the approved plans.

Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

9. The parking provision shown on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking or re-enacting that order), no building works, which would reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made and
maintained, thereby avoiding hazards caused by indiscriminate parking.

10. The gradient of any private driveway shall not exceed 1 in 12.5 (8%).

Reason: In the interests of road safety to enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

11. Prior to the occupation of any of the units hereby approved, a scheme which allows for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport in accordance with policies CS1; MP1; MP3; MP4; MP7; MP10 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

12. The development shall be carried out in complete accordance with the finished floor levels as shown on drawing ‘Proposed Road Layout & FFLs’ (Drg No: 4101 Rev P8).

Reason: To ensure that the proposals would not impact detrimentally on amenity in accordance with Policies CS 1, QE 6 and QE 7 of the Warrington Local Plan Core Strategy.

13. The affordable housing shall be provided in accordance with the approved scheme for affordable rented and intermediate housing as set out in the approved Affordable Housing Statement Rev B and as shown on Affordable Housing Distribution Plan (R099/AHD Rev A).

Reason: In order that the proposal provides affordable housing in accordance with Policy SN2 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

14. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof; No windows other than any shown on the approved plans shall be installed at first floor level in the north facing side elevation of the dwelling hereby approved identified as Plot 53 on approved drawing Planning Layout (Drg No: R099/1 Rev C) without the prior written approval of the local planning authority and the existing windows on this elevation shall be obscurely glazed to pilkington level 4 and retained as such.

Reason: To safeguard the amenities of surrounding occupiers.
15. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof. The dwellings hereby approved identified as Plots 4 to 11 (inclusive), Plots 16 to 34 (Inclusive) shall not be altered or extended except with the prior written approval of the local planning authority.

Reason: To prevent overdevelopment of the site and in order to safeguard the amenities of existing and surrounding occupiers.

16. The surface water drainage of individual dwellings shall be designed as to prevent the discharge of water on to the highway.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

17. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof; No windows other than any shown on the approved plans shall be installed at first floor level in the north facing side elevation of the dwellings hereby approved identified as Plots 41 and 42 on approved drawing Planning Layout (Drg No: R099/1 Rev C) without the prior written approval of the local planning authority and the existing windows on this elevation shall be obscurely glazed to pilkington level 4 and retained as such.

Reason: To safeguard the amenities of surrounding occupiers.

18. No individual property hereby approved shall be occupied into use until cycle stands or secured covered cycle storage space has been provided for each property in accordance with details which have first been submitted to the local planning authority for approval. They shall be thereafter retained.

Reason: So that the development provides for the needs of cyclists and provides a choice of modes of transport in accordance with Policies QE6 and MP3 of the Warrington Core Strategy.

19. Prior to plots 36, 38 and 48 going above slab level, details of additional windows in the gable elevations of the properties facing towards the new access and the final location of the boundary fences shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is in keeping with the character of the area and to comply with QE6 of the Local Plan.
12. PLAN EXTRACTS

Appendix one – Phasing Plan
Appendix Two - Site Layout Plan
Appendix Three – Proposed street scenes
Appendix Four - Photos of the site

The Site looking towards the existing housing on Bourchier Way

The site looking towards the existing housing on Astor Drive, Bourchier Way
ARTICLE 35 STATEMENT Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF), paragraph 38.
Application Number: 2019/36204

Description of Development: Reserved matters (Major) - Proposed details regarding layout, scale, appearance and landscaping in relation to outline permission 2018/34167 for the residential development of 114 dwellings and associated development on Phase 1b.

Location Address: Land to the south of Astor Drive and east of Witherin Avenue, Grappenhall Heys, Warrington, WA4 3LG

Applicant: Homes England and Rowland Homes Ltd

Ward: Grappenhall

Site Allocation: Unallocated

Number of representations received: 69

Reason for Referral: Number of representations received

Statutory expiry date: 13/03/2020

Recommendation: Approve subject to conditions

Case Officer: Liz Snead
lsnead@warrington.gov.uk

SUMMARY OF KEY REASONS FOR RECOMMENDATION
- The principle of development has been established by the outline consent.
- The living conditions of adjacent occupiers would be protected from undue harm subject to conditions.
- The living conditions of the future occupiers of the site is considered to be acceptable.
- The proposal will not have an unacceptable impact upon local highway network and provides an acceptable level of car parking provision meeting the Council’s standards.
- The design of the proposal is in keeping with the existing character of the area.
- The proposal includes adequate protection of protected species and ecological mitigation.
- The development will not have an unacceptable impact upon flood risk.

OFFICER’S REPORT TO PLANNING COMMITTEE

1. APPLICATION SITE AND SURROUNDINGS

1.1 The application site currently comprises an open field of 5.26 hectares. The site is not allocated in the Local Plan Core Strategy, however outline planning permission for up-to 400 dwellings was granted in January 2017 and the land was originally acquired by the Commission for New Towns and has consent since September 1989 under sections 7(1) and 7(2) of the New Town Act 1981, as part of land at Grappenhall Heys for the development of residential and open space. The land is in the ownership of Homes England formerly the Homes and Communities Agency (HCA).

1.2 The application site is not in Green Belt and is not designated as public open space and as the land was identified for future development it is not allocated for any other use through local plan designation. The majority of the land is not open to the public to access, being farmland, although some routes through the site exist including a public right of way to part of the southern boundary. The site is adjacent to the Grappenhall Heys Local Wildlife Site (LWS).

1.3 The wider site subject to the 2017 outline planning application covers an area of approximately 19.7 hectares with this application covering 5.26 hectares of the site. Grappenhall Heys Local Wildlife Site (LWS) is immediately adjacent to the west and northeast of the site and the Dingle and Ford’s Rough LWS (also an Ancient and Semi-Natural Woodland) lies 300 metres to the west. To the south of the site is an existing residential area which has a variety of housing styles and heights. The application site is proposed to be accessed through this existing housing estate.

1.4 There is a site plan included at appendix one of the entire site with all of the phases labelled on it. Phase 1b of the development is located to the south of Phase 1a with a public right of way located between the two. The final phase of the development (granted outline consent in 2017) is located to the south and west of phase 1b.

2. DESCRIPTION OF PROPOSAL

2.1 The application is for approval of reserved matters relating to appearance, landscaping, layout and scale for 114 dwellings.

2.2 The application follows outline planning permission (2018/34167) for up to 400 dwellings including means of access. The wider site has been subdivided into 3 phases; this application seeks reserved matters approval for Phase 1b of the wider development with a separate application for Phase 1a also under
consideration by Development Management Committee on 4 March. At present no application for reserved matters has been submitted for a third phase.

2.3 The application proposes the following mix of detached; semi-detached and terraced dwellings with 30 percent affordable housing provided;

<table>
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<th></th>
<th>2 Bed</th>
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<tr>
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<td>33</td>
<td>13</td>
<td>47</td>
<td>5</td>
<td><strong>114</strong></td>
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2.4 The application represents a continuation of Lichfield Avenue with the plot 114 proposed to be orientated so that its principal elevation faces towards the existing properties on Lichfield Avenue and Chichester Close. The scheme is characterised by trees along the main access to the site along with grass verges.

2.5 The scheme is outwardly facing with the properties on the periphery of the site facing towards the wider environment and the properties that are bounded by existing residential properties observing standard separation distances. The proposal provides footpaths and cycle ways to link into the existing wider public rights of way network increasing the opportunities for health and wellbeing of the occupiers of the site.

2.6 The proposed development incorporates landscaping areas to all existing boundaries of the site that are not adjacent to existing residential properties. The scheme also includes an area of Sustainable Urban Drainage (SUDs) to the northeast of the site. The scheme incorporates a variety of different housing types and styles along with affordable housing.

3. AMENDED INFORMATION

3.1 During the process of the application, amended plans were received to address the issues raised by consultees. Consideration has been given to the necessity to re-consult on the additional information. In this instance it was considered that the additional information did constitute substantial difference to the originally submitted proposal and has therefore been subject to public re-consultation. The LPA has acted fairly and reasonably taking in to account the duty to fully consider representations from interested parties and has re-consulted in order to make sure that nobody has been deprived of the opportunity to make any representations that they may have wanted to make on the application as amended due to the nature of the change. All representations received are summarised below and are appraised against planning policy (where they are material in determining the application) within the assessment.

