



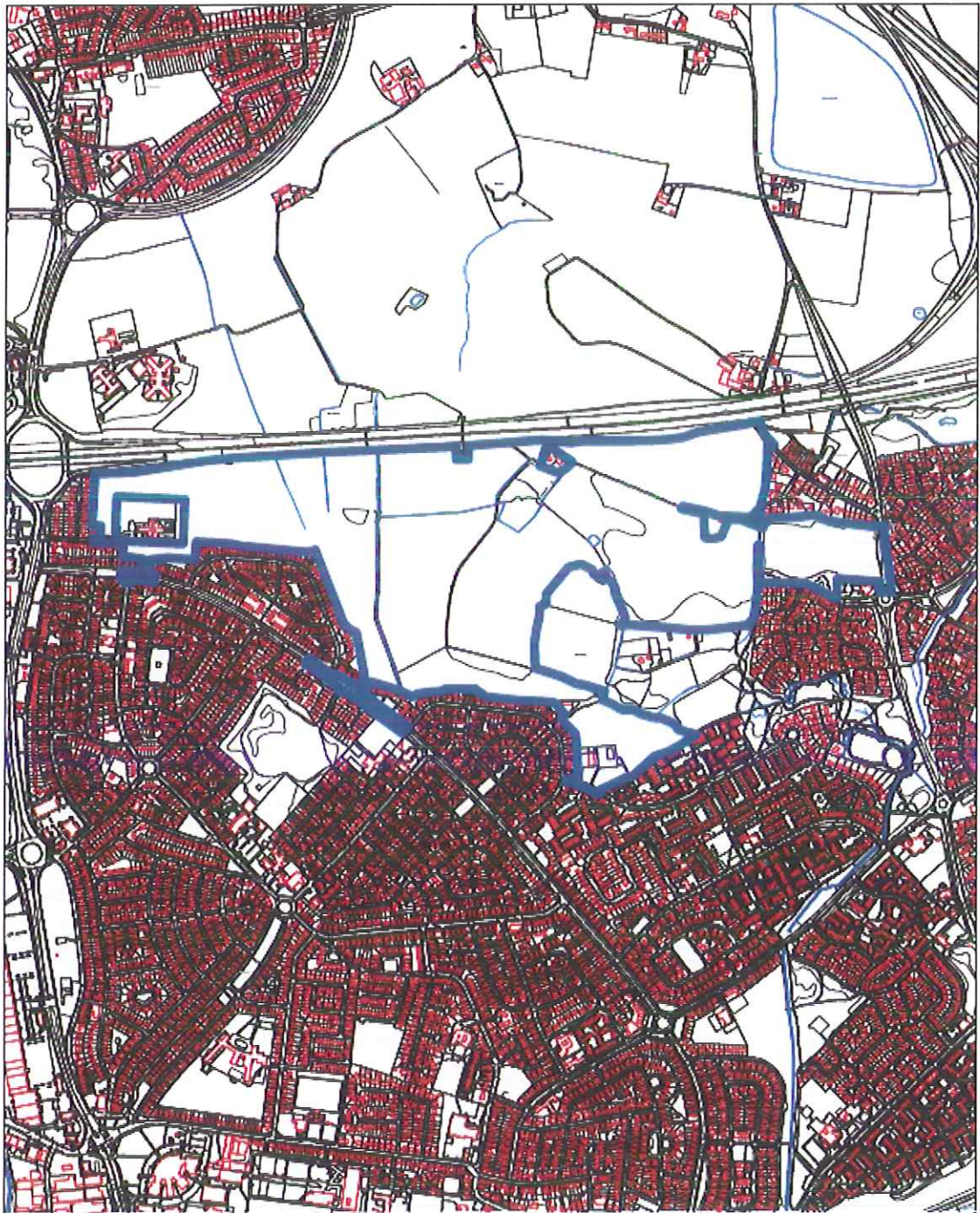
WBC

DMC

01.07.20

EXTRACT AGENDA REPORT

ITEM - PEEL HALL



WARRINGTON
Borough Council



Warrington Borough Council Planning Department



DMC 1st July 2020
2016/28482

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DEVELOPMENT MANAGEMENT COMMITTEE DATE 1st JULY 2020

ITEM 1

| | |
|-------------------------------------|--|
| Application Number: | 2016/28492 |
| Description of Development: | Major Development: Outline planning application for a new mixed use neighbourhood comprising residential institution (residential care home - Use Class C2); up to 1200 dwelling houses and apartments (Use Class C3); local centre including food store up to 2000 square metres (Use Class A1); financial & professional services; restaurants and cafes; drinking establishments; hot food takeaways (Use Classes A2-A5 inclusive); units within Use Class D1 (non residential institution) of up to 600 sq m total with no single unit of more than 200 sq m; and family restaurant/ pub of up to 800 sq m (Use Classes A3/A4); primary school; open space including sports pitches with ancillary facilities; means of access (including the demolition of 344; 346; 348; 458 and 460 Poplars Avenue) and supporting infrastructure. (All detailed matters other than access reserved for subsequent approval.) (Application is accompanied by an Environmental Impact Assessment). |
| Location Address: | Land at Peel Hall; Land South of M62 bounded by, Elm Road: Birch Avenue; Poplars Avenue; Newhaven Road; Windermere Avenue, Grasmere Avenue; Merewood Close, Osprey Close Lockerbie Close, Ballater Drive and Mill Lane, Poplars & Hulme, Warrington |
| Applicant: | Satnam Millennium Ltd |
| Ward: | Poplars and Hulme Poulton North |
| Site Allocation: | Unallocated |
| Number of representations received: | Approx 2250 (inc circa 2000 standardised forms/ letters). |
| Reason for Referral: | Appeal relating to previous DMC decision |
| Statutory expiry date: | N/A |
| Recommendation: | Continue to defend appeal on highway grounds |
| Case Officer: | Martha Hughes |

SUMMARY OF KEY REASONS FOR RECOMMENDATION

This report is to provide an update on the Council's case in defending the appeal and preparing evidence for the inquiry and seek a resolution on how to proceed based on continued professional objections.

The application and appeal has followed a complex set of proceedings as summarised below;

- Application refused at DMC in Feb 2017 on grounds of insufficient information (highways mitigation, AQ and noise) and lack of provision for social infrastructure.
- Applicant lodged an appeal against the Council's decision.
- The appeal was recovered by the SofS and was heard at a public inquiry in 2018 (between April – July 2018).
- The Council's defended the appeal on the basis of insufficient information in relation to highways mitigation, air quality and noise,
- A s106 agreement was entered into between the Council and the appellant which addressed the requirements for social infrastructure and therefore the second reason for refusal was no longer contested.
- The SofS dismissed the appeal on 20 December 2018
- The SofS decision was the subject of a successful legal challenge by the appellant – Satnam, with the High Court quashing the decision of the SofS in October 2019 and ordering that the appeal be re-determined.
- In December 2019 the SofS confirmed that the inquiry would be re-opened and would be determined by a different inspector.

The rationale for the re-opened inquiry is procedural and does not necessarily mean that the Secretary of State will subsequently reach a different overall decision, although this is a possibility.

The Inspector/Secretary of State will consider any relevant evidence previously submitted, unless directed otherwise by the person making the submissions..

The re-opened inquiry was scheduled for June 2019 however it has now been postponed due to covid 19 restrictions. The new date for the inquiry has not been confirmed but the possible date of 14 – 25 September is being considered by the Planning Inspectorate.

In the intervening time since the inquiry was re-opened, the appellant has submitted new technical information for consideration as part of the appeal (and this has been accepted by the Planning Inspector). This new information has now been reviewed by officers and is the basis for the recommendations in this report.

The resolution of DMC in Feb 2017 provided 2 reasons for refusal, which have been subsequently superseded by the events listed above.

The Council will need to review its case in order to effectively defend the appeal.

It remains the professional opinion of officers that notwithstanding all the additional information provided the appellant still does not demonstrate that the impacts from the

development on the highway network would not be significantly adverse. It is therefore advised that the appeal is strongly defended on this basis.

The Appellant has over the course of the previous Inquiry and preparation for that scheduled later in the year addressed some of the reasons for refusal. Accordingly it is considered that the Council is no longer in a position to defend the appeal for all of the reasons previously agreed by DMC; one of these reasons related to insufficient information; subsequent submissions by the appellants, which have been agreed can be considered through the inquiry process by the Inspector, have addressed this point and sufficient information has now been submitted to allow a view to be reached. A second reason for refusal was overcome through the previous inquiry and, although matters are currently being reassessed in light of material changes, there is no reason to believe at this stage that this matter will not be resolved in advance.

It would weaken the Councils highways case to continue with matters which have been resolved.

It is recommended that the Council continue to defend the decision at Peel Hall on highways grounds.

OFFICER'S REPORT

A full copy of the 23 February 2017 officer report to DMC is appended to this update report. It is not the intention of this report to revisit all matters considered in that application as there have been no significant material changes in circumstance or policy that would require a wider review. This report therefore seeks to provide clarity and a resolution based on those matters that were unresolved.

1. APPLICATION SITE AND SURROUNDINGS

- 1.1 No part of the application site is allocated for any particular use or purpose by the Local Plan Core Strategy for Warrington.
- 1.2 No development is proposed within the confines of the existing Peel Hall Park area.
- 1.3 No part of the site is Green Belt. All of the 69 hectare site is within the confines of the built up area boundary of Warrington.
- 1.4 In general terms, the 69 ha site is bounded by the urban area of Warrington to the west, south and east, and the M62 to the north. Approximately 4 ha of the site is Council operated recreational open space.
- 1.5 The great majority of the site has not been previously developed, is therefore "greenfield" and is composed of largely dis-used arable fields sub-divided by ditches and largely fragmented hedgerows. There are some relatively small stands of mature broad-leaved plantation woodland and several small ponds.
- 1.6 There are substantial stands of immature broad-leaved woodland on the southern boundary of the site. The open fields have been ploughed and left to grow and are now composed of a mix of grasses and tall herbs. The lack of land management has

also allowed scrub saplings to establish here and in certain areas the cessation of management has also allowed the growth of common reed.

- 1.7 In contrast to the rest of the site, the easternmost part includes a recreational area with playing fields, formal footpaths and is landscaped with immature woodland and shrubs.
- 1.8 The northern boundary is largely formed by the M62, while to the south, west and east the land is predominantly residential housing – the exception being Radley Wood and the grounds and houses at the end of Radley Lane.



2. DESCRIPTION OF PROPOSAL

- 2.1. This appeal relates to an outline application – with details of access to be determined now. All other matters were reserved for future consideration. The proposals show the general extent and availability of areas for landscaping – although the detailed treatment of landscaping is a reserved matter.
- 2.2. The description of development has changed since the previous inquiry and employment uses are no longer proposed. The maximum number of dwellings remains as 1200.
- 2.3. The general proposed extent and distribution of land in each of the proposed uses is also shown for illustrative purposes on an updated parameter plan, which is included within the appendices of this report for information.
- 2.4. At this stage, the applicant is seeking an outline permission to maintain flexibility in terms of the reserved matters, in terms of details of layout, landscaping et cetera.

Notwithstanding this, 840 open market houses and 360 affordable homes have been proposed by the applicant (30%), which can be secured through a S106 agreement.

- 2.5. The application has been submitted with an Environmental Statement, as the project is subject to Environmental Impact Assessment (EIA). An addendum to the Environmental Statement was submitted in 2018 (ES addendum 1) and a further ES addendum was received in March 2020 together with a new Transport Assessment (ES addendum 2). The latest ES addendum was publicised in accordance with the relevant legislation¹ on 4th June 2020 ahead of the re-opened inquiry.

3. AMENDED PLANS

- 3.1 The appellant submitted an amended parameter plan in March 2020 which removed the employment use originally proposed, but does not make any changes to any of the other proposed uses or amount of development across the site.
- 3.2 The revised parameter plan has been publicised as part of the ES addendum 2 consultation. The publicity period of 21 days ends on 25th June 2020. As the determination of the appeal is now with the SofS the publicity notices advised interested persons to send all representations to the Planning Inspectorate.

4. LOCAL REPRESENTATIONS

- 4.1. The additional information submitted in March 2020 as part of the appeal process was publicised by way of 1600 + notification letters to neighbours and interested persons as well as site notices and press notice prior to 4th June 2020. The letters and notices advised that any new representations should be sent directly to the Planning Inspectorate. All previous representations have been forwarded to the Inspectorate and will be taken into consideration by her in the decision making process.
- 4.2. A summary of the responses received prior to the Feb 2017 DMC meeting are set out in the officer report appended to this update report. This included objections from MP, Councillors, Parish Council and approx. 2250 letters from members of the public (it is noted that circa 2000 of these letters were standardised forms/ letters).
- 4.3. Rule 6 status (The Town and Country Planning (Inquiries Procedure) (England) Rules 2000) has been granted to the Peel Hall Campaign Group and they will therefore have an active part in the inquiry as one of the main parties alongside the Council and the appellant.

5. CONSULTEES

- 5.1 A summary of all consultation responses for the original application can be found in the 23 Feb 2017 DMC report. Updated comments based on the additional information

¹ Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020

that has been accepted by the Inspectorate in the appeals process have been received from the following internal and external consultees in relation to (summarised):

Warrington BC Transport Planning and Development Control –

The modelling work and new TA submitted by Satnam attempts to overcome the highway reason for refusal and is now sufficient for a view to be made on the impacts of the development of the surrounding highway network.

An objection is maintained to the proposal in respect of the impact of the development on the highway network with the following key issues to be fully examined:

1. Impact on Sandy Lane West arm of A49 Winwick Road/A574 Cromwell Avenue signal junction, particularly queuing.
2. Impact on A50 Orford Green/Hilden Road roundabout.
3. Impact on Poplars Avenue and Capesthorpe Road (and surrounding residential roads by association) due to increased level of traffic.
4. Impact on Delph Lane due to level of traffic.

Notwithstanding the objection, it is expected that the appellant will put forward details of intended bus transport infrastructure improvements as part of the s106 agreement. All funding and agreements are to be between Warrington Borough Council and the eventual developer(s) – rather than a specific transport operator.

(See full advice set out in main body of this report.)

Highways England – no further comments received to date

Environmental Protection (summary)

Air Quality:

The submitted modelling work addresses the first reason for refusal in so far as it submits the right level of information to allow consideration of the impacts of the development. An assessment has been undertaken and it is the professional opinion of your officers that the air quality assessment, results and conclusions are now acceptable; the additional traffic generated by the development will not cause a significant, detrimental impact on air quality.

The assessment does show some locations within the development site with a “risk” of exceeding the national nitrogen dioxide objectives up to a distance of 30m from the motorway edge. This does appear in the parameter outline plan as being in the “buffer zone” with no proposed residential. A condition will be sought to ensure that there is no building within 30m of the southern edge of the M62 motorway.

Construction impacts have been assessed. It is agreed that these can be mitigated by means of a detailed Construction Environmental Management Plan (CEMP), which would be conditioned as standard.

Therefore there will be no objections to the development on air quality grounds if the 30m buffer can be agreed.

Noise:

The submitted modelling work addresses the first reason for refusal in so far as it submits the right level of information to allow consideration of the impacts of the development. The information has been fully assessed and it is considered that there would be some very localised impacts which can be largely mitigated against. There would be no significant impacts on existing or new residents as a result.

Implementation of mitigation for all properties shall be sought via condition. Layout and arrangement of site will be key to this:

Acoustic mitigation will be required to accommodate road traffic noise along motorway boundary.

Acoustic assessment for each reserved matters application will be required to detail mitigation proposed.

Further consideration will be needed of appropriate buffer zones around existing kennels to ensure impact to future amenity (and nuisance) does not exist – having regard to NPPF Para 182;

Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

It should also be noted that the previous Inspector's report advised that the future layout would need to address the relationship with the kennels and this would be a matter for reserved matters.

GMEU – no further comments received to date

WBC education officer

The formula for the calculation of the necessary contribution based on yields and costs has not altered since the inquiry and is set out in the SPD.

The primary and secondary education requirements in the area have been reviewed as follows;

- The contributions required are as set out in the 2018 s106 therefore we can confirm no change (£4.5m primary max contribution and £3.492m secondary max contribution).

Primary

The preferred school which has now been identified for the expansion is Meadowside Primary. This is because it is located in close proximity to the proposed development and has some existing capacity as it previously had a larger intake per year group but the decision was taken to reduce its admission number due to a high level of unfilled places at that time (NB - OFSTED has since graded it as a '2' - a good school).

The land for a new primary school on the site would be required at nil cost to the Council in addition to the £4,478,040.

Secondary

It was the case that, previously, the secondary school identified for expansion was Padgate Academy (formerly University Academy Warrington). Padgate Academy has now joined The Challenge Academy Trust (TCAT). It has been noted that numbers on roll here are increasing, due to other local schools being oversubscribed.

Beamont Collegiate Academy is also a member of TCAT and is a suitable location relative to Peel Hall site and therefore should also be considered for expansion.

Given that there are so many variables as current positions regarding popularity and performance can change, it is recommended that TCAT is named in the S106 rather than an individual school. On this basis, the Trust is able to create the additional places required at the most suitable site – whether that be Beamont Collegiate Academy or Padgate Academy.

Sport England (summary)

No objection subject to revisions to draft s106 agreement and conditions.

As statutory consultee Sport England comment on the loss of 3.2ha of playing field land and pitches at Mill Lane, to the east of the appeal site as a result of the proposed housing development.

As of 2019 and confirmed within the Council's Playing Pitch Strategy (2019), the playing field accommodated 2 adult football pitches and 1 7v7 junior football pitch. There are no ancillary facilities present on the existing playing field site.

To mitigate the loss the development includes a replacement area of playing field equal to 3.2ha to the north of Windermere Ave/Radley Common Playing Field which will provide two full size football pitches and a 7v7 junior football pitch. The intention is to use the replacement playing field to the north of Radley Common to provide an extension to the existing, albeit disused, Radley Common Playing Field. Improvements to the existing Radley Common Playing Field are proposed that will see the creation of an adult 11v11 football pitch and a youth 9v9 pitch, along with a community building and changing rooms. The combined Radley Common and replacement playing field land would create a "Sports Hub". The improvements to Radley Common Playing Field

are to accommodate the additional demand for sport arising from the housing development.

It is important the replacement playing field and Radley Common pitch and ancillary facility improvements are designed and constructed to meet the design requirements of Sport England and the Football Foundation; conditions are required to ensure all sports facilities are designed and constructed to meet those standards. The ongoing sustainability of the “sports hub” to meet local sports demand is critical. Sport England will require a Management and Maintenance Scheme to be provided that covers the combined playing field site. It is important the pitches are maintained to a good standard across the hub to meet local demand, and it is likely the Council will require a maintenance contribution to ensure that happens.

The mitigation which will be located on land to the north of the existing Radley Common playing fields, is acceptable subject to the following documents being submitted either by condition or s106 agreement. These were agreed and put forward as part of the 2018 appeal and required (in summary):

- An Agronomy Report and Pitch Specifications
- Management and Maintenance Scheme across the “sports hub”
- A phasing plan that ensures the existing playing field at Mill Lane will remain available for use until the replacement playing field has been implemented
- Sports Strategy – the additional demand for sport element is indicative at this stage.
- Design and layout of the community building and changing rooms

Conclusion

Should the above be secured as part of any subsequent planning approval Sport England has no objection as it meets the requirements of paragraph 97 of the NPPF and the following exception to Sport England Playing Fields Policy:

“E4 - The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- *of equivalent or better quality, and*
- *of equivalent or greater quantity, and*
- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements.”*

Clarification is sought regarding various aspects of the draft s106 agreement.

Sport England also comment in a Non-statutory capacity in relation to the additional demand for sport generated from the housing development;

The occupiers of new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to

accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment. In this case Warrington has recently updated their Playing Pitch Strategy (PPS) and this has been used to help inform this response. In accordance with Section 8 of the NPPF, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

The evidence provided by the applicant presents a very confused picture because the requirement for additional capacity to meet demand generated by the development has been combined with the requirement to mitigate the loss of playing field. The applicant needs to clearly present, in separate categories, the mitigation proposal and the additional demand proposal.

To try and assist all parties Sport England's consultation response uses their strategic planning tools to help estimate the additional demand for sport and converted that demand into sport facility requirements with indicative costs. The outputs from the Sports Facility Calculator (swimming pools and sports halls) Playing Pitch Calculator (Pitches/Changing Rooms) and a comparison between the 2018 and 2020 position are summarised in the response from Sport England with the following recommendations;

1. There is an additional requirement for one extra natural turf pitch to meet demand since 2018.
2. The requirement for changing rooms is consistent with what has been proposed, although it should be noted consultation with the Football Foundation is required to ensure the number of changing rooms are sufficient for all 5 proposed pitches.
3. The need for additional capacity for an Artificial Grass Pitch (AGP) has been quantified since 2018. This does not require the appellant to fund a full sized AGP but indicates a contribution is required towards an off-site AGP. The contribution could go towards match funding a priority project set out in the Warrington Local Football Facility Plan (2019) and/or Playing Pitch Strategy Action Plan (2019).
4. There is clear demand for access to swimming pools that current provision cannot meet. However, I understand this element was discounted in 2018 in favour of supporting on-site outdoor sport and community facilities.

Although the additional demand for sport has been quantified with indicative costs associated with providing new/improved facilities, the Council will need to determine how best to accommodate that additional demand. Using the relevant Sports Needs Assessments, they should provide an indication of:

- Whether existing facilities within the Analysis Area have spare capacity and can accommodate the additional demand; or
- Improvements to existing facilities are required to build in capacity to accommodate the additional demand; or
- A contribution towards planned new provision is required.

The above information should be used as the starting point to inform the Sports Strategy required by condition.

Please note, it is not Sport England's role to establish how best to accommodate the additional demand, that should be for the Council and appellant to agree using their own local knowledge and relevant sport Needs Assessments. Sport England have used strategic planning tools cited above to estimate the additional demand for sport to provide a starting point for negotiations.

NHS/ CCG

A position statement from the practices is expected to be provided in June that shows the work that the practices have completed regarding their requirements for the new facility together with their preferred delivery options.

6. RELEVANT SITE HISTORY

6.1 The application subject of the current appeal was refused planning permission for the following two reasons at DMC on 23.2.17:

1. Insufficient information – highways mitigation, AQ and noise

It is considered that insufficient information has been submitted to enable the local planning authority to confirm that the potential impacts of the proposed development on the transport network would not be severe, in the terms set out in paragraph 32 of the National Planning Policy Framework. In the absence of adequate information to accurately forecast potential impact, it is not considered possible to design and deliver suitable highways/ transport mitigation nor, consequently, to confirm that the proposal would be acceptable in terms of its air quality and traffic noise effects. The submitted information contains no agreed base year model, forecast year models, or Local Model Validation Report. In these circumstances, therefore, the local planning authority cannot confirm that there would not be serious conflict with the following policies in the Local Plan Core Strategy for Warrington:

- CS1 (seventh and eleventh bullets);
- QE6 (fifth, sixth and tenth bullet);
- QE7 (third bullet);
- MP1 (All bullets);
- MP3;
- MP4;
- MP7 (both bullets);
- MP10 (first, second and third bullets).

2. Social Infrastructure

The proposal would not deliver the range of measures required to support a development of this nature and scale, with regard to the provision of school places; healthcare facilities and sport and recreation provision required by the Council's adopted Planning Obligations Supplementary Planning Document, in support of policies CS1 (second and seventh bullet points) and MP10 (first, second and third

bullets) of the Local Plan Core Strategy for Warrington. In the absence of such provision it is considered that the proposed development would not be sustainable in the sense intended by paragraph 7 (second bullet) of the National Planning Policy Framework.

- 6.2 An outline planning application for up to 150 dwellings in the north eastern section of Peel Hall, off Mill Lane (2012/20610) was the subject of a non-determination appeal decision in July 2013. The appeal was dismissed, the Inspector agreeing with the Council that this site was too far from local amenities and facilities and - since there was no need for additional housing to be released at that time - the proposal should be resisted.
- 6.3 Outline applications for housing across the Peel Hall site were withdrawn by Satnam in August 2002.

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 Revised 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. Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development and that for decision-taking this means:
 - c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.4. Footnote 7 to 11(d) advises to regard policies relevant to the supply of housing as out of date in the absence of a 5-year supply (amongst other things).
 - 7.5. For Warrington based on the information contained in SHLAA 2019 it is considered that the council can demonstrate up to a 3.70 year supply of deliverable housing land. Therefore paragraph 11 (d) if the NPPF is engaged.
 - 7.6. Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below.
 - 7.7. 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 – Delivering Sustainable Development
- CS2 - Overall Spatial Strategy - Quantity and Distribution of Development
- CS3 - Overall Spatial Strategy – Maintaining a 10 Year Forward Supply of Housing Land
- CS4 – Overall Spatial Strategy - Transport
- CS8 – Omega and Lingley Mere
- QE1 – Decentralised energy Networks and Low Carbon Development
- QE3 – Green Infrastructure
- QE4 – Flood Risk
- QE5 – Biodiversity and Geodiversity
- QE6 – Environment and Amenity Protection
- QE7 – Ensuring a High Quality Place
- MP1 – General Transport Principles
- MP3 – Active Travel
- MP4 – Public Transport
- MP6 – Transport Infrastructure
- MP7 – Transport Assessments and travel Plans
- MP10 - Infrastructure PV1 – Development in Existing Employment Areas
- SN1 – Distribution and Nature of New Housing
- SN2 – Securing Mixed and Inclusive Neighbourhoods
- SN4 – Hierarchy of Centres
- SN7 – Enhancing Health and Well-being

Supplementary Planning Documents

- Design and Construction Environmental Protection
- Standards for Parking in New Development

Proposed Submission Version Local Plan & evidence base

- 7.8. The Proposed Submission Version Local Plan (PSVLP) regulation 19 consultation closed in June 19. The current published timetable for this Local Plan Review process expected submission to SoS in October 19 and EIP early 2020. This timetable has slipped and is under review.
- 7.9. It is considered that only minimal weight should attach to the PSVLP.
- 7.10. Since the original inquiry the Council has re-classified the Peel Hall site from 'deliverable' to 'developable' in its 2018 Strategic Housing Land Availability Assessment (SHLAA) (published March 2019). The Council has not therefore included any completions from the site within the first 5 year period of the Plan's housing trajectory. This change is reflected in para 10.4.11 of the PSVLP which now alters the classification of the appeal site and states that 'as there is no agreed package of transport mitigation measures, the Council has re-classified the Peel Hall site from 'deliverable' to 'developable' in its 2018 Strategic Housing Land Availability Assessment (SHLAA)'. The Glossary to the PSVLP includes definitions of deliverable and developable that are reflective of the NPPF.

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. UPDATE AND ASSESSMENT

LPA's position at 2018 inquiry

- 9.1 It is considered relevant to re cap on the Council's position during the course of the 2018 public inquiry.
- 9.2 The second reason for refusal (Reason 2) was resolved through a S106 legal agreement securing delivery of relevant matters and therefore was not contested by the Council.
- 9.3 This is likely to remain the position at the re-opened inquiry. Ongoing work is being undertaken to review and update the relevant social infrastructure requirements and it is likely that these will be agreed with the appellant ahead of the re-opened inquiry.
- 9.4 The only outstanding issue from the LPAs perspective at the 2018 inquiry was that contained in Reason 1 (insufficient information – highways, air quality and noise impacts).

Work Undertaken post SofS decision;

- 9.5 Since the SofS decision to dismiss the appeal in Dec 2018 Satnam have engaged with the Council in pre-application discussions to:

1. Undertake the necessary transport modelling using the council's up-to-date transport model.
 2. Agree the scope of the new air quality assessment. This would still rely on acceptable data from the traffic assessment.
- 9.6 It is also understood that there is agreement between Satnam and Homes England to progress the purchase of the necessary Homes England land to enable the necessary access / transportation arrangements.
- 9.7 The re-opened inquiry has enabled this information to be submitted as part of the appeal.
- 9.8 Satnam submitted new traffic modelling data and Transport Assessment at the end of March 2020, as well as an addendum to the Environmental Statement which include Air Quality Assessment and noise reports. The information was accepted by the inspector for consideration at the re-opened inquiry and has now been publicised and is available to view online as of 4th June 2020 in accordance with the relevant legislation.
- 9.9 Since receiving the information at the end of March, officers have been reviewing the technical information and need to provide its formal response to the appellant as part of the appeal process, and consider the up-to-date position and evidence which will be submitted to the inquiry.
- 9.10 A summary of the technical advice is set out below.

Highway impact;

Highway Modelling;

- 9.11 The modelling work and new TA submitted by Satnam attempts to overcome the highway reason for refusal.
- 9.12 The modelling is split into three elements, the Strategic SATURN Model, the VISSIM A49 Corridor Model and individual junction capacity models.
- 9.13 The Strategic Saturn Model now used is based on the Council's multi-modal transport model (WMMTM16) which covers the whole of the Borough and beyond. Work has been undertaken to ensure that the portion of the model representing the specific Peel Hall Study area has been calibrated and validated in line with Department for Transport (DfT) guidance
- 9.14 The Council are satisfied that the Peel Hall WMMTM16 SATURN model accurately represents conditions within the study area and that the outputs are appropriate for further more detailed modelling to understand the development impact.
- 9.15 The Council have also agreed the junctions identified for further detailed modelling following the use of Peel Hall WMMTM16 and discussions with Highgate.

- 9.16 The VISSIM A49 Corridor Model has been produced to assess the development impact on junctions along the A49 including M62 J9 and the A49/A50 junction.
- 9.17 The Council still have some outstanding concerns related to the VISSIM base and forecast models and these are being progressed with the appellant's highway consultants. Highways England are now satisfied with both the base and forecast models. The appellant's highway consultants are to prepare final VISSIM models to address the Council's concerns and these will subsequently be assessed and reviewed.
- 9.18 Notwithstanding the receipt of a final agreed VISSIM model the results indicate a specific impact on the Sandy Lane West arm of the A49 Winwick Road/A574 Cromwell Avenue junction, with significant additional queuing along this arm. The proposed mitigation (which is a change to signal phasing) is not considered appropriate and unless agreement is reached with Highgate to address this issue it will form part of Council's case at the Public Inquiry. This issue was previously raised at the last Inquiry when Highgate proposed some minor lane widening to address impacts (also not considered appropriate) but the lane widening is no longer proposed.
- 9.19 The individual junction capacity models are considered satisfactory but have highlighted a specific impact at the roundabout junction of A50 Orford Green/Hilden Road with no mitigation proposed (the mitigation proposed under the previous assessment was not supported as it involved the removal of a safety/accessibility scheme implemented by the Council). Unless appropriate mitigation measures are agreed with Highgate to address this issue it will form part of Council's case at the Public Inquiry.