3.2 The amendments to the scheme include:
• Alterations to the layout of the site;
• Alterations to parking layout;
• Landscape amendments;
• Additional information relating to landscape;
• Removal of the detached garage on plot 21

4. LOCAL REPRESENTATIONS

Appleton Parish Council - Raises concerns including:

Highways Matters:

• Construction traffic to this site and would request that planning conditions be imposed so that access is restricted during rush hour periods in order to avoid congestion. Construction traffic should use Witherin Avenue only.
• The footpaths do not connect to the existing surrounding footpaths. This should be addressed in order to link the housing development to the surrounding areas. There are also no internal footpaths in the proposed housing development.
• The single road access to Grappenhall Heys and would ask that any planning conditions restrict access for construction traffic during rush hour periods in order to avoid congestion.
• The lack of cycle ways in the proposed housing development.

Amenity:

• The lack of green space, especially in comparison with the proposed housing development at Appleton Cross.

Design:

• The style of the proposed house types in particularly the outlook of some of the houses onto blank gable ends.

Affordable Housing:

• The affordable housing which should be spread around both sites not clustered together.

Grappenhall Parish Council – Raises concerns and asks for consideration of issues summarised as;
Highways:

- The roads look too narrow and difficult for either refuse lorries or emergency vehicles to access and turn around with potential accidents and physical damage occurring.
- Connectivity of footpaths to wider area.
- Too little of off-road and on-highway parking; no consideration to visitor parking.
- There is no provision for cyclists or cycle parking.
- Consideration needs to be given to disabled access and parking.
- There is no indication of bus route.
- Electric car charging points.
- Significant amounts of additional traffic will be going down Lichfield Avenue. 114 house means approximately 342 cars going in and out plus the rest who are on the estate already; it will become like a racing track.
- It is not clear from the plan but looks as though cars can park on the new road outside the walled garden – needs to be a barrier.

Design:

- Housing density is too large and too densely packed in.
- Poor design and layout e.g. houses with windows have a view of a wall.
- House style design and appearance needs to be in keeping with the existing development.

Amenity:

- Visual amenity and loss of privacy.
- Insufficient green space and trees – contrary to character of wider area.
- Maintenance of trees and greenspace.
- Noise and disturbance from houses and vehicle movements on existing residents.
- Screening doesn’t look adequate for existing residents which affects their “visual amenity”.
- Adequacy of street lighting
- The application does not proposed facilities such as shops (links to sustainable travel).
- Children will need to play in the street due to no green areas.
- There are no bungalows for older people.
- Existing fences/walls appear to be maintained to delineate to new properties - these fences etc belong to the existing householder and it appears to be another way of cutting costs for the builder.

Environment and Ecology:

- Potential impacts on existing wildlife including badgers, birds, hedgehogs.
- Surface water drainage issues.
- Pollution levels – impacts of play near cars.
- The outline planning permission showed a pond at the bottom Lichfield Avenue - it’s disappeared and replaced by garages.

Suggested Conditions relating to:
• No vehicles on site before 8am in the morning.
• No vehicles allowed past the Walled Garden before 8am in the morning due to the residents of Lichfield, Dashwood etc. needing to get to work.
• No vehicles to enter or leave site after 4.30pm, no work to be done after 5pm or machinery left running.
• No weekend working, no bank holiday working.
• Future repair to Lichfield Avenue; no tarmacing over blocked paving.
• All workers must park on the land acquired by the builder and not be parking on Lichfield and surrounding areas.
• Street cleaner machine required on a daily basis for all the mud.
• Any damage done to any of the water pipes and other facilities under Lichfield by the vehicles going onto the field must be mended immediately so no inconvenience is experienced by current residents.

This is a dog walking and wildlife area - no dangerous chemicals etc. to be left unattended so an animal can get hurt.

**Comment on Phase Two**

• Consideration of the impact to the existing school (Grappenhall Heys) layout which already has traffic issues and requires a redesign of access away from Keepers Road.

**General Public**

The applications was publicised by 338 neighbour notification letters and a site notice and press notice. As a result 69 objections have been received from residents with letters received from 39 households. These are summarised as follows:

**Principle**

• No provision for schools, medical centres or other services
• Land is Green Belt
• Brownfield land should be built on first
• Should be considered with all applications currently being built out
• Boundary of the village green has been redrawn
• Local Plan still not approved
• South Warrington does not need more housing
• Popular walking route and the building of houses will ruin the route
• Large number of vacant properties already in the area
• Lack of self-build plots on the site

**Character of area**

• Density too high
• Appearance of properties, not in keeping with character of area
• Lack of single storey properties
• Over-developed
• Cramped layout
• Loss of apartments is good but mews houses have been shoe-horned in instead
- Impact on the character of the walled gardens (in particular the impact of the garage on Plot 21)
- Poor design overall of the properties – properties facing onto blank gable walls
- Why are different materials proposed for the driveways of the affordable houses
- Properties on the road outside the walled garden should all face the walled garden rather than the two properties which are side on
- Proposed 1.8 metre high brick built wall along Chichester Close is out of keeping

**Parking and Highway Safety**
- Additional traffic and congestion
- Detrimental impact on highway safety
- Lack of infrastructure
- Deliveries should be limited to between 9 and 3
- Original application limited to 100 houses from a single access, now 114
- Lack of public transport in the area
- Air pollution
- Lack of electrical vehicle charging points
- In application 2018/34167 in a memo from the Environmental & Transport Directorate dated 15/1/2019 states that any major residential access road can serve up to 150 units. Under this plan this brings the number to 163.
- Variation of conditions application should not have been approved
- Lack of parking
- Lack of footpaths outside site
- How will people be prevented from parking in the road outside the walled garden
- what is the proposed surfacing material for the footpath from the site connecting to the existing footpaths

**Impact on residential amenity**
- Impact on residents during build – length of construction period should be limited
- Developer using existing boundary fences
- Properties in south-west corner too close to existing properties
- Plot 21 has a detrimental impact on the neighbouring properties
- Detrimental to visual amenity
- Area behind Dashwood Close requires a bigger buffer
- No shops in the local area
- Plot 114 is located on land that has always been used as communal grass area for residents
- What are the hard surfaced areas for between plots? E.g. plots 77, 80, 81 and 82
- 1.8 metre high brick built wall along Chichester Close will have a detrimental impact on visual amenity

**Heritage**
- Detrimental to the visual amenity of the walled garden
Arboriculture, Ecology and Environment

- Impact on wildlife and habitat
- Lack of Green space
- Loss of trees
- Proximity to the woodland
- Woodland Trust request a 30 m buffer zone this should be observed
- No management information in relation to the green space and who will pay for it
- Not clear if wildlife friendly measures are being proposed bat boxes etc
- Are bat/bird boxes being installed
- Bird boxes should not be on properties
- Limited green space proposed
- How is the green space to be managed in the future
- Will increase flooding
- Proposals should comply with the Environment Bill 2015 [requirement for biodiversity net gain on all sites]
- No sustainability proposed e.g urban drainage, rainwater collection and charging points for electric cars

Procedural

- Plans are large and hard to view online
- No plot substitution allowed without consultation

Other

- Who’s going to be able to afford these properties
- Properties should be affordable
- Need high speed broadband

5. CONSULTEES

WBC Transport Planning and Development Control – no objection but has requested conditions be added to any permission relating to electrical vehicle charging points, gradient of driveways, permitted development rights removal for garage conversions

WBC Conservation Officer – no objection

WBC Environmental Protection – no objection

WBC Flood Risk – no objection to the application as the scheme is proposed in accordance with Flood Risk Assessment submitted at the outline stage

WBC Social Regeneration – no objection subject to a condition relating to the submission of a local employment scheme [this condition is attached to the outline consent so there is no need to reapply to the reserved matters application]

WBC Tree Officer – no objection
Greater Manchester Ecology Unit – no objection but has requested condition be added to any permission relating to breeding birds, bats, great crested newts, landscape implementation and management

Cheshire Police – no objection

## 6. RELEVANT SITE HISTORY

<table>
<thead>
<tr>
<th>Planning Reference</th>
<th>Description of Development</th>
<th>Decision</th>
<th>Date of Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/36202</td>
<td>Reserved Matters (Major) - Reserved matters application for details regarding layout, scale, appearance and landscaping in relation to outline permission 2019/34167 for the residential development of 58 dwellings and associated development on Phase 1a</td>
<td>Pending decision</td>
<td></td>
</tr>
<tr>
<td>2019/34481</td>
<td>Reserved Matters (Major) - Reserved matters application for details regarding layout, scale, appearance and landscaping in relation to outline permission 2017/29929 for the residential development of 114 dwellings and associated development on Phase 1b</td>
<td>Refused for the following reasons: 1. The proposal is considered to be in conflict with condition 26 on the original outline permission as this restricted the number of dwellings served from a single access to 100 and the application proposes 114 dwelling to be accessed from a single access. The scheme is considered to have a detrimental impact on highway safety as a result of inadequate visibility at the priority junctions and private drives, lack of pedestrian connectivity, lack of parking, length of the private drive and vehicles crossing the footway while manoeuvring. The proposals are therefore considered to conflict with policies MP1 and QE6 of the</td>
<td>08/05/2019</td>
</tr>
</tbody>
</table>
Local Plan Core Strategy and the provisions of the NPPF.

2. The proposed development would not reinforce local distinctiveness or enhance the character and appearance of the area by virtue of the design of the proposed properties. The proposed development would not harmonise with the appearance of the existing buildings and fails to respect the architectural integrity of the wider area. The development therefore conflicts with Policy QE7 of Warrington Local Plan and the relevant sections of the NPPF.

3. The proposal is considered to adversely affect the level of residential amenity that the future occupiers of the site can reasonably expect to enjoy and the development would not provide future occupants with a satisfactory standard of living by virtue of poor separation distances between proposed dwellings, overshadowing of proposed dwellings and inadequate room sizes and the proposal is therefore considered to be contrary to policies CS1 and QE6 of the Warrington Local Plan and the provisions of the NPPF.

4. The proposal by reason of the type of affordable housing proposed and their location clustered together and concentrated in one area is considered to represent an unsustainable development that is unreflective of the mix of the proposed housing types. The proposal is therefore considered to be contrary to policies CS1 and SN2 of the Warrington Local Plan and the provisions of the NPPF.

5. The proposal is considered to be contrary to condition 16 and 21 of the outline consent as insufficient ecological mitigation and
<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Approved Date</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018/34167</td>
<td>Variation of Condition (Major) - Proposed variation of the wording of Condition 16 (Landscape and Environmental Management Plan), Condition 18 (Open Space) and Condition 26 (Number of properties being served from one Single Access Point to be increased from 100 to 114) on previously approved application 2017/29929</td>
<td>Approved subject to s106 agreement</td>
<td>29/03/2019</td>
</tr>
<tr>
<td>2018/33342</td>
<td>Non Material amendment - Proposed amendment to Condition 2 to include the Grappenhall Heys Site Phasing Plan (drawing ref: 30205) and proposed amendment to the wording of Condition 3 part C for the commencement of development on each phase separately to read: For each phase, as identified on the Grappenhall Heys Site Phasing Plan (drawing ref:</td>
<td>Approved</td>
<td>08/08/2018</td>
</tr>
</tbody>
</table>

Landscaping has been provided with the application to offset the loss of the biodiversity on the site. The proposal is therefore considered to be contrary to policy QE5 of the Warrington Local Plan and the provisions of the NPPF in terms of biodiversity net gain.
<table>
<thead>
<tr>
<th>Application No.</th>
<th>Description</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>30205</td>
<td>Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced on previously approved application 2017/29929</td>
<td>Approved</td>
<td>21/12/2018</td>
</tr>
<tr>
<td>2018/34043</td>
<td>Non Material Amendment - Proposed amendment to the wording of all the conditions to only require the submission of details applicable to each phase within any reserved matters application on previously approved application 2017/29929</td>
<td>Part approved and part refused as it was considered that elements of the proposal were beyond the scope of the Non Material Amendment process</td>
<td>21/12/2018</td>
</tr>
<tr>
<td>2017/29929</td>
<td>Outline Planning Permission (Major) - Proposed residential development comprising up to 400 dwellings, including means of access, recreational open space and related infrastructure. All detailed matters other than means of access to the site are reserved for subsequent approval</td>
<td>Approved subject to s106 agreement</td>
<td>18/01/2018</td>
</tr>
</tbody>
</table>

New Town Act 1981 section 7(1) & (2) consent for residential development.
7. PLANNING POLICY

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the source or number of third party representations received, remains the extent to which planning proposals comply with the Development Plan. The National Planning Policy Framework (NPPF) supports this legislative position and its contents are a material consideration in determining the application.

National Planning Policy Framework 2019 (NPPF)

7.2 The National Planning Policy Framework (2019) (NPPF) confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 7 of the document states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This is balanced by Paragraph 9 which states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

7.3 Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below.

7.4 As stated above, the NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan, in the case of Warrington, refers to the Local Plan Core Strategy (2014).

Relevant Policies in the Local Plan Core Strategy (2014):

CS1 (Overall Spatial Strategy – Deliver Sustainable Development)
CS2 (Overall Spatial Strategy and Distribution of Development)
CS4 (Overall Spatial Strategy – Transport)
SN1 (Distribution and Nature of New Housing)
SN2 (Securing Mixed and Inclusive Neighbourhoods)
QE3 (Green Infrastructure)
QE4 (Flood Risk)
QE5 (Biodiversity and Geodiversity).
QE6 (Environment and Amenity Protection)
QE7 (Ensuring a High Quality Place)
QE8 (Historic Environment)
SN7 (Enhancing Health and Wellbeing)
MP1 (General Transport Principles)
MP4 (Public Transport)
MP7 (Transport Assessments and Travel Plans)
The Council has prepared a number of Supplementary Planning Documents to guide development in the Borough, documents relevant to this proposal include:
- Planning Obligations
- Design & Construction
- Environmental Protection
- Standards for Parking in New Development

Grappenhall & Thelwall Neighbourhood Plan –
No further progress has occurred on the Neighbourhood Plan apart from the area of the plan being designated it therefore has no weight in the determination of this application.

8. EQUALITIES ACT (2010)

8.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equalities Act 2010. It is considered that the application has no differential impacts.

9. ASSESSMENT

9.1 The key issues of this particular application relate to:
- The principle of the development
- Highways matters
- Design/ Impact on Character & Appearance
- Residential Living Conditions
- Biodiversity

9.2 The principle of residential development on the application site was established in the New Town Act 1981. Outline planning permission was granted for residential development at Development Management Committee in October 2017 and therefore the principle of residential development within the wider site for 400 houses has been established. The outline consent did not include retail units within it as the scheme was purely for a residential development.

9.3 The outline consent was for the proposed residential development comprising up to 400 dwellings including means of access. The outline consent and subsequent variation of conditions application was approved subject to a section 106 agreement relating to:
- Bus Service Contribution;
- Bus Stop Contribution;
- Pedestrian Crossing Contribution;
• Signage Contribution;
• Health Care Contribution;
• Built Leisure Contribution;
• Sports Pitches Contribution; Primary Education Contribution; and
• Secondary Education Contribution

9.4 This application is a reserved matters approval for appearance, landscaping, layout and scale in accordance with the outline permission for 114 dwellings. Each of the reserved matters will be covered within the report. The land at Grappenhall Heys that is the subject of planning applications 2019/36202 and 2019/36204, has been included in the Council’s housing land supply since 2009. It forms part of a larger parcel (SHLAA Site Ref: 1646) identified to deliver 400 units over the next five years (2019/20 to 2023/24). The wider site makes a significant contribution (approximately 10 percent) to the Council’s 5 year supply of 3,816 units with this specific site delivering 3 percent of the Council’s supply. Currently, the Council are not able to demonstrate that they can maintain a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement and hence have failed the Government’s Housing Delivery Test (HDT). The SHLAA 2019 identifies that the Council currently have a 3.7 years deliverable supply and these applications are included in the current housing land supply and the decision on these applications will affect the deliverable supply of housing.

9.5 In summary, the principle of the proposed development is acceptable in terms of the provisions of the NPPF and policy CS1 of the Local Plan Core Strategy subject to an assessment relating to the appearance, landscaping, layout and scale of the proposal.

Highway Matters

9.6 Policy CS1 of the Warrington Borough Council Core Strategy identifies the need to protect public safety. Policy QE6 of the Warrington Borough Council Core Strategy 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.

9.7 Policy MP1 of the Warrington Borough Council Core Strategy 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 of the Warrington Borough Council Core Strategy states that the Council will require all development to (a) demonstrate that it will not significantly harm highway safety and (b) show that all trips generated by development can be adequately served by Warrington’s Transport Network. Where a development will have a significant effect on the transport network policy MP7 advises that appropriate mitigation measures, including any necessary transport infrastructure, will need to be put in place before the development is used or occupied.
9.8 This application is for reserved matters following an outline permission for the erection of up to 400 dwellings originally approved under application reference 2017/29929. This original outline planning permission was subject to a variation of conditions application 2018/34167, which sought to vary a condition on the original outline permission that restricted the number of dwellings to be served off each access to 100 dwellings to allow to allow up to 114 dwellings to be served from a single access point. As permission (2018/34167) was granted for this variation in 2018, the current application proposes the erection of 114 dwellings from the approved access point from Lichfield Avenue and is considered to be in accordance with the outline planning permission for the site.