Traffic Volume within the Poplars Avenue Area

- 9.20 Analysis of the increased traffic flows on the Poplars Avenue residential area has been provided in Note TN/09 (Appendix 15 of the TA Addendum). The flows have been determined following use of Peel Hall WMMTM16. The Council do not agree with the method of analysis nor the conclusions provided by Highgate within TN/09 and consider that the volume of traffic on the area as a direct result of the development will change the nature and function of the routes with particular emphasis on Poplars Avenue and Capesthorpe Road. Highgate propose mitigation in the form of traffic management/traffic calming including the conversion of verge areas to parking bays. However, it is not considered that the impacts can be appropriately mitigated and this issue will form part of the Council's case at the Public Inquiry.

Traffic Volume along Delph Lane

- 9.21 Highgate have assessed the impact of the development on the junction of Delph Lane/Myddleton Lane using a capacity model and recommended that mitigation in the form of traffic signals be provided to address the capacity issue. They have also re-run the Peel Hall WMMTM16 model to consider the effects that the installation of traffic signals at this location would have on the wider area. However, no analysis has been undertaken of the suitability of Delph Lane to cater for additional traffic; the nature and geometry of Delph Lane already raise concerns in relation to the free and safe movement of traffic and the increased movements as a result of the development and

mitigation scheme exacerbate this. The potential impact on Delph Lane was previously raised as a concern by the Council but no assessment had been made until now.

Highways impact summary;

- 9.22 The Council maintains an objection to the proposal in respect of the impact of the development on the highway network with the following key issues to be fully examined:
1. Impact on Sandy Lane West arm of A49 Winwick Road/A574 Cromwell Avenue signal junction, particularly queuing.
 2. Impact on A50 Orford Green/Hilden Road roundabout.
 3. Impact on Poplars Avenue and Capesthorpe Road (and surrounding residential roads by association) due to increased level of traffic.
 4. Impact on Delph Lane due to level of traffic.
- 9.23 The Council's position will be that a new access strategy and significant mitigation is needed to overcome the key issues identified with the appeal proposal.
- 9.24 Point 3 is the most serious impact and the key reason a new access strategy is required.
- 9.25 Nos. 1, 2 and 4 may potentially be addressed by appropriate mitigation secured by condition/S106, this would require the further design work and review of possible mitigation measures and would require agreement with the appellant on how the mitigation is secured and delivered.
- 9.26 A Highways Statement of Common Ground, as required under the inquiry procedures, will be progressed with the appellant particularly having regard to mitigation and conditions relevant to points 1, 2, and 4.
- 9.27 Subject to further discussion regarding points 1, 2, and 4 - the Council's main case will relate to point 3 and unacceptable impact on Poplars Avenue and Capesthorpe Road (and surrounding residential roads by association) due to increased level of traffic, contrary to Local Plan policies CS1; QE6 ; QE7 ; MP1; MP3; MP4; MP7 ; MP10.

Review of Air Quality assessment;

Assessment methodology/ model setup

- 9.28 Air quality was an objection under the original planning application and subsequent appeal due to the applicant failing to demonstrate the air quality impacts. This was as a result of a number of errors with the criteria used to set the air quality model up and for the traffic data used.
- 9.29 The criteria used within the model setup was agreed with the applicants' new consultant, Miller Goodall, prior to the modelling being carried out.
- 9.30 The traffic data for the model has now been agreed with the Council's traffic consultant - WSP, who have agreed that the data used is acceptable.

- 9.31 The detailed modelling carried out at junctions that serve the development to take into account queueing traffic has been done in accordance with the relevant guidance within LAQM.TG(16) and is agreed.

Summary of results

Nitrogen dioxide

- 9.32 23 discrete worse case locations where there are sensitive receptors were modelled. 22 of the locations were assessed as having a negligible impact (less than 1% increase) due to the site generated traffic. 1 location (R2) has a slight impact (2.25% increase) but the concentrations remain below where there is a risk of exceedance.
- 9.33 On the contour plots (appendix 2), there are small areas to the north side of the development where there is a risk of exceedance. This area though will be in the "buffer zone" where development is unable to be located due to the gas main. The contour plots also show an exceedance at the roundabout junction between Poplars Avenue and Capesthorpe Road, but this exceedance is not at any residential location and is not caused by development traffic.

Particulates PM10

- 9.34 PM10: Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less. All locations would remain below the national standards and impacts are classed as "negligible" as there will be less than a 1% increase.

Particulates PM2.5

- 9.35 PM2.5: Airborne particulate matter with an aerodynamic diameter of 2.5µm (micrometres or microns) or less. All locations have been assessed, without the development, as being slightly above the World Organization Guideline Value. The background data has been assessed using the Council's monitoring station as opposed to the background Defra values which are lower. This represents a worse-case scenario. It should also be noted that there is not a national limit to be used for comparison at a local level. When considering the impact from the development, all locations are modelled as having less than a 1% impact which is considered "negligible".

Air Quality Conclusion

- 9.36 The air quality assessment and results and conclusions are now acceptable and it is agreed that the additional traffic generated by the development will not cause a significant impact on air quality.
- 9.37 The assessment does show some locations within the development red line with a "risk" of exceeding the national nitrogen dioxide objectives up to a distance of 30m from the motorway edge. This does appear in the parameter outline plan as being in

the “buffer zone” with no proposed residential. A condition will be sought that requires no building within 30m of the southern edge of the M62 motorway.

- 9.38 Construction impacts have been assessed. It is agreed that these can be mitigated by means of a detailed Construction Environmental Management Plan (CEMP), which would be conditioned as standard.
- 9.39 Therefore subject to a condition to secure the 30m buffer zone as shown on the parameter plan submitted by the appellant the Council will not raise any objections to the development on air quality grounds.
Review of Noise Assessment;
- 9.40 Traffic data has now been agreed which has been used in the noise assessments and has demonstrated some very localised impacts arise and with mitigation only reach minor adverse impact. Therefore it is now considered that there would be no significant noise impacts arising from the development proposal.
- 9.41 Implementation of mitigation for all properties will be required by condition. Layout and arrangement of site will be key to this. Acoustic mitigation will be required to accommodate road traffic noise along motorway boundary.
- 9.42 Acoustic assessment for each reserved matters application will be required to detail mitigation proposed.
- 9.43 Further consideration will be needed of appropriate buffer zones around existing kennels to ensure impact to future amenity (and nuisance) does not exist – having regard to NPPF Para 182;
- Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.*
- 9.44 This matter will be raised with the appellant in advance of the inquiry, but it is not considered that it will remain a matter for the re-opened inquiry subject to a suitable buffer zone being put forward and secured by condition.
- 9.45 The Council will not raise any objections to the development on air quality grounds providing the 30m buffer is agreed with the appellant

10. CONCLUSIONS AND RECOMMENDATIONS

- 10.1 Having regard to the review of the new technical information submitted by the appellant, the issues set out in the original reason for refusal relating to insufficient information have been reduced and consideration of highway matters has moved on.
- 10.2 The central part of the first reason for refusal stated that;

‘In the absence of adequate information to accurately forecast potential impact, it is not considered possible to design and deliver suitable highways/ transport mitigation nor,

consequently, to confirm that the proposal would be acceptable in terms of its air quality and traffic noise effects. '

- 10.3 Air Quality and Noise concerns have now been overcome in terms of the outline proposals. Further detail will be required at reserved matter stage and through the design and layout of future detailed proposals.
- 10.4 The Council's highway objection remains. Although the new TA provides the traffic data that was originally sought by the Council, the conclusions are not accepted and the appellant has not demonstrated acceptable mitigation to deal with the highways/transportation impact of the appeal proposals. It is considered that an alternative access strategy is required for the proposed development to be successfully delivered.
- 10.5 It is recommended that the Council continue to defend the appeal at the re-opened inquiry on the basis of the highway impact of the proposed development. It is considered that the appellant has not demonstrated that the impacts from the development on the highway network would not be significantly adverse having regard to local plan policies and guidance contained within the NPPF. It is therefore recommended that the Council continue to defend the appeal on this basis.

Appendix 1

Amended parameter plan March 2020



KEYS

| | | | | | | | | | |
|--|---|--|--|--|---|--|--|--|---------------------------------|
| | Site Boundary | | Boundary between the historic townships of Adbury and Wincobank (Important Hedgerow) | | Existing Culvert | | 10m Fencing bar corridor | | Location for Case Home |
| | Areas with the Site excluded from the development | | Peel Hall Manor Farm Moat Area (Archaeological Feature) | | Proposed Allotments | | Existing Pond to be retained | | Location for Local Centre |
| | Public right of way | | Gas Main and Easement | | Existing areas of off site vegetation | | Proposed Attenuation Pond | | Location for Primary School |
| | Boundary between the historic townships of Adbury and Houghton (Important Hedgerow) | | 8m Water Vole buffer zone to Spa Brook | | Existing areas of woodland trees, hedgerows and vegetation to be retained | | Proposed Great Crested Newt Migration Pond | | Location for Community Facility |
| | Location for Bus Gate | | Railey Common | | 4metre High Acoustic Barrier (in line with noise assessment) | | Proposed Sports Pitches/ Public Open Space | | |
| | Developable Land to include for pedestrian and cycle links between plots | | Boundary to Buffer Zone (in line with noise assessment) | | Proposed Tree/ Shrub Planting | | | | |
| | Area suitable for apartments (in line with noise assessment) | | Boundary to Area Suitable for apartments (in line with noise assessment) | | | | | | |
| | Indicative Road Line | | Proposed wildlife corridor | | | | | | |

*Note: Heights shown are proposed from ground level. Heights shown are fixed and take precedent over number of storeys shown.

Project:
PEEL HALL, WARRINGTON
 The
 Parameters Plan
 Client:
 Satnam Millennium Ltd
 Date:
 January 2020
 Drawn:
 SW/ DS
 Checked:
 DA/ DS

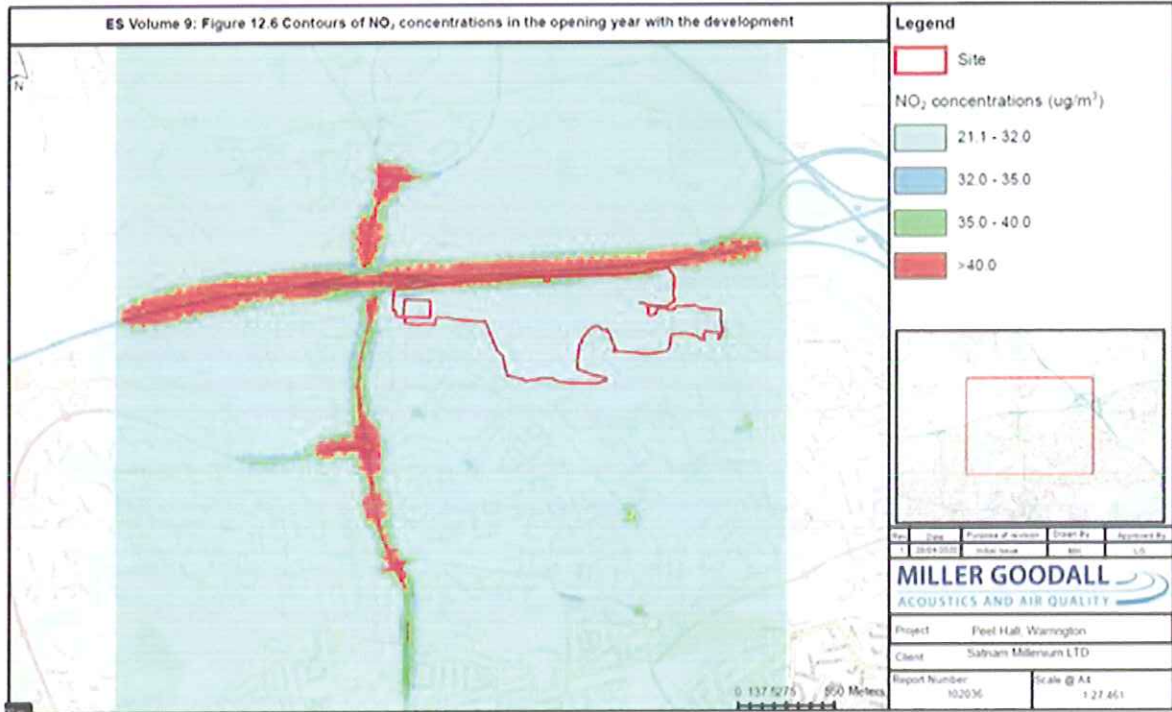
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 Drawing No:
 1820_35
 Revision:
 A



Landscape Institute Registered Practice
 Appletons, 17 Choley, Old Road, Bolton BL1 3AD. Tel: 01204 393006
 Web: www.appletons.uk.com Email: info@appletons.uk.com

Appendix 2

Contour Plots (ES volume 9, AQ11, figure 12.6) showing the nitrogen dioxide impacts with the development.



Appendix 3 – 23.2.17 DMC officer report

DEVELOPMENT CONTROL COMMITTEE DATE 23rd February 2017

ITEM 1

| | |
|----------------------------------|--|
| Application Number: | 2016/28492 |
| Location: | Land at Peel Hall; Land South of M62 bounded by, Elm Road: Birch Avenue; Poplars Avenue; Newhaven Road; Windermere Avenue, Grasmere Avenue; Merewood Close, Osprey Close Lockerbie Close, Ballater Drive and Mill Lane, Poplars & Hulme, Warrington |
| Ward: | Poplars and Hulme, Poulton North |
| Development | Major Development: Outline planning application for a new mixed use neighbourhood comprising residential institution (residential care home - Use Class C2); up to 1200 dwelling houses and apartments (Use Class C3); local centre including food store up to 2000 square metres (Use Class A1); financial & professional services; restaurants and cafes; drinking establishments; hot food takeaways (Use Classes A2-A5 inclusive); units within Use Class D1 (non residential institution) of up to 600 sq m total with no single unit of more than 200 sq m; and family restaurant/ pub of up to 800 sq m (Use Classes A3/A4); employment uses (research; assembly and light manufacturing - Use Class B1); primary school; open space including sports pitches with ancillary facilities; means of access (including the demolition of 344; 346; 348; 458 and 460 Poplars Avenue) and supporting infrastructure. (All detailed matters other than access reserved for subsequent approval.) (Application is accompanied by an Environmental Impact Assessment). |
| Date Registered: | 15-Aug-2016 |
| Applicant: | Satnam Millennium Ltd |
| 8/13/16 Week Expiry Date: | 04-Dec-2016 |

Executive Summary

The proposal is an outline application for up to 1,200 new homes together with a new neighbourhood comprising the mix of uses set out in the full description of development above.