9.9 A number of representations have raised concern regarding the number of dwellings served by each access exceeding 150 dwellings when the new properties are combined with the existing properties surrounding the application site. The Council’s Highways Officer has considered the number of dwellings and the routing of the access taking into account number of issues such as emergency service access, potential for public transport provision, pedestrian/cycle linkage, future maintenance considerations and potential access issues in the event of unforeseen works such as a sewer collapse; as well as wider planning considerations. This consideration has included the existing properties served by the access and it is considered that the proposal accords with the principles of current design guidance for highways which are the Design manual for roads and bridges and manual for streets and that the access arrangements are appropriate for the number of dwellings proposed.

9.10 The proposed access is a continuation of the existing Lichfield Avenue and it is proposed to create a carriageway with a width of 5.5 metres with 2 metre footways to match existing. These carriageway and footway widths are maintained throughout the site. Vehicle tracking drawings have been submitted with the application and they prove that the access from Lichfield Avenue and internal layout allow appropriate provision for the access, turning and manoeuvring of emergency and service vehicles. All junctions have the appropriate visibility splays provided within the adopted highway. The layout itself is not conducive to high vehicle speeds. The street lighting for the site will be assessed as part of the section 38 adoption of highways process.

9.11 In relation to the proposed parking on the site, the layout meets the required parking standards with the residents parking provided within the curtilage of the new dwellings. Not all plots have sufficient parking to cater for the required visitor parking in curtilage, however, the overall layout allows appropriate provision for the on-street parking to cater for visitors and this includes the road to the front of the walled garden. This approach accords with the Council’s Standards for Parking in New Development SPD and is therefore considered to be acceptable.

9.12 There are a few plots where the combined driveway and pedestrian access are below the required 3.3 metres wide, however, sufficient width is available so that this area could be widened and it is considered necessary to add a condition to require this to occur. As the site is a sloping site, it is also
considered necessary to add a condition limiting the gradient of the drives to no more than 1 in 12.5.

9.13 In terms of the connectivity of the site, footways are provided throughout the site and at key points there are connections to the existing wider pedestrian and cycle network ensuring the development has good permeability and links to the wider area. No details relating to cycle parking have been provided with the application and it is considered necessary to add a condition requiring details of this to be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of each property. Currently there are no rights of access across the field as there are public rights of way to the south and north of the field and to the west with a further footpath through the woods to the east of the site. The proposal is not proposing to remove any of the existing footpaths but to create formal links to them at key points around the site.

9.14 The Highways Officer has also requested that a condition relating to electrical vehicle charging points be added to the reserved matters application. This condition has been requested from the applicant and a response has been received that as this is a reserved matters application, the proposed condition relating to electrical vehicle charging point cannot be added to this consent as it does not directly relate to appearance, layout, scale or landscaping. It is considered that the provision of electrical vehicle charging points can be a reserved matters issue as it relates to the external appearance of a building (on the assumption that plug points are not provided within garage areas). On this basis electrical vehicle charging points will be required to all properties without a garage.

9.15 In relation to the construction of the properties, the outline consent is subject to a condition requiring the submission of details relating to the routing of the deliveries to the site, the areas for vehicle parking and hours of work and this condition will be determined through consultation with the relevant consultees.

9.16 In relation to the storage of bins and refuse collection, the majority of the properties will have the bins collected from their property, however, when the private drive exceeds the length that is accepted for bin collection there is a bin collection area, As there are a number of terraced properties proposed, to enable the central properties to not store the bins to the front of the properties there are ginnels proposed to allow the bins to be moved to the front of the property for collection on bin days.

9.17 For the above reasons, it is considered that there would be no detrimental impact as a result of the proposal upon the highway network and the resultant development would not result in adverse impacts in terms of highway safety. The proposal is considered to represent a sustainable form of development with links to the wider footpath and cycle ways proposed as well as electrical vehicle charging points. Therefore considered acceptable in accordance with Core Strategy policies CS1, QE6, MP1 and MP7.
Design and Impact on Character & Appearance of the surrounding area

**Appearance and Scale**

9.18 Warrington Borough Council’s Core Strategy Policy CS1 identifies the need to provide high standards of design that have particular regard to local distinctiveness. In addition, Policy QE7 requires that new development proposals should reinforce local distinctiveness and enhance the character, appearance of the area, and harmonise with the scale, proportions and materials of adjacent and existing buildings. The NPPF identifies that planning decisions should address the connections between people and places and the integrate new development into the existing natural, built and historic environment. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

9.19 The site which is accessed from Lichfield Avenue is situated adjacent to an existing residential area. The existing residential development in the area was built in phases beginning in the 1990’s and this is shown in the variety of designs that are within the area. The dwellings to the south of the site on Dashwood Close, Lichfield Avenue and Chichester Close mainly consist of two storey detached properties of varying designs. These properties have quoin details but they are created using a different colour brick and there are lintels above the windows.

9.20 The existing residential area to the north of phase 1a includes large detached three storey dwellings set in generous plots around a pond adjacent to the north of the site on Wolfe Close, three storey semi-detached and terraced properties on Astor Drive. These properties located to the north of the site are all red brick with the quoins and certain brick courses in a buff stone.

9.21 The applicant has proposed a variety of different house types with the majority being two storey properties with a small number being two storey with accommodation in the loft space, and vary from terraced properties up to large detached properties. The use of mainly two storey properties with a smaller number of taller properties is considered to be in keeping with the wider character of the area. The site has a typical layout as rears of properties face towards gables as there are a number of cul-de-sacs around the site.

9.22 The properties are accessed from Lichfield Avenue, the existing properties at the end of this road being 2 storey properties with front facing gables feature brick quoins. The quoin features has been integrated in to the design of a proportion of properties within the proposed development, respecting the local vernacular. A number of the properties include brick quoins within the design. Other design features include Tudor boarding, hanging tiles and render to the forward facing gables and this ensures that the new properties link back to the existing built environment but that they have a character of their own as well. The palette of materials is considered to reflect that of the surrounding area and are therefore acceptable subject to a condition to ensure that the quality of the development extends to the materials used. The design of the
properties is considered to be in keeping with the character of the area and complies with policies CS1, QE6 and QE7 of the Local Plan.

9.23 The site layout demonstrates that plot 114 (located at the junction with Chichester Close and Lichfield Avenue) is orientating so that its principal elevation fronts towards the existing houses located on the junction between Chichester Close and Lichfield Avenue and also has principal windows facing into the site to link this property into both the existing and proposed streetscene. The indicative layout submitted with the outline application had shown a pond in this location but following an investigation of the drainage of the site, the sustainable urban drainage could not be located in this area. The use of a property on this site is also considered to link the new housing back to the existing residential development. The orientation of this property is considered to fit well into the existing street scene and appropriately links the new development into the existing built environment. The proposal is therefore considered to be in keeping with the character of the area and complies with policies CS1, QE6 and QE7 of the Local Plan and the provisions of the NPPF.

Layout

9.24 Policy QE7 of the local plan and the NPPF require that new development use the density and mix of development to optimise the potential of the site without damaging the character of the area. The applicant has proposed a variety of different housing types, thereby providing a wide range of different dwellings with some of the differences in the dwellings being the inclusion or exclusion of an integral garage so there is an overall integrity to the proposed design of the properties.

9.25 In relation to the density of the site, the NPPF is clear in paragraph 123 that where there is a known shortage of deliverable housing land, as in Warrington consideration should be given to maximising the potential of land in terms of density. To comply with this provision of the NPPF, there would therefore be a requirement to build all new residential developments at a high density. Warrington’s SHLAA assumes a density of between 30 and 50 dwellings per hectare within the outer areas in which the site is located. The density of the proposed scheme is 26 properties per hectare cannot be considered to be high density and is lower than would be expected in other outer areas in Warrington. In assessing whether these densities form a suitable use of the land consideration has been given to the outline planning consent, which established a baseline density across the site, and the design and character of the proposal in relation to the establish residential surroundings, as allowed for by both the NPPF and the Local Plan. It is considered that that the proposed density of 26 properties per hectare is in keeping with the densities in the adjacent established residential areas and therefore it is acceptable in this instance.

9.26 As set out in more detail below, the affordable housing units are well distributed across the site, in accordance with good practice.
9.27 The site layout is in keeping with the wider character of the area as it is served from one main road. The site has been designed so that the main road to the site is tree lined with a number of other trees located in the front gardens of plots around the site. The proposal is an open plan estate with no boundaries proposed to the front of the properties apart from to number 114 which is the keeping the existing wall with fence above that is currently on the site. It is considered necessary to remove the permitted development rights from properties for front boundary treatments to ensure that this sense of open plan is maintained in the future. The rest of the boundary treatments are only proposed to be around amenity spaces and are offset from the proposed footpaths to create open vistas across the site. The layout of the site is designed so that all properties face towards the wider environment unless there are existing residential properties in this area. The proposal has been designed to allow natural surveillance of the landscaped areas from the properties as well as views towards the walled gardens rather than creating a sense of enclosure to this space from the boundary treatments of amenity spaces.