Extract from submitted illustrative Masterplan, showing areas proposed for residential and other development

In principle, the proposal is undoubtedly capable of bringing significant potential benefits as a sustainable “urban extension” to the northern edge of Warrington, without intruding into Green Belt. It is therefore important to consider the application on its own merits and in the wider context in order to ensure that a truly sustainable balance of new homes, jobs, local services and supporting social and other infrastructure could potentially be delivered. It is considered that the application could potentially make a valuable contribution in these regards, and proposes the following:

- The delivery of up to 1,200 new homes, including a minimum of 30 per cent of site capacity to be affordable housing, to include Starter Homes; discount purchase and rented accommodation
- A new local centre, including a food store, eateries and services to serve the new homes as well as adding to choice and availability for existing residents across north Warrington;
- The delivery of local highway improvements aimed at mitigating the new vehicular trips generated by the development and to improve the wider local highway network in north Warrington
- A travel plan bus pass system for new residents and cycle voucher scheme
- The reservation of a suitable site for a new primary school adjacent to the proposed local centre shown on the submitted Masterplan, or a financial contribution to the expansion and improvement or other

- primary schools in the area, or a combination of both
- The provision of a new 100 bedroom care home for the elderly
- The replacement of the existing playing fields (ie the Homes and Communities land at Blackbrook Avenue) on a like-for-like basis elsewhere within the development site
- The laying out of new playing fields on the Council's land at Windermere Avenue prior to the closure of the Mill Lane playing fields
- The landforming and planting of a substantial lands cape buffer to the northern edge of the site, alongside the M62, with public access

Members will be aware that - in the absence of a confirmed housing target figure for the Borough or a demonstrable five year housing land supply, the National Planning Policy Framework (NPPF) makes it clear that there should be a presumption in favour of sustainable development.

The proposal is considered to be a sustainable urban extension, albeit onto "greenfield" land, which would bring investment, new housing and other new activity and facilities into an area bounded by parts of Warrington which are among the 10, 20 and 30 per cent most deprived in England. No development is proposed within the confines of the existing Peel Hall Park area.

By reason of the scale and range of the proposals, the scheme clearly has the potential to deliver substantial transformational benefits. The proposal reinforces the evidence that Warrington is capable of attracting large scale new mixed use development, and is a desirable location of choice for land developers, businesses and for those wishing to base themselves in Warrington, as new or re-locating residents.

The potential impact of the proposal obviously includes that of access and impacts on the existing road and transport infrastructure. Assessment of these impacts has been the subject of detailed work and review by the applicant and by the Council's teams. Following work by both parties to assess and to formulate potential mitigation measures to support the scheme with new or improved infrastructure and/ or other transport-related measures since before the submission of the application, such mitigation has not been finalised or agreed. In these regards, it is considered that insufficient information has been submitted to enable the local planning authority to confirm that the potential impacts of the proposed development on the transport network would not be severe - should the full development proceed. In the absence of adequate information to accurately forecast potential impact, it is not considered possible to design and deliver suitable mitigation. The insufficiency of such information also does not make it possible to accurately model the impacts on air quality or road noise. In the absence of the known financial costs of mitigation, it is not clear either whether the proposed development could be reasonably expected to bear the costs of delivering the range of other measures required by the Council's Planning Obligations SPD, as set out in this report. Nonetheless, the range of "social infrastructure" requirements expected by Core Strategy policies and by the adopted Planning Obligations SPD – namely schools places, health care and

sport and recreation provision - are not considered to have been met. Failure to provide such contributions are considered to detract from the overall sustainability of the scheme, in conflict with the thrust of the National Planning Policy Framework, and in particular paragraphs 7 (second bullet point) and 8. The refusal of planning permission is recommended in the light of this, as it is considered that without known and agreed mitigation, the potential benefits of granting permission would be significantly and demonstrably outweighed by the negative effects of the likely impacts.

Human Rights

The courts have held that in planning matters - as there are inherent measures to protect an individual's interests - it is unlikely that a planning decision will result in such an impact that the harm caused is disproportionate to the goal to be achieved. This application should be considered in the light of the provisions of the Human Rights Act 1998. Under Article 6, the applicants [and those third parties, including local residents, who have made representations] have the right to a fair hearing - and to this end the Committee must give full consideration to their comments. Article 8 and Protocol 1 Article 1 confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the adopted Warrington UDP and the emerging Local Plan Core Strategy for Warrington, the Strategic Director for Economic Regeneration, Growth & Environment has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the wider public interest - and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights - posed either by the grant or refusal of the application - would be within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Reason for Referral to Development Management Committee (DMC)

It is considered expedient and appropriate to refer this application to DMC by reason of the significant scale of the proposal. The application is "major" according to the government's classification, and has attracted a high number of objections.

Application

This is an outline application – with details of access to be determined now. The proposals show the general extent and availability of areas for landscaping – although the detailed treatment of landscaping is a reserved matter. The general proposed extent and distribution of land in the each of the proposed uses is also shown for illustrative purposes. Also shown for illustrative purposes are suggested layouts for each of the phases and sub-phases. Understandably, there is very little certainty over the detailed final form of the proposed development at this point in time. This is because the

applicant will seek to put the site on the open market should outline permission be forthcoming - with the intention that individual volume housebuilders and other developers will then put forward their own detailed schemes for each part of the Masterplan area.. At this stage, the applicant is seeking an outline permission which is as "open" and consequently as flexible as possible – in terms of details of layout, landscaping *et cetera*. Notwithstanding this, 840 open market houses and 360 affordable homes have been proposed by the applicant.

The application has been submitted with an Environmental Statement, as the project is subject to Environmental Impact Assessment (EIA), and with a comprehensive suite of other documents and supporting material, as follows:

- Detailed access plans covering Birch Avenue; Poplars Avenue West; Blackbrook Avenue; Mill Lane; Poplars Avenue; Grasmere Avenue;
- Environmental Statement (3 volumes including non-technical summary)
- Design and Access Statement
- Planning Context Assessment Report
- Transport Assessment
- Landscape and Visual Assessment Report
- Ecology Reports
- Retail Assessment
- Phase One Desk Study Report
- Technical Paper on Housing Issues
- Flood Risk Assessment
- Utilities Report
- Air Quality Assessment
- Noise Assessment
- Archaeology Assessment
- Pre-Application advice letter
- Draft Heads of Terms for S106 agreement
- Statement of Community Involvement
- Parameters plan
- Landscape Masterplan (illustrative)
- Site Masterplan (illustrative)
- Layout for local centre, family pub and school (illustrative)
- Sports and recreation plan (illustrative)

Site

No part of the application site is allocated for any particular use or purpose by the Local Plan Core Strategy for Warrington.

No development is proposed within the confines of the existing Peel Hall Park area.

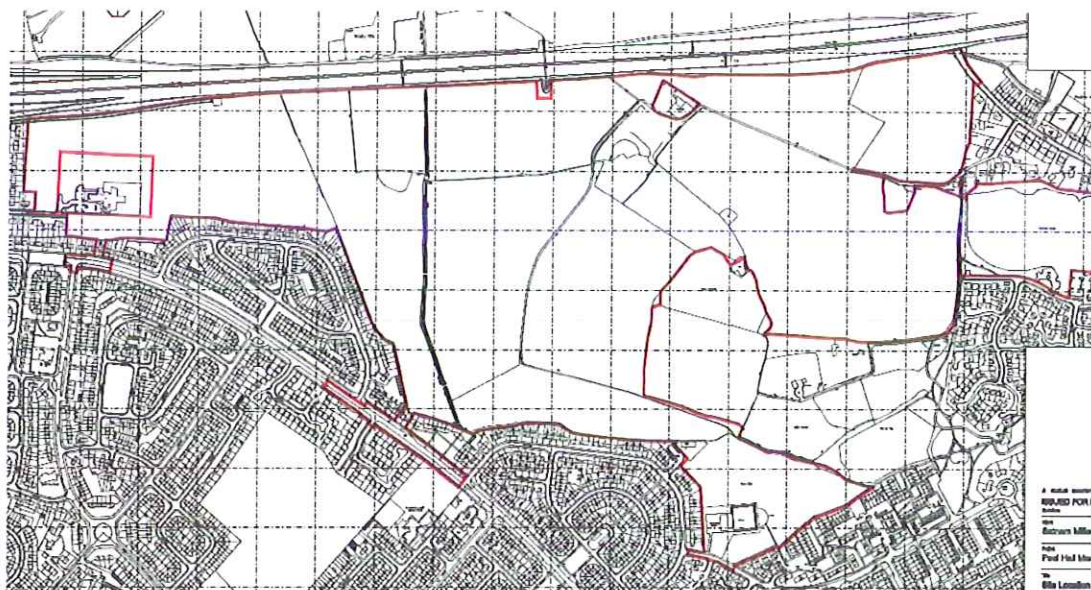
No part of the site is Green Belt. The entire 69 hectare site is within the confines of the built up area boundary of Warrington.

In general terms, the 69 ha site is bounded by the urban area of Warrington to the west, south and east, and the M62 to the north. Approximately 4 ha of the site is Council operated recreational open space.

The great majority of the site has not been previously developed, is therefore “greenfield” and is composed of largely dis-used arable fields sub-divided by ditches and largely fragmented hedgerows. There are some relatively small stands of mature broad-leaved plantation woodland and several small ponds. There are substantial stands of immature broad-leaved woodland on the southern boundary of the site. The open fields have been ploughed and left to grow and are now composed of a mix of grasses and tall herbs. The lack of land management has also allowed scrub saplings to establish here and in certain areas the cessation of management has also allowed the growth of common reed.

In contrast to the rest of the site, the easternmost part includes a recreational area with playing fields, formal footpaths and is landscaped with immature woodland and shrubs.

The northern boundary is largely formed by the M62, while to the south, west and east the land is predominantly residential housing – the exception being Radley Wood and the grounds and houses at the end of Radley Lane.



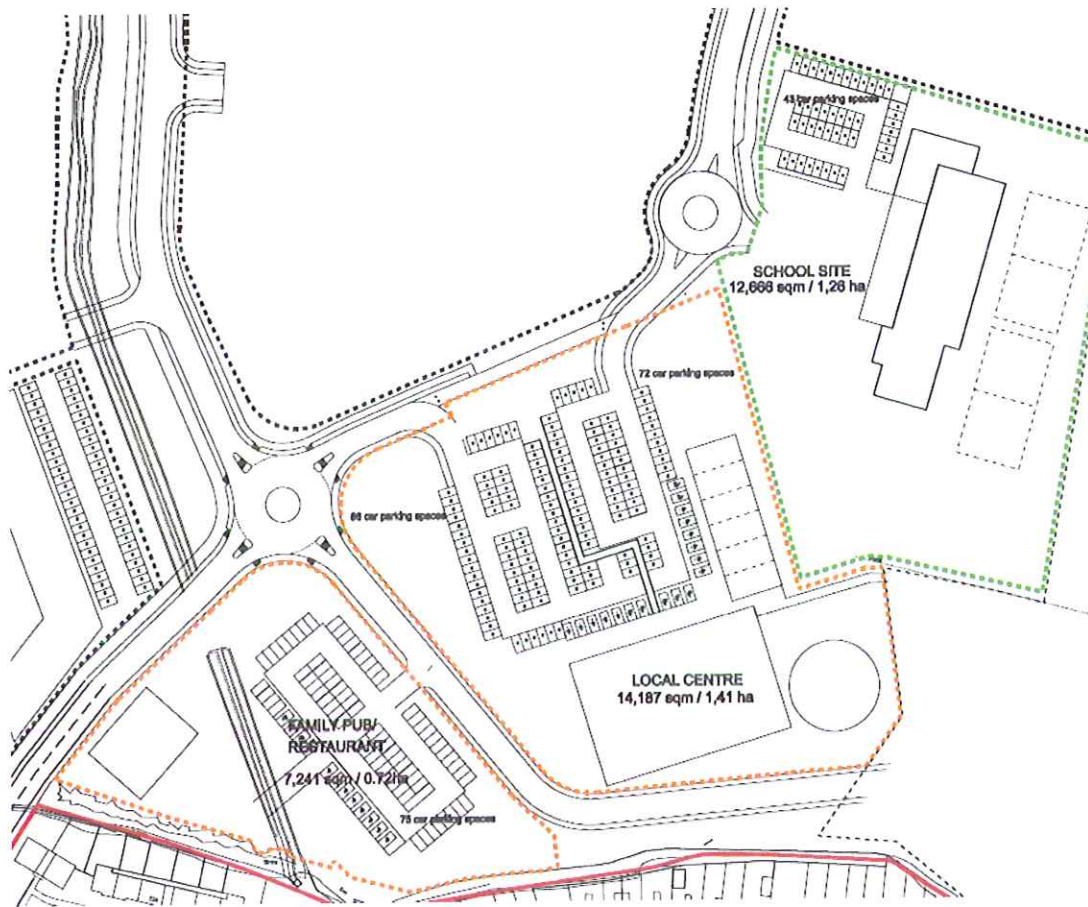
The application site “red edge” boundary



Extent of Application Site

Elements of the Proposals

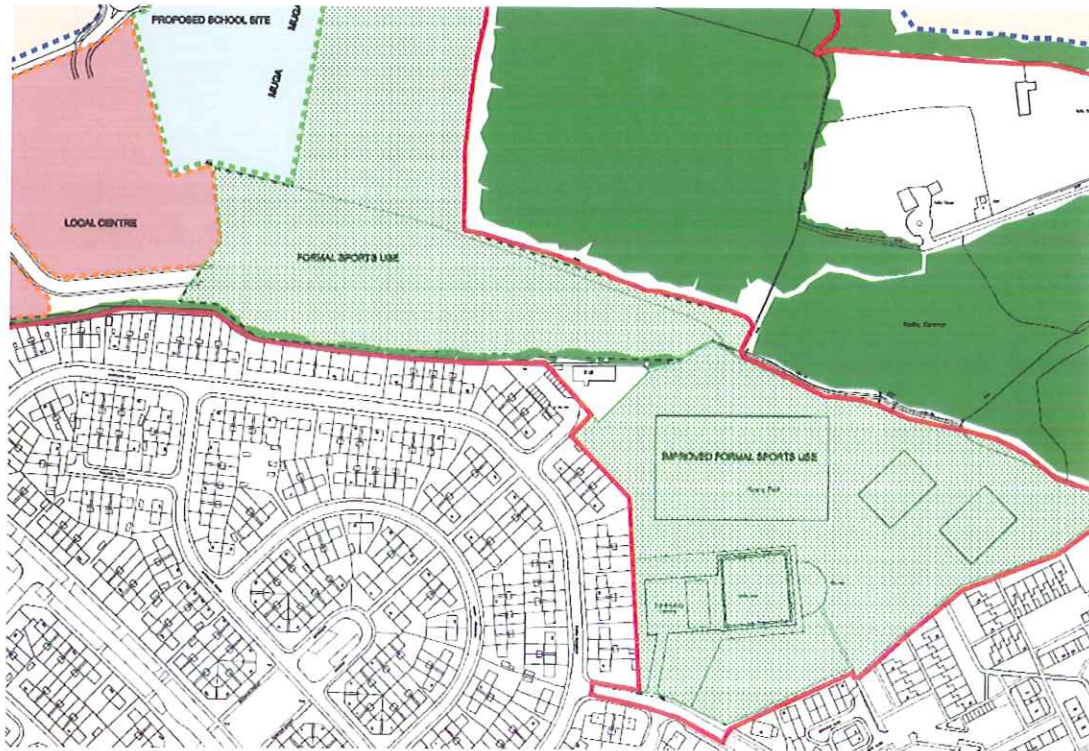
Satnam propose 30 per cent of total site capacity as affordable housing, with at least half of that being in the form of Starter Homes – with the remainder as shared ownership and/or rented housing. The focus of the new community would be a local centre - serviced from Poplars Avenue - with an anchor food store, and smaller units comprising retail; services; fast food; restaurant; health care uses and family pub/ restaurant.



Illustrative plans for local centre, family pub and school layout

It is proposed to re-locate the Mill Lane playing fields close to the edge of the site with the Council's Windermere Avenue recreation area - to deliver a significant new sporting facility to help serve northern Warrington. Site specific proposals such as this, although relating to the layout of the part of the application site, could be set as a "parameter" as part of this application – so that it would inform the detailed, "reserved matters" proposals later.

Satnam propose the re-provision of the Mill Lane pitches on a like-for-like basis in terms of the number playing pitches and site area – but to a higher standard than the current provision- and would be linked to the Council-owned Radley Common recreation area at Windermere Avenue. It is intended that these two facilities would combine to create a new, high quality facility for outdoor sports in north Warrington.



General arrangement of re-located & improved sports provision

Similarly, the proposed local centre is shown near the southern edge of the application site, near to existing residential development on Newhaven Road, Poplars Avenue and Windermere Avenue – so that these facilities would occupy quite a central location between large areas of existing and proposed housing. It is the applicant’s intention to bring the local centre forward early in the development of the site, so as to deliver the benefits of new shops *et cetera* as soon as possible.

The site for the proposed primary school would be next to the local centre. The provision of employment land in the extreme north west of the site, seeks to take advantage of the ability of potentially larger buildings to act as noise shields for other neighbouring uses, with the potential to benefit residents of Elm Road and Birch Avenue, as well as some of the proposed new housing. Satnam suggest a range of potential activities such as research and assembly and light manufacturing - rather than offices – in small and medium size units, not exceeding 500 sq m.

Satnam propose a network of open space within and surrounding the site, which would extend northwards from Peel Hall Park, through the centre of the site and then east/ west along the M62, feeding into the surrounding areas. This open space would provide a network of areas for a range of passive and active recreational pursuits.

Satnam set out that the proposals could bring opportunities to improve the following:

- Market housing choice

- Affordable housing choice
- Local employment
- Local retail centre and other services
- Education improvements (financial contributions to secondary schools in the area and new primary school accommodation)
- Recreational, informal and formal sports provision and community facilities
- Bus service improvements
- Health care improvements

Relevant Application History

Outline applications for housing across the Peel Hall site were withdrawn by Satnam in August 2002.

An outline planning application for up to 150 dwellings in the north eastern section of Peel Hall, off Mill Lane (2012/20610) was the subject of a non-determination appeal decision in July 2013. The appeal was dismissed, the Inspector agreeing with the Council that this site was too far from local amenities and facilities and - since there was no need for additional housing to be released at that time - the proposal should be resisted.

Planning Policies

National Planning Policy Framework

Matters relating to the delivery of sustainable housing and other forms of development.

Paragraphs 12; 13; 14; 17; 47; 49; 72; 73; and 74 of NPPF have been identified by the applicant as of particular relevance.

Local Plan Core Strategy

CS1 – Overall Spatial Strategy – Delivering Sustainable Development

CS2 - Overall Spatial Strategy - Quantity and Distribution of Development

CS3 - Overall Spatial Strategy – Maintaining a 10 Year Forward Supply of Housing Land

CS4 – Overall Spatial Strategy - Transport

CS8 – Omega and Lingley Mere

QE1 – Decentralised energy Networks and Low Carbon Development

QE3 – Green Infrastructure

QE4 – Flood Risk

QE5 – Biodiversity and Geodiversity

QE6 – Environment and Amenity Protection

QE7 – Ensuring a High Quality Place

MP1 – General Transport Principles

MP3 – Active Travel

MP4 – Public Transport

MP6 – Transport Infrastructure

MP7 – Transport Assessments and travel Plans

MP10 - Infrastructure

PV1 – Development in Existing Employment Areas

- SN1 – Distribution and Nature of New Housing
- SN2 – Securing Mixed and Inclusive Neighbourhoods
- SN4 – Hierarchy of Centres
- SN7 – Enhancing Health and Well-being

Supplementary Planning Documents

- Design and Construction
- Environmental Protection
- Standards for Parking in New Development

Notification Responses

Warrington North Labour Party (WNLP)

During the summer of 2016 WNLP consulted with residents on the application; collated these responses and has submitted them for consideration at DMC.

WNLP seek the Council's commitment to:

- (a) Logging each of these objections as part of the planning consultation process;
- (b) Informing, in writing, each individual objector of any forthcoming meetings of the Development Management Committee at which the Peel Hall application will be discussed/determined; and
- (c) In the case of members of the Development Management Committee, taking account of the views and comments submitted by residents in respect of this application.

Ward Councillors

Objection from Cllr Cathy Mitchell and Cllr T O'Neill:

1. The proposed access arrangement to serve the proposed development are inadequate and will cause severe traffic problems and congestion in the narrow roads leading to the development; some of the access roads are already narrowed by parked cars belonging to the properties there. This would give rise to significant difficulties to both residents and emergency vehicles attempting to reach or leave the proposed development.
2. For such a major development, the number of access points is woefully inadequate.
3. There are insufficient safe pedestrian access points to serve such a large development.
4. Traffic generated by 1200 new homes plus commercial outlets would cause significant negative impact on highway safety and would cause traffic gridlock throughout Winwick Village; the roads through Winwick are already critically overloaded.

5. There would be inadequate provision of open space / sports facilities for all of the surrounding areas which would be affected by this development. In fact, green space already available for local residents within walking distance of their homes would be lost.
6. In the area of this proposed development, school places are already oversubscribed. It is unclear whether the phasing of the school in this development will satisfy the requirements of the number of children accommodated in the new 1200 homes.
7. The proximity of the proposed development to the motorway means that the air quality in the area is already poor. Increased development will simply exacerbate the situation.
8. In light of the above, non-exhaustive, list of difficulties relating to the development proposed by Satnam, we would urge that the application for outline planning permission be refused.

Objection from Cllr R Purnell objects:

My main objection to the plans proposed by Satnam is their effect on the local infra structure. The roads in this area will not sustain the increased traffic the development would bring. As a resident of the area I see first-hand the traffic chaos in the area at peak times, which are increasing week on week. As arterial roads in the area become more congested more and more residential roads are being used as rat runs and diversions. I also have serious concerns regarding the environmental impact of the development. Developing the area would detrimentally affect local wildlife, which has been flourishing for a number of years.

Parish Council (s)

Poulton with Fearnhead Parish Council: Object:-

1. Contrary to policies which support regeneration and restructuring of older parts of the town
2. Contrary to policies to prevent expansion into open land.
3. No evidence to promote a significant development of a greenfield site
4. The development is not led by a proper planning process and is piecemeal
5. Transport issues in the area would be exacerbated by the large scale development
6. The site is poorly located to public transport and local amenities
7. The alternative to the original proposal to use Mill Lane is totally inadequate to service the site nor are any of the other alternatives

Winwick Parish Council: The parish council wish to lodge what they refer to as an initial objection, on three grounds:

- 1) In relation to land use the Council is not convinced that the release of this site is required in order to meet the reasonable housing needs within the Borough. The Parish Council has however asked the Borough Council to confirm its position on what it considers to be a reasonable housing need

given the challenge that was made to its proposed core strategy and is in effect seeking an update from the Borough in relation to its view on the need to release this site. The Council is extremely concerned (see points 2 and 3) that the release of this site would have a negative impact on; the local highway network, local ecology around its Radley Common and Radley Wood reserves and the local 'greenbelt' and 'greenfield' land within the Parish

2) The applicant's traffic study appears to do little more at this stage than present some junction designs. The Council is very concerned in relation to the detail of the traffic and highways information supplied. The Council is concerned that given the lack of public transport links to the site the impact on local roads and the wider network would be unacceptable at peak flows and would fail any basic sustainability test under the NPPF. Those heading south will cause a severe strain on small local roads and those heading west and north can only do so by using parts of the network that are already congested (Birchwood Way) or have a poor safety record (Delph Lane). Those heading west will be using a junction off the A49 that does not meet modern highway's standards. The applicant seeks to mitigate this impact by offering bus infrastructure but there is no guarantee an operator would run services along this infrastructure given such services are deregulated

3) Ecological impact: The Parish Council owns and manages two land assets in the area (Radley Wood and Radley Common) as nature reserves as such there are many species of bird including raptors that nest in our assets but forage for food across the current area proposed for development. This does not appear to have been accounted for in the ecological report. The Council also disputes the findings of some of the surveys as species marked as absent have been recorded as present by our local volunteers. As a minimum, the applicant's experts should be asked to obtain the species lists known to be present and reconsider the impact of the development on local species. The Council would like to reserve right to comment further as more information on these three areas becomes available and does not rule out commissioning its own studies into these issues.

Neighbours – Objections from circa 2250 individuals, which are summarised under the following headings. It is acknowledged that circa 2000 of these objections were received on standards forms, via Warrington North Labour Party, and includes some duplicates.

NB: Individual grounds of objection are demarcated with the # symbol, and are grouped together under the following headings:-

Principle; Need

Warrington has enough housing already and it is not required in this area # already local shops and schools in place, what is the requirement to add more # this is the only remaining greenspace/farmland in Warrington North # there is significant land already set aside for development; this area is used often for children to play on, dog walkers and nature lovers # there are many brownfield sites suitable for development across Warrington # nothing to do with satisfying housing demand and everything to do with Satnam making a

profit out of cheap land # north Warrington has already contributed more than its fair share to the economy of the town # no shortage of housing for sale at all price points # north Warrington is at saturation point # more pubs and takeaways are not needed #

Highways/ Traffic

Access arrangements are not deliverable or sustainable # applicant does not own and is not in discussion with relevant owners to guarantee sustainable delivery # without access through the playing fields the whole development becomes piecemeal planning # safety risk along Peel Cottage Lane and Radley Lane as pedestrians would compete with vehicles for extremely limited access with inadequate visibility # appeal inspector recognised that footway/ cycleway links to Radley Lane would be unattractive to users in winter and after dark # this would be worse if proposal would give access to 850 new dwellings to a small country lane, single width, no street lighting, no drainage, no pavements, is unsuitable for pushchairs or wheelchairs; subject to flooding; pedestrian conflict with traffic travelling through Radley Lane to Peel Cottage Lane and to Peel Hall Farmhouse/Kennels and vehicles using Peel Cottage lay-by as a turning point # if allowed, primary school age children would walk over Peel Cottage Lane and onto Radley Lane # no changes for this area which was dismissed at appeal # three arm roundabout would mean four major access roads competing for access within a distance of 180 metres # 700 dwellings etc. using one access point in such close proximity to a further 150 dwellings joining the same road would compromise highway safety #

Delph Lane and Winwick village and Mill Lane/ Enfield Park Road/ Crab Lane could not cope with traffic flow # design and layout of road network and proposed pedestrian/ cycle access are flawed and will not promote pedestrian safety # all passing points on Peel Cottage Lane and Radley Lane are proposed for removal; these have been used for 25 years; without these the vehicles would need to reverse 150 metres to the junction with Mill Lane and then reverse into Mill Lane at the T junction # no reference in submitted safety audit to audit at Radley Lane/Peel Cottage Lane which is only access to Peel Hall Farmhouse/Boarding Kennels and is subject to a restrictive covenant # significant highway and pedestrian safety issues on the proposed access road and at the junction of Mill Lane and Radley Lane # Elm Road is too narrow and already suffers # significantly with tight approach angles and narrow routes through; any increase in traffic is sure to damage both vehicles and property # the local infrastructure off the motorway junction to the town centre already struggles with the enormous levels of traffic # any incident on the motorway or across town can add significant delays both in and out of Warrington; Elm Road & Birch Avenue are already at the mercy of the motorway traffic, surrounding businesses and residents # traffic from 1200 new dwellings gives an extra 712 cars am and 776 cars pm; this would adversely affect highway safety to all areas of the development including Houghton Green Village, Cinnamon Brow, Poplars and Hulme, Winwick Village, Croft Village, Fearnhead # increased congestion would deter future investors in the Borough

Sport/ Recreation; Playing Fields; Open Space

Proposal to move playing fields from Mill Lane to Windermere Avenue is the same as the 2013 appeal proposal for 150 dwellings off Mill Lane # current proposal is not increasing the number of pitches/ open space # 3000 more people squashed in with less open space # irreparable loss of green space # existing provision at Mill Lane is not owned by the applicant and the Council have confirmed that they have negotiated a 7 year lease for the fields to continue in their present use# no increase in number of sports pitches to accommodate 576 extra children # insufficient sports pitches/ open space for all areas affected by the development #

Nature Conservation; Ecology

Loss of wildlife, habitat and greenery # children love to watch wildlife # many varied and often rare species of wildlife and birds # Satnam have already started ripping out trees and shrubs when birds were nesting #

Archaeology

I am not aware that any archaeological surveys have been undertaken; this site is adjacent to a major Civil War battle site # a number of early modern pathways and cottages (dating to the eighteenth century) at the Houghton Green side of the site #

Air Pollution/ Noise

Increase in traffic will increase pollution# people who live within 500 m of a motorway grow up with significantly reduced lung capacity and even children who never experienced asthma are at risk # this is the last green lung # building so close to M62 is thoughtless and selfish

Drainage/ Flood Risk

It is highly likely that this will affect local drainage, increasing the flood risk as this land is low lying # increased pressure on poor drainage system #

Schools

By year ten of the development, 984 dwellings would be completed before the primary school; this is not sustainable development # in the 9 years before completion of the school, which school will the children attend # already a shortage of primary school places # 2013 appeal inspector noted that nearest primary school was 1275m from centre of the 150 dwelling site and so would only score 9 out of 35 according to a good practice example # strain on infrastructure provision # unacceptable phasing for school build to accommodate 576 extra school children in an area already oversubscribed

Other Services

Added pressure on GPs, dentists, hospitals, refuse collection and other services would be immense # will have a large effect on the community like our bus routes, schools, roads, doctors and traffic

Other Matters

Area cannot cope with many years of construction traffic, noise and activity # don't understand why Satnam are constantly trying to get planning permission

for this same area over and over again when they have been refused so many times # Warrington has too many bars and fast food places as it is # the proposal to build yet another fast food outlet is outrageous when surely it is our duty to be addressing growing obesity and its associated diseases such as diabetes; for many low income families in the area who don't own a vehicle Peel Hall provides an opportunity to walk and improve fitness, the last thing they need is another fast food outlet # yet another pub in the area will decrease security # a number of early modern pathways and cottages (dating to the eighteenth century) at the Houghton Green side of the site # would spoil views # contrary to Warrington's Health and Well-being Strategy (2015-2018)# Poor planning to allow the development without confirmation of land ownership

Two comments of support for the proposal have been received:-
Decent site for housing as long as traffic is thought about # there is a real need for housing # very few people use this park even in summer # it'll make a few bob for the Council, no cuts#

Consultation Responses

WBC Highways – In early August 2016, the applicant agreed to submit, by 14th October 2016, an Addendum TA which would detail, amongst other things, the impact of the development traffic and the full extent of proposed mitigation. The Planning Authority agreed to extend this deadline until 18th November 2016 and again, finally, until 2nd December 2016.