9.28 The internal roads within the development have been given a hierarchy and where possible the properties face onto the main road, with the exceptions to this being plots 33 and 34 and in this case this road is considered to represent a secondary road but is required to allow the development to have an outwardly facing feel.

9.29 A number of the properties only have a small area of residential amenity space and it is considered to remove permitted development rights from these properties only for extensions. The rest of the properties benefit from a reasonable area of amenity space and it is not considered necessary to remove permitted development rights from these properties.

9.30 Overall, it is considered that the proposed layout expresses the principles of the layout agreed at outline stage, including adequate areas of ecological mitigation, open space and linkages to the existing footpath networks.

9.31 On the basis of the above it is considered that the proposal accords with development plan policies CS1, QE6 and QE7 and as such is acceptable subject to the stated conditions.

Residential Amenity

9.32 The National Planning Policy Framework requires that new development should secure a good standard of amenity for all existing and future occupants. Core Strategy Policy CS1 identifies the need to safeguard public amenity, while QE6 identifies that consideration should be had to the need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance.

Adjoining occupiers
9.33 The general guidance set out in the House Extensions SPD, is a good guide for ensuring adequate separation distances between new properties to ensure that the residential amenity of existing and future occupiers is not unacceptably impacted. The guidance states that the minimum separation distance is 13 metres between principle windows on a rear elevation to a blank gable and 21 metres from principle to principle windows on two storey elements. A greater separation distances is required between three storey properties by way of an additional 3m separation for each difference in storey height.

9.34 The properties located to the south of the site (Dashwood Close, Chichester Close and Lichfield Avenue) are two storey properties. As there are only a small number of existing dwellings located to the south of the application site, the separation distance to each of them will be taken in turn.

9.35 9 Lichfield Avenue is located adjacent to the proposed entrance to the site and plot 1 is located to the north of this property and is slightly staggered forward (2 metres forward). Plot 18 and 19 are located at a right angle to this property and plot 18 is located 17 metres away from the rear of the property and approximately 12.5 metres away from the existing boundary treatment, there is also no direct relationship between the proposed properties and the existing property. The separation distance to this property and the staggered arrangement means that there will be no unacceptable overlooking and loss of privacy of the property, however, there might be overlooking to the rear garden, however, due to the separation distances on site this is considered to be acceptable. In addition, the applicant has provided evidence that demonstrates there is no unacceptable overshadowing to the front of the property from the forward stagger of plot 1. The impact on the existing property has been assessed using the 45 degree rule and this demonstrates that the proposed property will not be overbearing and there will be no unacceptable overshadowing on this property (please see extract of plan below demonstrating the 45 degree rule).
9.36 2 Dashwood Close is separated from the application site by the garden of an existing property and 4 Dashwood Close is located at a slight angle to the closest residential property and the separation distance is 26 metres at the closest point to these two properties, the proposal is not considered to have an unacceptable detrimental impact on the residential amenity of these properties through overshadowing, overlooking or loss of privacy.

9.37 Again there is no direct relationship between the proposed properties and 6, 8 and 10 Dashwood Close as these properties have their read elevations facing towards the application site and plots 20 and 21 have their side elevation facing towards these properties. 6 Dashwood Close is 21 metres from the closest element of plot 21. 8 Dashwood Close is located approximately 14.8 metres from the side wall of plot 21 and 10 Dashwood Close is located over 20 metres away and again due to the separation distances available on site and the orientation of the properties, the proposal is not considered to have an unacceptable detrimental impact on the residential amenity of these properties through overshadowing, overlooking or loss of privacy.

9.38 Finally, 2 Chichester Close is facing towards the access road to the application site and is separated by an existing road; it is proposed that one of the new properties is located at the entrance to the site and is effectively opposite this property; they are orientated away from one another and there is no direct interface. The separation distance between the two properties is over 20 metres and at an angle and there is no unacceptable impact on this property through the proposal. The issue of the insertion of a boundary wall in this location has been raised as having an impact on the visual amenity of the occupiers of the adjacent properties. The proposed boundary wall is set further into the site than the existing boundary treatment and that is proposed
to be retained. The use of a new boundary wall in this location is not considered to have a detrimental impact on the visual amenity of the area.

9.39 The proposal is not considered to have unacceptable detrimental impact on the residential amenity of this property through overshadowing, overlooking or loss of privacy. With the proposed conditions, it is considered that the proposal would not give rise to significant amenity issues for existing residents and complies with relevant policies in the NPPF and policies QE5 and QE6 of the Core Strategy.

Amenity of Future Occupiers

9.40 The application proposes a high-quality residential environment and the layout of the site achieves compliance with the Council’s adopted standards for separation distances between built forms to ensure that an acceptable standard of accommodation is provided. Each dwelling is provided with private amenity space and communal areas, including play space, are provided within the layout of the overall application site. These areas provide suitable provision for children to play and the quality of the environment for these areas will be controlled under the reserved matters application for the next phase and the existing play equipment in the surrounding area provides an additional appropriate facility.

9.41 There are a number of properties that benefit from smaller amenity spaces than others and it is considered necessary to remove the permitted development rights from these properties from extensions and for the insertion of windows in the roof slope of the garages. In addition, as the estate is proposing minimal hard landscaping boundaries it is also considered necessary to remove permitted development rights for the erection of front boundary treatments.

9.42 It is considered that the quality of accommodation, in terms of the size of habitable rooms, is material in considering this application and therefore the application has been assessed using the Nationally Described Space Standards (March 2015). As the application includes 2 bedroom properties, the national standards normally require a minimum internal space of 70 m² 2 bed two storey accommodation. The application proposed 2 bedroom terraced properties and the internal space proposed for these is 70 m². The internal space proposed for the 3 bed two storey properties is 84 m² and this is in line with the required internal space standard of 84 m² for a 3 bed property. The properties represent a significant increase in living accommodation proposed to the previous application.

9.43 With the proposed conditions, it is considered that the proposal would not give rise to significant amenity issues for existing residents and complies with relevant policies in the NPPF and policies QE5 and QE6 of the Core Strategy.
Affordable Housing

9.44 The conditions and section 106 agreement on the outline consent require that 30 percent of the housing provided on the site is affordable housing with 50 percent of this to be affordable rent and 50 percent intermediate shared ownership. The application proposes the provision of 30 percent affordable housing on the site in the following format:

Affordable rent

9.45 2 bedroom terraced properties – 13
3 bedroom terraced properties – 4

Intermediate- shared ownership

9.46 3 bedroom terraced properties – 15
3 bedroom semi-detached properties - 2

9.47 The Planning Obligations SPD states at para 3.22 that the Council will have regard to the most up to date information on housing needs in negotiating the dwelling mix on new housing developments. The application proposes that the affordable units are located in the majority in the central and eastern part of the site. SN2 and the NPPF require that new development creates mixed and inclusive neighbourhoods and as part of this the affordable units should be pepper potted across the site rather than all located in the same area.

9.48 The SPD goes on at para 3.23 to refer to the 2016 Mid-Mersey SMHA which indicated that for Warrington approximately 75 percent of the affordable housing need is for 1 and 2 bedroom affordable homes and approximately 25 percent for 3 bedroom properties. There is only a very small residual need for larger properties.

9.49 The affordable properties are proposed in the form of 2 and 3 bedroom properties which is in keeping with the details outlined in the SMHA and the affordable properties are distributed across the site. The applicant has confirmed that they are in conversation with registered providers with a number interested in the site but no contract has been signed. The proposal is considered to comply with the provisions of the NPPF and policy SN2 of the local plan

Landscape and ecological mitigation

9.50 As part of the outline application there was a requirement to mitigate the loss of the biodiversity of the site in the form of areas of high ecological value habitat within the landscaping of the site. Condition 16 on the outline consent outlined the level of mitigation that was considered to be appropriate on the site in terms of high ecological value habitat. The level of mitigation was agreed to be 2.41 hectares across the entire site with each phase of the development delivering the relevant percentage of the mitigation. On this basis this phase of the development is required to provide 26.7% of the
required 2.41ha of the ecological mitigation which is a total of 0.64 ha, the proposed area exceeds this providing 0.98ha of ecological mitigation which equates to 40.6% of the required total. The level of ecological mitigation is therefore acceptable acceptable and means that there is an increase in the amount of ecological mitigation proposed across the site.