The current position is that whilst a Local Model Validation Report (LMVR) for the base model has been submitted by Satnam (on 6th January 2017), this does not progress matters significantly further as a number of issues will need to be addressed before this report can be signed off. The information needed for the Council to meaningfully assess the proposal was to be contained in the Addendum TA, which was to include an analysis of the impact of the development on the wider highway network in 2019 and 2029 and the full extent of proposed mitigation.

It is considered that a significant amount (realistically several months) of work is needed to complete the following stages of assessment:

- Highways review and agree the revised, resubmitted base year LMVR;
- Applicant to then apply future year flows and development traffic to the model to identify 'with-scheme' operation and where relevant junctions where further detailed analysis would be required;
 - WBC to review and agree any such locations;
 - Where necessary, the applicant will identify mitigation options and agree with WBC.
 - Applicant to undertake detailed analysis of junctions with mitigation;
 - Subject to WBC approval, applicant to re-run network model to include agreed mitigation;
 - Design of, and safety audit of mitigation measures at junctions by applicant, following by costing of measures;

- Applicant to address remaining detailed layout comments raised by Highways.

Notwithstanding the information submitted by Satnam on the 6th January, there is still no agreed forecast year model or proposed mitigation measures and this still falls short of what is required for the Highways team to make a meaningful assessment - or to have an understanding of what potential financial contribution might be required.

Moreover, this work would cover only physical 'highways' infrastructure – the model output would also have to inform the level of sustainable transport / Travel Plan requirements et cetera. Also, as set out elsewhere in this report, without certainty concerning the required mitigation measures it is also not possible to confirm air quality / noise impacts.

Detailed advice from the Council's Highways/ Transportation team is set out below in Appendix 1.

WBC Environmental Protection – Cannot support the proposal due to lack of information to assess noise and air quality effects.

WBC Schools – In summary, in addition to suitable land within the application site to accommodate a primary school, the build cost of a new one form entry primary school is needed to meet demand. The expansion of at least one existing primary school in the area is also required. In addition, funding for the expansion of one or a number of existing high schools would be needed.

WBC Public Health - The Council's Public Health Team have concluded that a financial contribution of £759,600 is required. This is based on the formula set out in the Planning Obligations Supplementary Planning Document (SPD), but excluding the provision of additional community space. The community space has been excluded as the Clinical Commissioning Group are seeking to expand existing facilities - rather than to provide a new hub. This gives a cost per dwelling of £633 - as opposed to the £943 set out in the draft SPD.

$£633 \times 1,200 \text{ homes} = £759,600.$

This money would be used to expand the existing practices at Padgate and Fearnhead.

WBC Flood Risk (Local Lead Flood Authority) – No objection, subject to conditions.

WBC Nature Conservation – Advise, in summary, as follows:-
Being an outline application, and the limited availability of information concerning the quantity and quality of Green Infrastructure (GI) that may finally be incorporated into the scheme makes it difficult to assess whether off-site compensation for ecological impacts should be made a *requirement* of any approval that may be granted to the application, and if so how much and of what quality this off-set should take.

The Illustrative Masterplan shows an application site dominated by built development plots, although it ought to be possible to incorporate GI into these plots.

The species and habitat assemblage present is not exceptional, although the site forms an un-fragmented large area of semi-natural habitat that does have some local ecological value that the Council should be looking to retain (NPPF para. 109.) For the level of distinctiveness of the habitats present, (low), taken with the condition of the habitats (moderate) and the difficulty of providing replacement habitats (low) and using a Biodiversity off-setting matrix I would expect about 12% of the site to incorporate habitats and features of value for wildlife. On this measure between 7-8 ha of the site should in my view be set aside as meaningful GI that could be managed with wildlife conservation as a primary 'ecosystem service'. Currently, although approx. 14 ha of the site is shown on the Masterplan as greenspace, more than a third of this is formal sports pitches and public open space that will have limited ecological value, and the landscape buffer along the northern boundary abutting the motorway will also have limited wildlife value, so in my view there is currently a habitat deficit within the site.

I would accept that there will be scope to incorporate further GI into the development plots shown on the Masterplan, which would deliver the required GI provision, and the applicant has indicated that landscape 'buffer zones' and 'wildlife corridors' will be incorporated into more detailed proposals. I would therefore re-iterate part of my previous response to the application –

- That space be set aside [within the site] for a new, un-fragmented area of semi-natural greenspace that could be managed for people and wildlife.
- That a comprehensive, holistic Landscape and Habitat Creation and Management Plan should be prepared for the site. Once agreed, this Plan should be implemented in full. The Plan should include biodiversity enhancement measures and proposals to retain and/or create meaningful green corridors through the site to allow for species movement.
- That important habitat features (hedgerows, trees, woodlands, ponds and water courses) should be retained and protected as part of the scheme, or if lost, replaced. The Radley Plantation woodland and the Spa Brook should be 'buffered' with landscape screens of 8 -- 10 metres.

Providing these recommendations are adopted the required ecological compensation could be delivered on-site I would not consider that off-site compensation would be required.

The consultants working on behalf of the applicant have suggested conditions relating to Landscape and Ecology. While regarding these conditions as

reasonable I have suggested some additions/amendments.

WBC Social Regeneration – No objection. Support possibilities of job and training opportunities during construction phases and the use of local labour and supplier linkages.

WBC Archaeology – No objection subject to condition:

“No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.”

Sport England (SE) – No objection, subject to conditions, as set out in Appendix 2 below:

Environment Agency (EA) – No objection in principle, subject to conditions. The EA have no objection in principle and welcome the aspirations to retain and enhance key wildlife corridors, and integrate new sustainable drainage systems as part of overall scheme.

By condition, the EA request that a scheme be agreed to ensure that the landscape within the site is managed in such a way as to protect the ecological value of the site including the Spa Brook watercourse and interconnected pond landscape.

United Utilities (UU) – No objection in principle.

Following discussion of the proposed development with the Lead Local Flood Authority (LLFA) at Warrington Borough Council, UU has no objection to the planning application at this stage. In accordance with good practice, UU suggests that if the Council is minded to grant planning permission that the approved plans are clearly referenced within the decision notice within a condition to avoid any ambiguity.

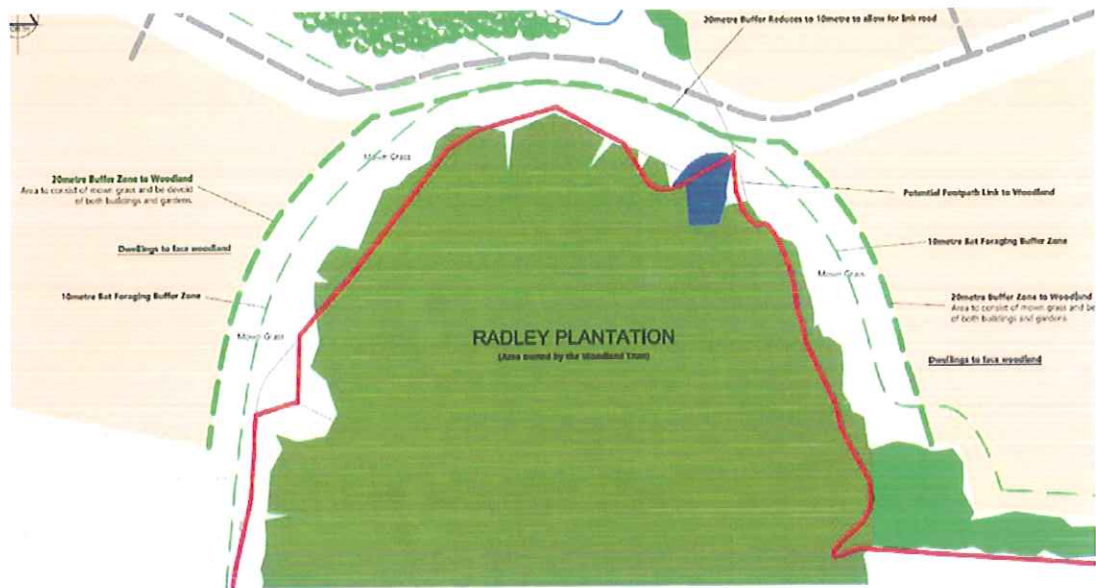
UU do not wish to object to the scheme, and have suggested a number of conditions aimed at ensuring foul and surface water drainage remain a key consideration as the design and layout of the scheme develops. These will be requested by the LLFA who would have the responsibility for advising on the discharge of the majority of the conditions, should planning permission be granted. The conditions reflect the strategic nature of the proposed development.

Highways England (HE) – HE have made a holding recommendation which currently expires on 14th March 2017.

Health and Safety Executive – Do not advise against the grant of planning permission on safety grounds.

Woodland Trust (WT) – Following discussions with the applicant’s agents, the WT have withdrawn their initial objections concerning potential impact (on Radley Plantation) on the basis of the revised arrangements for buffer planting around the edge of Radley Plantation.

If approved, the Trust requests a commitment from the developer to provide funding to mitigate the effects of increased public usage of their site. It is unlikely that this request would meet the tests concerning the strict need for S106 contributions in NPPF (para 204).



Observations

Principle

Members are aware that the overall Local Plan housing target was quashed by the High Court in February 2015 – and that in the absence of a housing target the Council is not currently able to demonstrate a 5 year housing land supply.

Until the Council can demonstrate a 5 year housing supply, paragraph 49 of the National Planning Policy Framework (NPPF) confirms that relevant policies for the supply of housing should not be considered up-to-date. This means that presumption in favour of sustainable development as set out in paragraph 14 of the NPPF applies.

Notwithstanding the High Court ruling, the ability of this proposal at Peel Hall to accommodate supporting land uses and the absence of a demonstrable five year housing supply means that the use of the site for residential development is considered acceptable – as a matter of principle.

The application has no particular designation for use or development according to the Proposals Map which accompanies the Local Plan Core Strategy for Warrington. No part of the site is in Green Belt and the site is regarded as being within the general built up extent of Warrington, rather than

in countryside, insofar as the Core Strategy is concerned.

The land is “greenfield”, in the sense that it has not been previously developed. Following the quashing of the Borough’s housing target however, the Council currently does not have an up-to-date “locally appropriate target”, as required by NPPF, in terms of the proportion of new housing to be built on previously developed land. In these circumstances, it is considered that that presumption in favour of sustainable development as set out in paragraph 14 of the NPPF applies.

The 2016 Strategic Housing Land Availability Assessment (SHLAA) concluded that Peel Hall is a suitable, available and achievable residential site for immediate development, and anticipates housing completions from the site within the next five year period.

Historically, in the Warrington New Town Outline Plan and the Padgate District Area Plan, Peel Hall was shown partly as residential, partly as open space. Peel Hall has previously also had some recognition – in local plan making – as its previous notation as an “Area of Search” or “Strategic Location” for future development during the course of the Warrington Borough Local Plan; the First Deposit Draft UDP and the draft of the current Core Strategy.

It is acknowledged that extensive areas of green infrastructure and soft landscaping would be provided as part of the proposal, but that large areas of green open space – albeit largely in private ownership and control – would also become developed. The Masterplan shows clear scope to retain the existing greenway network and routes, shown as part of policy MP3 in the Core Strategy, through the site - so that public access would be provided between the proposed new areas of open space within the site; with the proposed new development itself; and with the nearby parts of the existing urban areas of Warrington.

With regard to the retail, hot food and hotel uses, it is considered that the proposals satisfy the requirements of the sequential and impact tests, as set out in the NPPF and policy SN5 of the Core Strategy. The assessment demonstrates that there are no sequentially preferable sites and there would be no significant adverse impacts as a result of the proposals.

Affordable Housing

The Council’s affordable housing policy in the context of the Peel Hall site has a requirement for 30% affordable housing provision of which half should be affordable housing for rent and half for intermediate provision. The Council’s Planning Obligations SPD has confirmed that the Council will accept Starter Homes to contribute towards affordable housing provision as part of the intermediate proportion of provision. The SPD also reconfirms the Council’s requirement for rented affordable housing, reflecting the findings of the 2016 Mid-Mersey Strategic Housing Market Assessment.

The application proposes 30% affordable housing of which 50% will be starter homes and 50% affordable for rent. This is conditional to the requirements of the forthcoming Starter Homes regulations. If the regulations require a higher percentage of Starter Homes to be provided on site then this will result in a corresponding decrease in affordable homes for rent. The applicant has also confirmed the final mix of affordable housing will be dependent on the financial arrangements and settlements for tenure types available to Housing Associations at the time of the particular development phase.

In the period since the applicant confirmed their affordable housing offer, the Government has published its Housing White Paper. This is proposing a broader approach to affordable housing provision, including recognition of the importance of rented affordable homes as well as promoting low cost home ownership. The Government has also confirmed that whilst it will support the development of Starter Homes as a mainstream home ownership product, it has decided not to implement a compulsory Starter Homes requirement at this point in time.

This means that the Starter Homes regulations when published are unlikely to require a change to the applicant's affordable housing offer. The applicant's affordable housing offer is therefore considered to be compliant with the Council's planning policy, subject to ensuring that any variation in the affordable housing provision of individual phases does not comprise the affordable housing provision of the overall development.

Highways & Transportation Matters

Notwithstanding the information submitted by Satnam, there is still no agreed forecast year model or proposed mitigation measures and this falls short of what is required for the Highways team to make a meaningful assessment of impact - or to have an understanding of what potential financial contribution might be required to provide mitigation.

Moreover, modelling and forecasting work would cover only the potential, physical 'highways' infrastructure – the model output would also have to inform the level of sustainable transport / Travel Plan requirements et cetera. Also, as set out elsewhere in this report, without certainty concerning the required mitigation measures it is also not possible to confirm air quality / noise impacts.

Detailed advice from the Council's Highways/ Transportation team is set out below in Appendix 1.

Environmental Matters

The Council's Environmental Protection (EP) team gave detailed advice in the proposal at pre-application stage, and at a meeting in January 2016 with the applicant regarding requirements in relation to environmental protection matters including air quality, noise and contaminated land.

The below is a summary of the advice of the EP team with regard to the application which has now been made:-

Air Quality: An air quality assessment has been provided with the application. Queries have been raised by the Council's Transport team regarding the traffic assessment provided. Until these queries have been addressed and the traffic assessment has been agreed, then a suitable air quality assessment based on an agreed traffic forecast cannot be produced. When agreed traffic data has been provided, the consultant carrying out the air quality assessment should contact the EP team to agree the scope and methodology. Until an acceptable air quality assessment is provided then the EP team cannot confirm that the impact of the proposal would be acceptable in terms of its air quality effects.

Noise: There are two elements of potential noise impact; namely the impact of noise from the existing local road network (primarily the motorway network) that would affect amenity of future occupiers – and secondly the potential, slighter impact from the finished development affecting residential properties along the access routes.

It is anticipated that conditions could be used to ensure that noise from the motorway network could be suitably attenuated, and that the proposed layout of new dwellings *et cetera* could also be undertaken with this in mind. The EP team cannot recommend approval of the application until such time that suitable traffic assessment data is available – to potentially confirm that the impact of traffic generated by the proposed new development itself is acceptable. The EP team advise that the contribution to noise levels from traffic travelling to and from the proposed development is likely to be slight – but that in the absence of agreed traffic data – they can not confirm that there would not be an unacceptable impact on the living conditions of those living in existing properties along the main access routes to the proposed development.

It is considered that a condition to ensure adequate noise attenuation for new properties – in terms of maximum permitted internal noise levels in new dwellings and external amenity areas – could be applied to mitigate potential harm in this particular regard.

In terms of construction noise, controls can be imposed to control overall noise impacts from the construction process and to mitigate potential harm via a condition.

In terms of the impacts on noise arising from new traffic flows from this development – the increase in noise presented so far is likely to be lower than the threshold of perception in the worst cases but the actual levels cannot be stated at this time based on lack of agreed traffic data to inform noise predictions.

Land Quality; External Lighting; Details of Food Premises Cooking Equipment; Subject to conditions and assessment of detailed layout *et cetera* as part of reserved matters application, there is no objection on these grounds.

Public Health

According to the Council's adopted Planning Obligations Supplementary Planning Document (SPD), a financial contribution of £759,600 would be generated by a housing development of the size proposed. This figure is based on the formula set out in the SPD, but excluding the provision of additional community space. The community space has been excluded as the Clinical Commissioning Group are seeking to expand existing facilities - rather than to provide a new hub.

Overall therefore, this gives a cost per dwelling of £633 - as opposed to the £943 set out in the SPD (i.e. £633 x 1,200 homes = £759,600). This finance would be used to expand the existing practices in Padgate and Fearnhead. The development is also providing a site for a residential care home, to provide specialised accommodation for the elderly - potentially for 100 beds. According to the Council's 2016 Strategic Housing Market Assessment (SHMA), there is a need for an additional 60 bed spaces per annum of such specialist care provision, reflecting Warrington's ageing population. The development is therefore making a positive contribution to meeting this need.

Schools

The following primary schools are within 1 mile of the Peel Hall site:- Brook Acre CP; Cinnamon Brow CE; St Bridget's; Meadowside CP; St Margarets CE; St Andrews CE; St Stephen's ; Winwick CE.

Whilst the Council's projections for primary school places are only valid for four years, the primary schools listed above have historically been relatively full and are likely to remain so. There is also only limited spare capacity in primary schools that are within 1 – 2 miles of the proposed development. In this context, any housing development has the potential to impact on these existing schools. To provide phasing for additional school capacity, therefore, details of the rate at which new dwellings would be built and occupied would need to be agreed.

The Council's schools team have advised that the Council should seek to secure land for a new primary school on the Peel Hall site at no cost to the Council, and that land for a one form entry primary school would be sufficient. In addition, the Council should also seek a financial contribution for the construction of a new 1.0FE primary school on the site and for the expansion of at least 1 nearby existing primary school by 0.5FE.

Whilst Satnam have agreed to the principle of the reservation of a site suitable for a primary school within the site, or a financial contribution towards the expansion and improvement of other primary schools in the area – or a combination of both – Satnam have not agreed to fund the construction of a new primary school.

The impact of the proposed housing at Peel Hall cannot be mitigated solely by the expansion of existing local schools. Currently there are 8 primary schools within 1 mile of the development and only 2 of these could be comfortably expanded (by up to 0.5 form entry), with the 3 nearest schools all being unsuitable for expansion. Also, only 2 of these schools are non-faith, with the

4 nearest to the site all being faith schools, so it would be beneficial for the provision of a non-faith school to serve the needs of the development. In these circumstances, a new build primary school would be required in addition to the expansion of at least one existing school – the cost of which would be circa £4.5 million.

The following high schools are within 3 miles of the Peel Hall site:- Birchwood High Academy; Cardinal Newman; University Academy (formerly Padgate High School); Sir Thomas Boteler CE; St Gregory's; Beamont Academy; The Kings Free School; University Technology College. Satnam have suggested that the mitigation of impact on secondary school provision should take the form of financial contributions to the expansion and improvement of existing secondary schools in the area.

The Council's schools team have advised that a new high school would not be needed – provided that the expansion of one or a number of existing high schools took place. To provide phasing for additional school capacity, details of the rate at which new dwellings would be built and occupied would need to be agreed.

The cost for high school places, to be provided at expanded nearby schools would be circa £3.5 million.

The Proposed Mixed Use Hub

These uses are "town centre uses", according to the NPPF – and so the sequential and impact test have been applied. The key local policies in this regard are CS2, CS8 and SN5.

CS2 aims to ensure that defined centres – such as local and neighbourhood retail centres – maintain their role and status by being the focus for further retail development, and by strictly controlling inappropriate out of centre retail development.

The applicant has set out that the proposed scale of the proposed local centre is appropriate and would not undermine the status of any existing centres. It is set out by the applicant also that the role of the hub should take account of the need to support the significant residential development now proposed, as well as – potentially – some of the future operators of the new businesses. The provision of a range of shops, services and food & drink uses within the centre would provide a focus for both the future residents of the Peel Hall development and for the nearby large existing residential areas of Warrington. The sequential test is set out in the submitted retail statement. It is argued that there is a need to provide a range of complementary uses, to support the proposed mixed use development at Peel Hall and to ensure a sustainable form of development. The case is made that the new centre would have wider benefits, and so it would not be appropriate to disaggregate any standalone elements of the proposed scheme, by re-locating them to an alternative (sequentially preferable) location. Overall, it is accepted that the proposals could not be accommodated at a sequentially preferable site elsewhere.

In terms of potential impact on existing centres, the assessment concludes that the proposed retail uses would draw trade primarily from within the proposed development itself, and then goes on to assess the potential impact based on the considerations in paragraph 26 of the NPPF – including the impact on existing, committed and planned public and private investment and impact on town centre vitality and viability. The NPPF impact assessment concludes that the scheme will not have an unacceptable impact on any of the defined centres in the catchment area, or any other centre. The proposed local centre, potentially including a food store would inevitably divert some trade from centres in north Warrington. However, it is acknowledged that the retail impact of the application scheme is not at a level that will undermine the performance and viability of other stores or of other centres as a whole.

It is agreed that, overall, the trade impacts of the proposed retail development at Peel Hall would be capable of delivering the scale and type of ancillary facilities required to support an urban extension of this size.

Nature Conservation Matters

In liaison with the applicant's ecologist, both the Council's ecologist and the Woodland Trust have referred to the need for a physical buffer zone – albeit of differing depths – which may impact on the developable area of the Peel Hall site – and possibly therefore the total number of dwellings which potentially might be accommodated.

The Council's ecologist has re-iterated that:-

- space be set aside within the site for a new, un-fragmented area of semi-natural greenspace that could be managed for people and wildlife.
- a comprehensive, holistic Landscape and Habitat Creation and Management Plan should be prepared for the site. Once agreed, this Plan should be implemented in full. The Plan should include biodiversity enhancement measures and proposals to retain and/or create meaningful green corridors through the site to allow for species movement.
- Important habitat features (hedgerows, trees, woodlands, ponds and water courses) should be retained and protected as part of the scheme, or if lost, replaced. - Radley Plantation woodland and the Spa Brook should be 'buffered' with landscape screens of 8 - 10 metres.

The Council's ecologist goes on to stress that if these recommendations are adopted then the required ecological compensation could be delivered on-site and that he would not consider that off-site compensation would be required. The following conditions – which the Council generally sees as reasonable – have been the subject of discussion with the applicant:-

“No development shall take place on any individual phase until an Ecological Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- A. *An appropriate scale plan showing habitats to be created and/or retained and ecological protection zones where construction activities are*

restricted and where protective measures will be installed or implemented.

B. Details of ecological features of importance such as mature trees, woodland, hedgerows, ponds and protected species including bats that will be retained and protected, or if lost, compensated.

C. Details of protective measures (both physical measures and sensitive working practices) to avoid harmful impacts during construction. These to include measures relating to the protection of breeding birds, mammals and amphibians, the throughput of construction and other vehicular traffic, timing of operational activities; the erection of protective fencing at agreed distances from sensitive habitats and wildlife areas.

D. Details of ecology enhancement proposals within the wildlife corridor including details of the wetland areas.

E. A timetable to show phasing of construction activities to avoid periods of the year when activities could be most harmful, including the optimal bird nesting season and other wildlife breeding or hibernation seasons or times at which habitats may be most sensitive for example when setting seed.

F. Persons responsible for;

(a) Compliance with legal consents relating to nature conservation;

(b) Compliance with planning conditions relating to nature conservation;

(c) Installation of physical protection measures during construction;

(d) Implementation of sensitive working practices during construction.

(e) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;

(f) Provision of training and information about the importance of ecological protection zones to all personnel on site.

(g) Species monitoring- All construction activities shall be implemented in accordance with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

2 - *No development shall take place until a scheme for the provision and management of the 8 metre buffer zones around the watercourses and the Radcliffe plantation woodland has been submitted to and approved in writing by the local planning authority. The buffer zone shall be implemented in accordance with the approved details and retained as such thereafter.*

3 - *As part of the reserved matters application (s), a landscape and habitat creation and management plan for each phase shall be submitted to and approved by the local planning authority. The plan shall make reference to:*

i. Description and evaluation of the features to be managed;

ii. Ecological trends and constraints on site that may influence management;

iii. Aims and objectives of management;

iv. Appropriate management options for achieving aims and objectives;

v. Prescriptions for management actions;

vi. Preparation of a work schedule (including a 5 yr project register, an

annual work plan and the means by which the plan will be rolled forward annually);

- vii. Personnel responsible for implementation of the plan;
- viii. Monitoring and remedial / contingencies measures triggered by monitoring. The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority.



Pond Locations (blue annotations)

Public Open/ Children's Play Space/ Sport and Recreation

It is accepted that extensive areas of green infrastructure and soft landscaping would be provided as part of the proposal, but that large areas of green open space – albeit largely in private ownership and control – would become developed. The impact on each type of provision is set out as follows:-

Equipped children's play provision; there is currently a deficit of 2.25 ha in Poplars & Hulme Ward. Given that the site is relatively self-contained - being enclosed by the M62 to the north, main distributor roads to the west and east and the rear of the residential area of Orford to the south - and that there are only a few equipped play sites within the aspirational accessibility standards employed by the Council (which would be accessible to the south east part of the application site), the preference would be for new, on-site provision.

Based on the standard of 0.25Ha/1000 population, contained in the Open Space Audit (2015) the requirement at the Peel Hall site would be for the equivalent of 0.7Ha of equipped play space, in a combination of Local and Neighbourhood Equipped Areas of Play (LEAPs/ NEAPs) distributed across the northern and western portion of the site.

The Council's preference would be for the developer to take on the responsibility for the management and maintenance of any new open space – and so the design and future management/maintenance arrangements of the provision is considered capable of being agreed in detail with the Council as part of S106 Agreement.

Formal public open space; there is a deficit in the Poplar & Hulme ward, according to the Council's standards (i.e. a 2.8 ha deficit in informal play space and a 9.5 ha deficit in natural/ semi natural greenspace). However, there are surpluses in some typologies – for example a 3.89 ha surplus for Parks & Gardens.

A 1200 dwelling scheme at Peel Hall would result in increased deficits or changes from surpluses to deficits of all types of open space in the Poplar and Hulme Ward.

A development of 1200 homes would require a total of 11.44 ha of Public Open Space, comprising 1.52ha of informal play space; 4.4ha of Parks and Gardens and 5.52ha of natural/semi-natural green space, based on the Council's standards.

However, there are two substantial areas (11.51ha) of parks and gardens (Site Refs: 243 – Peel Hall Park and 762 – Hulme Park), a large area of natural/semi-natural open space (6.46ha) (Site Ref: 249 – Radley Common) and a small area (0.59ha) of informal play space (Site Ref: 250 - Orford Community Centre) in close proximity to the application site that are available to the public. All of which are within the Council's accessibility standards to at least elements of the southern part of development site.

Accordingly, it is not considered necessary to meet the full requirement for informal play, parks and gardens and natural/semi-natural green space but some provision (in the order of 3ha) should be provided to serve the northern and central portions of the development site. This should predominantly consist of informal play space (and be in addition to the equipped play space). The general distribution of green space shown on the Master Plan (Drg no. 140367-D-001 Rev A) is acceptable as a matter of principle.

Sport and Recreation; The local planning authority have sought to establish if the Council's sport/ recreation provider (Livewire) are supportive of the Peel Hall proposals - in the light of advice from the Council's Environment Services Manager (Parks and Green Spaces) and Sport England.

In terms of the Artificial Grass Pitch (AGP), Livewire will be guided by the Council's Playing Pitch Strategy Action Plan (PPSAP). The PPSAP will

identify strategic locations where they feel AGPs should be sited. The Football Association (who would be the primary source of partnership funding) are clear that they prefer AGPs to be located in an area of need, but most importantly at sites where infrastructure - in terms of access, car parking and management of facilities - already exists. (That way, the required funding would be less - as it would only relate to pitch works and not other elements such as building a car park etc.)

The Playing Pitch Strategy is likely to confirm a need for an additional ten AGPs across Warrington to meet demand – but these will be in as-yet-to-be-identified strategic location, which may include Rylands Sports Club; Dallam Recreation Ground/ Bewsey and Dallam Hub; and Orford Jubilee Neighbourhood Hub (2nd pitch) near to the Peel Hall site – but not the Peel Hall site itself.

In terms of the grass pitches; the principle of the proposed improvements to the existing pitch at Radley Common is welcome, alongside the creation of additional pitches and ancillary facilities, based on these being available for community use. The specific pitch types required (e.g. mini, junior, senior pitches) etc, needs to be informed by the Playing Pitch Strategy. It is likely that Livewire can only confirm this later in 2017 - once the needs assessment has been finalised and their Playing Pitch Strategy Action Plan is developed. Whilst the potential delivery of public open space, recreation and sports facility provision is therefore currently not resolved, it is considered that the proposed provision of the following is acceptable as a matter of principle and capable of mitigating the likely impact of the proposed development, in the light of other existing sports and recreation provision in north Warrington:

- Delivery of a combination of LEAP's and NEAP's distributed across the northern and western portion of the application site along with details of the management and maintenance arrangements;
- Delivery of approximately 3ha of POS, predominantly comprising informal play space, along with details of the management and maintenance arrangements;
- The creation of a replacement playing field immediately to the north of Windermere Avenue (Radley Common) to replace the existing playing fields at Mill Lane;
- Potential improvements in the quality of existing facilities to improve their capacity – such as:
 - potential Improvements to Windermere Avenue (Radley Common) itself that would see the creation of:
 - 1 full size Artificial Grass Pitch (AGP)
 - 1 adult football pitch
 - 1 junior pitch
 - Changing facilities and car parking
- The potential for a contribution from the applicant to help finance the Bewsey & Dallam Hub project in order to mitigate the impact of the development on the level of swimming pool provision in the Central Neighbourhood

Sport England has no objection to the principle of the proposed development, subject to the delivery of measures and contributions set out in their detailed advice – Appendix 2 below.

Section 106 Matters and Other Deliverables

As a result of the inability of the Council and the applicant to identify and agree Highway/ Transport mitigation measures – and consequently the potential cost of such measures – there is little basis to enable agreement of the total potential financial contributions towards required social infrastructure (i.e. schools, health care, sports/ recreation, affordable housing) which might be borne by the development. In summary, however, the up-to-date positions are as follows:-

Affordable housing: The generalities of potential provision (as set out above) are agreed with Satnam - subject to ensuring that any variation in the affordable housing provision of individual phases does not comprise the affordable housing provision of the overall development.