9.51 The ecological mitigation and landscaping is proposed surrounding the site and also includes the sustainable drainage in the northern most corner of the site. The mitigation is provided through the type of landscaping proposed on the site with the planting including native species, species diversification and tree planting. The proposal allows for the continuation and improvement of existing areas of landscaping which has the ultimate aim of creating habitat linkages and corridors which would provide commuting and foraging habitat for bats and birds.

9.52 Section 170 of the NPPF 2018 states that the planning system should contribute to and enhance the natural and local environment. As part of reserved matters application a Landscape and Environmental Management plan (LEMP) has been provided in line with conditions 16 (and 21) on the outline and this submission is considered to be acceptable. However, no details of how this is to be provided has been supplied and it is therefore considered necessary to add a condition requiring the management element of it to be agreed prior to the occupation of the first property on this phase.

Biodiversity

Bats

9.53 As a result of this phase of the development, there are no structures or mature trees to be lost and therefore no updated bat surveys were required. Any impacts to bats were fully mitigated against by conditions on the outline consent. The submitted application includes proposals for bat boxes on the site as part of the ecological mitigation and it is proposed that these measures are conditioned to ensure that they occur on the site.

Badgers

9.54 Under the Protection of Badgers Act 1992 it is an offence to intentionally or recklessly interfere with a badger sett. Surveys dealing with all animals were submitted with the application at outline stage and no further surveys or measures are required at this stage in the application. Badgers are a highly mobile species and there is a condition on the outline consent requiring prior to any earthworks commencing on site that either details of a licence to deal with badgers is submitted or a statement is submitted stating why there will be no effect on badgers.

Great Crested Newts

9.55 Updated Great Crested Newts surveys have found no evidence that they will provide a constraint on the development. No objection to the information
provided in relation to Great Crested Newts but conditions are requested relating to the submission of additional information depending on build times. Should the development commence on site prior to end of April 2020 there will be no requirement to resurvey for Great Crested Newts; a condition would be attached to the permission to ensure that a resurvey would take place in the end of a delayed start.

**Local Wildlife Sites**

9.56 Grappenhall Heys Wildlife Site lies immediately adjacent to the western boundary of the site. The proposed site layout indicates a reasonable buffer to the wildlife site. The outline consent includes conditions to ensure that there is no impact on the Wildlife site through the construction process. The application site is located directly adjacent to this site and is separated by the existing trees which are proposed to be retained. The properties are orientated so that they are in the majority facing towards the walled garden with the access between the two.

**Nesting Birds**

9.57 The proposal does not include the removal of any of the trees from the site. The application includes proposals for bird boxes and it is proposed that these measures are conditioned to ensure that they occur on the site.

**Trees**

9.58 An objection has been received on this application, stating that the requested 30 metre buffer zone from the Woodland Trust should be observed, the Woodland Trust has not commented on this application. Notwithstanding this, the application does not propose the removal of any of the existing trees from the site. Proposals for the protection of the existing trees surrounding the site during construction have been put forward and these measures are considered to be acceptable. The majority of the properties are offset from the existing trees with only plot 21 sharing a common boundary with any existing trees. Due to the location of this property and the trees, it is unlikely that there will be pressure from the future residents of this property to prune the trees. It is not considered that any possible future impact on the trees is an adverse impact that would significantly and demonstrably outweigh the benefits of delivering housing on this site.

9.59 With the proposed conditions relating to implementation and surveys the proposal is considered to comply with the provisions on the NPPF and policies CS6, QE3 and QE5 of the Local Plan.

**Heritage Matters**

9.60 Approximately 500 metres to the east of the site is East Lodge which is a locally listed building and Grappenhall Heys Walled Garden is located adjacent to the southern boundary of the site. Grappenhall Heys Walled
Garden is considered to represent a non-designated heritage asset. The NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets importance. Between the application site and the locally listed building is the existing woodland and the proposal is not considered to have an impact on the setting of the locally listed Lodge Building.

9.61 Grappenhall Heys Walled Garden is located adjacent to the south eastern boundary of the site. The proposal seeks to retain the existing tree and hedge landscape buffer between the development site and the walled garden. It is proposed to provide further planting within the development site and the new properties would be set back from the boundary to accommodate an access road. The combined landscape screening and layout of the development would mitigate any impact on the setting or views out of the walled Garden. The impact of the principal of residential development on the non-designated heritage asset was assessed during the outline consent. The proposal is not considered to cause any harm to the non-designated heritage asset and in any event the benefits of the scheme in providing new homes with a policy required level of affordable housing should be given great weight. The proposal is considered to comply with the provisions of the NPPF and Policy QE8 of the Local Plan.

Flood Risk and Drainage

9.62 At outline stage, the submitted Flood Risk Assessment was reviewed and the proposed drainage strategy was considered acceptable. A sustainable drainage system (SUDs) has been proposed as part of the reserved matters application in the northeast corner of the site.

9.63 The Council’s Local Lead Flood Authority have been consulted as have United Utilities. The LLFA have no objection to the proposal as the drainage has been designed in accordance with FRA submitted at outline stage.

9.64 On the basis of the above it is considered that the proposal accords with the development plan policy QE4 of the Local Plan.

Other Issues

9.65 The issue of the proposed property at plot 114 being built on communal grassland has been raised through the consultation process. This section of land is located behind the existing boundary treatment that was left as part of the previous phase of the development. However, this space was not intended to be used as a communal area of open space and was left to enable the access to existing properties to be created. The loss of this informal area of grass is not considered to have a detrimental impact on the character of the area.
9.66 If the application is approved then the submitted plans will be referenced in a condition and any amendments to this would require further agreement from the local planning authority.

9.67 The variation of conditions application for this site was fully assessed against all relevant policies and a full consultation was undertaken of consultees and neighbours with the same number of neighbours consulted on the variation of conditions application as the current reserved matters application.

9.68 There is no requirement in the Local Plan to make provision for Self-Build and Custom housing as part of any housing mix. The S106 Agreement related to the outline planning permission contains no requirement to provide any Self-Build & Custom housing in the housing mix.

Planning Application Documents

9.69 The application has been submitted with all of the documents that are statutorily required for a full planning application for the proposed development. Consultation on the application has been undertaken twice, once providing the statutory period on receipt of the application and a second occasion following the receipt of amended plans. It is considered that all plans submitted are at a recognised metric scale and are available for view on the Warrington Borough Council website.

10. CONCLUSIONS AND RECOMMENDATIONS

10.1 The proposal is acceptable in principle. It is considered that the details matters of appearance, scale and landscaping are acceptable. The proposed properties are considered to include the architectural merit that is required in this location. The proposal includes ecological mitigation to offset the loss of the existing agricultural land and is in excess of the required level of ecological mitigation to be provided on the site. It is considered that the proposal would not have a harmful impact on the amenities of the adjacent properties and the future occupiers of the site. The application demonstrates that the impact on the highway network would be acceptable.

10.2 The proposal creates links into the wider area through the proposed footpath links. The proposal is considered to adequately mitigate against any impact on protected species. The proposal therefore complies with the provisions on the NPPF and policies of the Local Plan.

10.2 The application is recommended for approval subject to conditions.
11. SCHEDULE OF CONDITIONS

1. This reserved matters approval relates to outline planning permission 2018/34167 only, and shall not be implemented otherwise in accordance with the following approved drawings and documents:

Location Plan (SK298-LP-01 Revision C); Topographical Survey (SM.TS.13 Revision A); Planning Layout (SK298-PL01-01 Revision L); Hard Landscaping Layout (SK298-HLL01-01 Revision G); Materials Layout (SK298-PML01-01 Revision D); Boundary Treatment Layout (SK298-BTL01-01 Revision D); Open Space Layout (SK298-OSL-01 Revision D); Tree Protection Plan (SK298-TPL-01 Revision D); Tree Survey Plan (P.1099.18.01); Tree Data Table (P.1099.18); Root Protection Detail (W0999-FP-101); Arboricultural Report (dated May, 2016); Arboricultural Survey 1 of 4 (3344/100); Arboricultural Survey 2 of 4 (3344/100); Arboricultural Survey 3 of 4 (3344/100) Arboricultural Survey 4 of 4 (3344/100); Affordable Housing Layout (SK298-AFF-01 Revision D); Affordable Housing Statement (Revision C); Interface Distance Layout (SK298-IDL01-01 Revision C); Parking Provision Plan (SK298-PPP-01 Revision C); Factual and Interpretative Ground Investigation Report (A090070-449, dated February 2018); Phase 1 Environmental Assessment (5148512/GrappenhallHeys/v1, dated February 2017); Swept Path Analysis – 12m Rigid HGV (SCP_190035_ATR01 Revision B); Swept Path Analysis – Large Refuse Vehicle (SCP_190035_ATR02 Revision B); Site Sections (SK298-PSS-01); Street Scenes (W0999SS/801 Revision B); Landscape Management Plan (1143.19 Revision D); Planting Plan 1 of 5 (P.1143.19.01 Revision E); Planting Plan 2 of 5 (P.1143.19.01 Revision E); Planting Plan 3 of 5 (P.1143.19.01 Revision E); Planting Plan 4 of 5 (P.1143.19.01 Revision E); Planting Plan 5 of 5 (P.1143.19.01 Revision E); Boundary Treatment Details (SK298-BTD01-01 Revision B); Extended Double Garage (GRA/PDO/107); Single Garage (GRA/PDO/108); Double Garage (GRA/PDO/109); Indicative Drainage Layout 1 of 4 (30102-655 Revision P2); Indicative Drainage Layout 2 of 4 (30102-656 Revision P2); Indicative Drainage Layout 3 of 4 (30102-657 Revision P2); Indicative Drainage Layout 4 of 4 (30102-658 Revision P2); Indicative Drainage Layout Complete System (30102-659 Revision P2); Merrington Elevation Plot 12 (GRA/PDO/001); Merrington Floor Plan Plot 12 (GRA/PDO/002); Merrington Elevation Plot 58 (GRA/PDO/003); Merrington Floor Plan Plot 58 (GRA/PDO/004); Longrushi Elevation Plot 35 (GRA/PDO/005); Longrushi Floor Plan Plot 35 (GRA/PDO/006); Laurieston Elevation Plot 17, 99 (GRA/PDO/007); Laurieston Floor Plan Plot 17, 99 (GRA/PDO/008); Laurieston Elevation Plot 31 (GRA/PDO/009); Laurieston Floor Plan Plot 31 (GRA/PDO/010); Laurieston Elevation Plot 88, 111 (GRA/PDO/011); Laurieston Floor Plan Plot 88, 111 (GRA/PDO/012); Hollandswood Elevation Plot 26, 96 (GRA/PDO/013); Hollandswood Floor Plan Plot 26, 97 (GRA/PDO/014); Hollandswood Elevation Plot 18, 62 (GRA/PDO/015); Hollandswood Floor Plan Plot 18, 62 (GRA/PDO/016); Heddon Elevation Plot 2, 86, 92, 101 (GRA/PDO/017); Heddon Floor Plan Plot 2, 86, 92, 101 (GRA/PDO/018); Heddon Elevation Plot 6 (GRA/PDO/019); Heddon Floor Plan Plot 6 (GRA/PDO/020); Hampsfield Elevation Plot 16 (GRA/PDO/021); Hampsfield Floor Plans Plot 16 (GRA/PDO/022); Hampsfield Elevation Plot 93 (GRA/PDO/023); Hampsfield
Floor Plans Plot 93 (GRA/PDO/024); Hampsfield Elevation Plot 11, 98 (GRA/PDO/025); Hampsfield Floor Plans Plot 11, 98 (GRA/PDO/026); Parkwood Elevation Plot 68, 109 (GRA/PDO/027); Parkwood Floor Plan Plot 68, 109 (GRA/PDO/028); Parkwood Elevation Plot 3 (GRA/PDO/029); Parkwood Floor Plan Plot 3 (GRA/PDO/030); Millwood Elevation Plot 14, 63, 64, 89, 95 (GRA/PDO/031); Millwood Floor Plan Plot 14, 63, 64, 89, 95 (GRA/PDO/032); Kingsmoor Elevations Plot 25, 91 (GRA/PDO/033); Kingsmoor Floor Plan Plot 25, 91 (GRA/PDO/034); Kingsmoor Elevations Plot 13, 19, 41, 56, 61 (GRA/PDO/035); Kingsmoor Floor Plan Plot 13, 19, 41, 56, 61 (GRA/PDO/036); Marlborough Elevation Plot 59, 87, 94, 97 (GRA/PDO/037); Marlborough Floor Plan Plot 59, 87, 94, 97 (GRA/PDO/038); Marlborough Elevation Plot 24, 57, 60 (GRA/PDO/039); Marlborough Floor Plan Plot 24, 57, 60 (GRA/PDO/040); Melton Elevation Plot 100 (GRA/PDO/041); Melton Floor Plan Plot 100 (GRA/PDO/042); Melton Elevation Plot 85, 90 (GRA/PDO/043); Melton Floor Plan Plot 85, 90 (GRA/PDO/044); Melton Elevation Plot 34 (GRA/PDO/045); Melton Floor Plan Plot 34 (GRA/PDO/046); Melton Elevation Plot 33 (GRA/PDO/047); Melton Floor Plan Plot 33 (GRA/PDO/048); Sandholme Elevation Plot 15, 32, 102 (GRA/PDO/049); Sandholme Floor Plan Plot 15, 32, 102 (GRA/PDO/050); Sandholme Elevation Plot 7, 20, 23 (GRA/PDO/051); Sandholme Floor Plan Plot 7, 20, 23 (GRA/PDO/052); Southwood Elevation Plot 45 (GRA/PDO/053); Southwood Floor Plan Plot 45 (GRA/PDO/054); Southwood Elevation Plot 65, 110 (GRA/PDO/055); Southwood Floor Plan Plot 65, 110 (GRA/PDO/056); Castlevale Elevation Plot 73 (GRA/PDO/057); Castlevale Floor Plan Plot 73 (GRA/PDO/058); Castlevale Elevation Plot 74 (GRA/PDO/059); Castlevale Floor Plan Plot 74 (GRA/PDO/060); Caplewood Elevation Plot 42 (GRA/PDO/061); Caplewood Floor Plan Plot 42 (GRA/PDO/062); Caplewood Elevation Plot 43 (GRA/PDO/063); Caplewood Floor Plan Plot 43 (GRA/PDO/064); Argyll Elevation Plot 75, 106 (GRA/PDO/065); Argyll Floor Plan Plot 75, 106 (GRA/PDO/066); Argyll Elevation Plot 77, 108 (GRA/PDO/067); Argyll Floor Plan Plot 77, 108 (GRA/PDO/068); Windermere Elevation Plot 27, 46, 49, 53, 67, 69, 78, 81, 103 (GRA/PDO/069); Windermere Floor Plan Plot 27, 46, 49, 53, 67, 69, 78, 81, 103 (GRA/PDO/070); Windermere Elevation Plot 30, 48, 52, 55, 66, 72, 80, 84, 105 (GRA/PDO/071); Windermere Floor Plan Plot 30, 48, 52, 55, 66, 72, 80, 84, 105 (GRA/PDO/072); Windermere Elevation Plot 54 (GRA/PDO/073); Windermere Floor Plan Plot 54 (GRA/PDO/074); Westwood Elevation Plot 114 (GRA/PDO/075); Westwood Floor Plan Plot 114 (GRA/PDO/076); Caplewood Elevation Plot 112 (GRA/PDO/077); Caplewood Floor Plan Plot 112 (GRA/PDO/078); Caplewood Elevation Plot 113 (GRA/PDO/079); Caplewood Floor Plan Plot 113 (GRA/PDO/080); Argyll Elevation Plot 8 (GRA/PDO/081); Argyll Floor Plan Plot 8 (GRA/PDO/082); Argyll Elevation Plot 10 (GRA/PDO/083); Argyll Floor Plan Plot 10 (GRA/PDO/084); Windermere Elevation Plot 37 (GRA/PDO/085); Windermere Floor Plan Plot 37 (GRA/PDO/086); Windermere Elevation Plot 40 (GRA/PDO/087); Windermere Floor Plan Plot 40 (GRA/PDO/088); Longrush Elevation Plot 4 (GRA/PDO/089); Longrush Floor Plan Plot 4 (GRA/PDO/090); Longrush Elevation Plot 5 (GRA/PDO/091); Longrush Floor Plan Plot 5 (GRA/PDO/092); Heddon Elevation Plot 44 (GRA/PDO/093); Heddon Floor Plan Plot 44 (GRA/PDO/094); Heddon Elevation Plot 36 (GRA/PDO/095); Heddon Floor Plan Plot 36 (GRA/PDO/096); Hampsfield Elevation Plot 1 (GRA/PDO/097); Hampsfield Floor Plan Plot 1 (GRA/PDO/098); Crammond Elevation Plot 22 (GRA/PDO/099); Crammond Floor
Plan Plot 22 (GRA/PDO/100); Crammond Elevation Plot 21 (GRA/PDO/101); Crammond Floor Plan Plot 21 (GRA/PDO/102); Aston Elevation Plot 9, 76, 107 (GRA/PDO/103); Aston Floor Plan Plot 9, 76, 107 (GRA/PDO/104); Thirlmere Elevation Plot 28, 29, 38, 47, 50, 51, 70, 71, 79, 82, 83, 104 (GRA/PDO/105); Thirlmere Floor Plan Plot 28, 29, 38, 47, 50, 51, 70, 71, 79, 82, 83, 104 (GRA/PDO/106)

Reason: For the avoidance of doubt and to comply with Section 92 of the Town and Country Planning Act 1990.

2. Prior to any above ground works, full details of all facing/roofing materials to be used in the construction of the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. This shall include specification, manufacturers details and photographs. Only approved materials shall be implemented on site in accordance with approved plans.

Reason: In the interests of the appearance of the development in the locality in accordance with policies CS1 and QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.


As required by Condition 4, the planting shown in drawings; Planting Plan Sheet 1 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 2 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 3 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 4 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 5 of 5 (Drg No: P.1143.19.01 Rev E) shall be implemented no later than the end of the first planting season following the occupation of the last dwelling hereby approved.

Once implemented, the management and monitoring set out in the submitted Landscape Management Plan should be undertaken for the specified periods.

Reason: In order that the proposal provides sufficient compensatory ecological habitat which is appropriately managed in accordance with Policies CS 1, QE 5 and QE 6 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

4. The planting shown in drawings; Planting Plan Sheet 1 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 2 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 3 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 4 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 5 of 5 (Drg...
No: P.1143.19.01 Rev E) shall be implemented no later than the end of the first planting season following the occupation of the last dwelling hereby approved. Any approved planting which is removed, dies or becomes seriously damaged or diseased within a period of five years from first planting, shall be replaced with other planting of similar size, species and maturity in the first available planting season.

Reason – The proposed planting is important visually in the design, character and appearance of the proposed development, and is needed to create a high quality environment and sense of place as part of the completed development as required by policies CS1; CS8; QE3 and QE7 of the Local Plan Core Strategy and Design and Construction SPD.

5. Prior to the occupation of the last dwelling hereby approved, all of the bird and bat boxes shown on drawings Planting Plan Sheet 1 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 2 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 3 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 4 of 5 (Drg No: P.1143.19.01 Rev E), Planting Plan Sheet 5 of 5 (Drg No: P.1143.19.01 Rev E) shall be installed.

Reason: In order that the proposal provides sufficient compensatory ecological habitat which is appropriately managed in accordance with Policies CS 1, QE 5 and QE 6 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

6. If earthworks associated with the approved development do not commence before 30th April 2020, the ponds on site and within 250m of the site boundaries shall be re-surveyed for great crested newts and the findings supplied to the local planning authority for approval.

Reason - To mitigate the impact on great crested newts in accordance with paragraph 175 of the NPPF 2018 and with policy QE5 of the Local Plan Core Strategy for Warrington and with Conservation of Habitats and Species Regulations 2017.

7. The development shall not commence until the tree protection measures shown on the submitted drawing SK298-TPL-01 (Rev D) are implemented and these protection measures shall be in place for the duration of construction works.

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.

8. No dwelling shall be occupied until a means of vehicular and pedestrian access to it has been constructed in accordance with the approved plans.
Reason: To enable vehicles to enter and leave the premises in a safe manner without causing a hazard to other road users in the interests of road safety.

9. The parking provision shown on the approved plans shall be provided prior to first occupation of the dwelling to which it relates. The parking provision shall not be used for any other purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking or re-enacting that order), no building works, which would reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made and maintained, thereby avoiding hazards caused by indiscriminate parking.

10. The gradient of any private driveway shall not exceed 1 in 12.5 (8%).

Reason: In the interests of road safety to enable vehicles to enter and leave the site in a safe manner without causing a hazard to other road users.

11. Prior to the occupation of any of the units hereby approved, a scheme that allows for the provision of electric vehicle charging points, or passive provision, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed scheme shall be provided prior to first occupation of each unit and retained as such thereafter.

Reason: To ensure that appropriate provision for current and future electric and electric/hybrid vehicles and encourage more sustainable means of transport in accordance with policies CS1; MP1; MP3; MP4; MP7; MP10 and QE6 of the adopted Local Plan Core Strategy for Warrington and with the Standards for Parking in New Development SPD.

12. The development shall be carried out in complete accordance with the finished floor levels as shown on drawing ‘Proposed Road Layout & FFLs’ (Drg No: 4101 Rev P8).

Reason: To ensure that the proposals would not impact detrimentally on amenity in accordance with Policies CS 1, QE 6 and QE 7 of the Warrington Local Plan Core Strategy.

13. The affordable housing shall be provided in accordance with the approved scheme for affordable rented and intermediate housing as set out in the approved Affordable Housing Statement Rev D and as shown on Affordable Housing Locations (SK298-AFF-01Rev D)

Reason: In order that the proposal provides affordable housing in accordance
with Policy SN2 of the Warrington Local Plan Core Strategy and the Planning Obligations SPD.

14. The surface water drainage of individual dwellings shall be designed as to prevent the discharge of water on to the highway.

Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking or re-enacting that order), the garage shall not be converted to living accommodation or used for any purpose that would preclude the storage of a car except following the express grant of planning permission by the Council.

Reason: To ensure that appropriate provision for parking vehicles is made within the curtilage of the dwelling. In particular that adequate secondary off-street parking space is available so that vehicles do not over-hang the footway and that unimpeded visibility is maintained for all road users.

16. Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof; no boundary treatments shall be erected within the front residential curtilage on any dwelling hereby approved without the prior written approval of the local planning authority.

Reason: To safeguard the amenities of surrounding occupiers.

17. No building hereby permitted shall be occupied until the sustainable urban drainage scheme for the site has been completed in accordance with the submitted details. The sustainable urban drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: In order to comply with the NPPF, Policy QE6 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

18. Pedestrian visibility splays of 1 metre by 1 metre shall be provided on each side of private driveway access points. The depth shall be measured from the back of footway/verge and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6 metres above footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.
19. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any equivalent Order following the amendment, revocation and re-enactment thereof. The dwellings hereby approved identified as plots 27, 28, 29, 30, 37, 38, 39, 40, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 66, 67, 69, 70, 71, 72, 78, 79, 80, 81, 82, 83, 84, 103, 104, 105, 107 and 108 shall not be altered or extended except with the prior written approval of the local planning authority.

Reason: To prevent overdevelopment of the site and in order to safeguard the amenities of existing and surrounding occupiers.

20. No individual property hereby approved shall be occupied into use until cycle stands or secured covered cycle storage space has been provided for each property in accordance with details which have first been submitted to the local planning authority for approval. They shall be thereafter retained.

Reason: So that the development provides for the needs of cyclists and provides a choice of modes of transport in accordance with Policies QE6 and MP3 of the Warrington Core Strategy.

21. The widths of driveways providing shared vehicle/pedestrian access to each dwelling shall not be less than 3.3m wide.

Reason: To ensure adequate provision is made for access by occupiers of the dwellings.

22. The choice centre building hereby permitted is only permitted for a temporary period during the sale of the properties on the site and shall be removed and the remainder of the development built in accordance with the approved plans as soon as practicable.

Reason: The building hereby approved is not considered suitable as a permanent form of development to safeguard the character of the area and to comply with Policy QE6 of the Warrington Core Strategy.

23. Pedestrian visibility splays of 1 metre by 1 metre shall be provided on each side of private driveway access points. The depth shall be measured from the back of footway/verge and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6 metres above footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

Reason: To provide the driver of a vehicle using the access and other users of the public highway with adequate inter-visibility in the interests of road safety.

24. The widths of driveways providing shared vehicle/pedestrian access to each dwelling shall not be less than 3.3m wide.

Reason: To ensure adequate provision is made for access by occupiers of the
dwellings.

25. Prior to plots 13, 25, 33, 34, 65, 73, 74 and 85 going above slab level, final details of the location of the boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is in keeping with the character of the area and to comply with QE6 of the Local Plan.
12. PLAN EXTRACTS

Appendix One – Phasing Plan
Appendix Two – Proposed Site Layout Plan

Proposed Planning Layout - 1:500

hall House, Warrington
Appendix Three – Proposed streetscenes
Appendix Four - Photos of the site

View of the site towards the eastern boundary

View towards existing housing on Chichester Close
View towards final property on Lichfield Avenue
ARTICLE 35 STATEMENT Officers have worked with the applicant in a positive and proactive manner in order to seek solutions to the issues relevant to the proposed development, consistent with the requirement in the National Planning Policy Framework (NPPF), paragraph 38.