Schools: Satnam have set out that they agree in principle to reserve a site for a primary school within the proposed development and/ or a contribution to the possible expansion and improvement of other primary schools in the area. Satnam have also made the offer to contribute financially to the possible expansion of secondary schools in the area. Overall however, as set out above, advice from the Council's school's team is that developer contributions for a new build primary school – rather than solely the provision of land for this – is required, together with financial contributions towards the expansion of one nearby primary school and secondary schools. The combined cost of this would be approximately £7.97 million, and this has not been agreed with the applicant.

Health: Based on the Council's adopted Planning Obligations SPD, a financial contribution of £ 759, 600 would be required to expand existing health practices in Padgate and Fearnhead. This has not been agreed with Satnam, primarily because no specific schemes of expansion have yet been identified. The aspiration of the Clinical Commissioning Group is to facilitate some amalgamation of existing practices, so it is anticipated that the required SPD contribution would help to finance this.

Sport and Recreation: Satnam have set out that the development would deliver;

- the laying out of new paying fields on the Council's land at Windermere Avenue, prior to the closure of the Mill Lane playing fields
- the laying out and creation of the remainder of the agreed scheme for the Council's land at Windermere Avenue and;
- the laying out of the replacement playing fields within the site prior to the occupation of the 150th house on the site (so all formal open sports space is laid out and improved facilities provided at that stage).

Satnam also undertake to potentially create a new open space area and planted buffer to the north of the site alongside the M62 and to use a

management company or fund the Council to deliver maintenance. As set out in detail above, whilst the potential delivery of public open space, recreation and sports facility provision is currently not resolved, subject to the delivery of the measures identified by the Council it is considered that the likely impact of the proposed development is capable of being suitably mitigated.

Satnam have agreed to provide the necessary equipped play provision and to the provision of circa 3 ha of public open space. In terms of sports pitches, there is some agreement with Satnam that adequate provision could potentially be made. However, detailed agreement has not been reached as to the full delivery of the improvements proposed at Windermere Avenue (ie 1 full size Artificial Grass Pitch (AGP); 1 adult football pitch; 1 junior pitch; changing facilities and car parking) nor for a potential contribution from the applicant to help finance the Bewsey & Dallam Hub project - in order to mitigate the impact of the development on the level of swimming pool provision in the Central Neighbourhood.

The total level of funding required for these projects is not yet known, and so agreement between the Council and the applicant has not been possible. In terms of provision for health care, sport & recreation facilities and school places it is recognised that further detailed discussion with Satnam may potentially reduce areas of known disagreement.

Conclusions; Whether the potential benefits outweigh potential harm

Very substantial, positive weight is given to the range of potential benefits which the proposed development might bring.

The proposal is considered to potentially be capable of forming a sustainable urban extension, albeit onto "greenfield" land, which would bring investment, new housing and other new activity and facilities near to areas of Warrington ranked in the bottom 10, 20 and 30 per cent of the most deprived in England. There is considered to be, therefore, the potential for very substantial, positive transformational change.

The principle of a substantial amount of new housing on part or all of the application site has been mooted in various development plan drafts in the past, and finds expression now in the 2016 SHLAA, against the background of housing need in the Borough – where an adequate five year supply of housing cannot currently be demonstrated.

Notwithstanding this housing land supply position, it cannot be shown that the impact of the quantum of development proposed on the transport/ road network, can be adequately mitigated, nor that the information and modelling conducted by the applicant is sufficient to conclude that such mitigation could be delivered.

The absence of adequate or sufficiently progressed traffic/ transport modelling means it is not possible to be clear on the total potential financial cost to the applicant of possible highways/ transport mitigation. The insufficiency of such information also does not make it possible to accurately model the impacts on

air quality or road noise. In the absence of the known financial costs of mitigation, it is not clear either whether the proposed development could be reasonably expected to bear the costs of delivering the range of other measures required by the Council's Planning Obligations SPD, as set out in this report. Nonetheless, the range of "social infrastructure" requirements expected by Core Strategy policies and by the adopted Planning Obligations SPD – namely schools places, health care and sport and recreation provision - are not considered to have been met. Failure to provide such contributions are considered to detract from the overall sustainability of the scheme, in conflict with the thrust of the National Planning Policy Framework, and in particular paragraphs 7 (second bullet point) and 8.

Overall therefore it is considered that without known and agreed mitigation, the potential benefits of granting outline planning permission would be significantly and demonstrably outweighed by the negative effects of the likely impacts.

Recommendation

It is recommended that outline planning permission is refused, on the grounds set out below.

Should Members elect to approve the application, the matter would then be referred to the National Planning Casework Unit (NPCU) - as a Departure application – under the Town and Country Planning (Consultation) (England) Direction 2009.

Reason for Refusal 1

It is considered that insufficient information has been submitted to enable the local planning authority to confirm that the potential impacts of the proposed development on the transport network would not be severe, in the terms set out in paragraph 32 of the National Planning Policy Framework. In the absence of adequate information to accurately forecast potential impact, it is not considered possible to design and deliver suitable highways/ transport mitigation nor, consequently, to confirm that the proposal would be acceptable in terms of its air quality and traffic noise effects. The submitted information contains no agreed base year model, forecast year models, or Local Model Validation Report. In these circumstances, therefore, the local planning authority cannot confirm that there would not be serious conflict with the following policies in the Local Plan Core Strategy for Warrington:

- CS1 (seventh and eleventh bullets);
- QE6 (fifth, sixth and tenth bullet);
- QE7 (third bullet);
- MP1 (All bullets);
- MP3;
- MP4;
- MP7 (both bullets);
- MP10 (first, second and third bullets).

Reason for Refusal 2

The proposal would not deliver the range of measures required to support a development of this nature and scale, with regard to the provision of school places; healthcare facilities and sport and recreation provision required by the Council's adopted Planning Obligations Supplementary Planning Document, in support of policies CS1 (second and seventh bullet points) and MP10 (first, second and third bullets) of the Local Plan Core Strategy for Warrington. In the absence of such provision it is considered that the proposed development would not be sustainable in the sense intended by paragraph 7 (second bullet) of the National Planning Policy Framework.

Appendix 1**Advice from the Council's Highways/ Transportation Team****General**

In early August 2016 when the planning application was submitted a Transport Assessment (TA) was included. This TA however did not include the detailed appraisal information the applicant had agreed to provide. Following this, the applicant agreed to submit, by 14th October, an Addendum Transport Assessment (TA) which would detail, amongst other things, the impact of the development traffic and the full extent of proposed mitigation. The Planning Authority agreed to extend this deadline until 18th November and again, finally, until 2nd December.

The current position is that the Addendum TA has not been submitted, there is no agreed base year model, no forecast year models, no approved Local Model Validation Report (LMVR) or mitigation measures and this falls very short of what is required for Highways to make informed transport comments.

As this critical information has yet to be provided, the Highways comments herein should be seen as a review of part 1 of the TA and the scheme proposals that have been formally submitted.

1 - Comments on Transport Assessment:

The TA states the assessment is presented for the agreed assessment year of 2019, assuming the full build-out of the site. However, in Section 5.2 (Development Phasing & Construction Traffic) the TA states *"It is anticipated at this stage that the development will come forward in 12 phases over a 12 year period with typically around 100 residential units being constructed each year, with the relocated sports pitches in year 1, the local centre and care home opening at the end of year 2, the primary school by the end of year 10 and the distributor road being completed by the end of year 9."*

Highways would raise two concerns relating to this. Firstly; if the assessment assumes the full build out, the assessment year should be 2028, rather than 2019. Using a 2019 assessment year would exclude a significant amount of background traffic growth and would possibly under report operational levels. Secondly, it is noted that there is no reference in the TA to the assessment of any other years, or indeed of any other scenarios. Typically, an assessment of a +5 or +10 year after opening is required, but no information appears to have (yet) been included.

Furthermore, as the build period is so elongated, with several elements of the overall scheme programmed to be completed at the latter stages of the build, there is a clear impact on other key assumptions made in the TA and a clear need for intermediate assessments.

Highways will therefore require additional assessments to be undertaken on the most likely scenario(s). Highways will confirm these scenarios following

submission of the second TA.

Highways note that the scheme proposes no internal to internal area movements as there will be no physical means of doing so. In latter sections of the TA the concept of internal trips is discussed and the resultant discounting of trip rates to reflect the likely internal trips (i.e. home to school or home to local centre). The lack of internal linkages means that any trip starting in one area and travelling to another area must therefore utilise the external highway network. This undermines the principle of the discounting assumptions and means these trips must therefore be included in the assessment as they will impact on the highway.

Proposed Bus Access

The TA presents proposals for the internal bus routes which will link the various areas of the site, but will introduce a bus gate to control this interlinkage. Highways note that as the application is outline, the detail of the internal area is indicative at this time and is likely to change as the scheme develops.

Trip Generation & Trip Rates

Technical Note 02 presents the assumptions used to derive the trip rates for the different elements of the scheme.

The residential trip rates used have been derived based on 85th percentile rates from the TRICs database. However, the remaining trip rates appear to be average trip rates. Justification of this trip rates particularly in relation to other similar developments will be required to be provided to support the use of non-85th percentile rates.

Whilst the TA states a robust set of assumptions have been adopted, the following stages of the assessment appear to downscale any robustness. Hence, starting with 85th percentile ensures at least a robust starting point.

Trip Discounting

TN06 details the assumptions made on trip discounting. Firstly on this aspect, we would comment that no evidence has been provided to support these key assumptions. Secondly, we would also note that without any certainty of where the key internal facilities will be located within the scheme (given this is an outline application), we would question whether these assumptions can be made without further information (e.g. the 10% external pass-by trips for the food-store may not be realistic if it is inconveniently located or of more concern, if it were located on the periphery of the development, it may attract trips from the external area).

We note that the discounting of trip rates has been done for both the residential trip *AND* the attractors, and would question whether this is correct. We would expect the residential trip rates to remain at 100% and the other elements that might be associated with a trip to / from the residential origin / destination to be discounted.

The TA states that the full-build out of the site may extend to a 10-year period. Given this length of construction period, Highways would require a phased based assessment to determine the intermediate impacts on the local network and sensitivity tests on the trip generation and discounting. This is important because of the length of build and the risk that full-build out will not be achieved. The operation of the network must be safeguarded therefore against any mid-build out changes.

Related to this, we also note that the school is not proposed to be developed until Year-10 and the internal estate road not completed until Year 9. Highways would also require some form of sensitivity assessment to identify what the short / medium term impact of the scheme would be without these two elements. As the school will not be operational until year 10, the sensitivity test must address how the network would operate without the school and with residents travelling to / from other schools in the area.

Similarly, the lack of internal connectivity will significantly affect the assumptions on discounting as there will be a need for development traffic to utilise the external network. These trips must therefore be included as new trips and not unilaterally removed from the network.

Trip Distribution

Highways understand the trip distribution component of the TA has been updated and the submitted information has now been superseded. However, notwithstanding this, Highways would request clarification of what the A49 zone that has been referred to represents. It is unclear whether this refers to the north / south / central as other zones exist in the model that could duplicate this.

It is noted that a number of the destination zones would share similar routes. Highways request clarification on how has this been allowed for?

Section 7.6 states this is the manual interpretation of the gravity model results. It would be helpful to see the model results to allow Highways to review this interpretation.

It would be beneficial if a drawing / figure could be provided that illustrates the routes that have been assumed to be taken between the zones and the development.

Traffic Flows

Traffic flows are only provided for the immediate site access junctions. No information is provided to identify how the development traffic travels onwards from the site to the wider area (and vice-versa). This is a fundamental omission as there is no way for the LHA to understand the routing of traffic to / from the site access points. For instance in Figure 8.7, the majority of the traffic movements are to / from the east. There is no way of identifying where the traffic that turns left out of the site then goes to or indeed whether this is reasonable.

Highways will therefore require an overall flow diagram to be provided, showing the forecast traffic flows for the full area, rather than junction specific diagrams, which are of limited value without the wider context.

Assessment Periods

Given the extensive and significant retail activity on the A49 corridor, the TA should include consideration of the Saturday peak period.

Further to comments made on the assessment year that has been presented in the TA, Highways will require the following scenarios to be assessed, either by use of sensitivity tests, or by revising the main case:

- AM, PM and Saturday* Peak periods
- Do-Minimum (background traffic + growth + committed developments)
- Do-Something (Do-minimum + development trips)
- DM and DS Year of Opening
- DM and DS year of Opening +5yrs

**Unless it can be demonstrated the Saturday impact would be no worse than the weekday day peak period.*

Highways note there may be technical reasons that prevent or limit the modelling of the future year scenario (+5 years). Whilst the reasons for this are understood, Highways will still require the assessment of a future year (possibly by applying additional background growth to the 2028 assessment) to have surety of the future operation of the network with the scheme in place.

Capacity Assessments

The TA presents the results of capacity based assessments for the site access junctions. These assessments are based on existing traffic flows growthed to 2019 and with development traffic added based on manual assumptions. Whilst these results provide an indication of how the site access junctions may operate, there is no certainty that the final model flows will generate similar traffic flows. The value of these assessments is therefore limited.

As stated earlier, Highways will / may require assessments to be undertaken and provided for further, additional locations, where traffic flows are predicted to increase in excess of an agreed threshold. As with many other aspects, the full range of required junction capacity assessments will not be known until the network model data is available. Highways will therefore require 'difference plots' (or similar) to be provided when the modelled data is available to allow this review to take place.

As stated elsewhere in this note, the assessment of a 2019 scenario is at odds with the statements elsewhere that the scheme is unlikely to be fully complete for 12-years. Any assessments should therefore in theory take account of the equivalent period of background traffic growth.

2 - Comments on Proposed Access Junction Arrangements

Junction Proposals - General

Splays demonstrating satisfactory visibility will be required for each new junction / access.

All new junctions / accesses should be provided with dropped kerbs and tactile paving.

Across the scheme there are numerous locations where existing street furniture and / or service or telecoms apparatus will need to be relocated to facilitate the proposals. Any relocation of such equipment must be undertaken at the applicant's expense at nil cost to the Council.

Poplars Avenue (Western Access)

Highways are concerned with the proposal to modify the Cotswold Road / Poplar Avenue bend. This modification is a relaxation of the curve rather than widening and may encourage greater speeds around this corner where forward visibility is already constrained by parked vehicles – a situation that appears likely to be exacerbated by the proposal to introduce a parking bay. Highways also note that the footway in the location of the proposed changes to the kerb appears to contain utilities and / or telecoms apparatus and that this may therefore need to be diverted (at the applicant's expense at nil cost to the Council).

The area around the Cotswold Road / Poplars Avenue bend is extremely heavily parked, with significant on-street and on-verge parking. The introduction of a new junction in this location will have a significant impact by removing a large amount of space currently used for parking. To attempt to compensate for this the proposals include the provision of new parking areas. However, the number of re-provided spaces would not appear to off-set the lost parking area. A row of parking bays, are shown in the stub-end on the western side of the bend. The ability of vehicles to safely enter and exit these bays and re-join the carriageway in a forward gear will need to be demonstrated as the layout of this parking area in relation to the carriageway appears onerous.

A parking layby is proposed on the southern kerb of Poplars Avenue. Highways are concerned that vehicles parked in this layby would affect the forward visibility around the bend and would also affect visibility from the proposed access arm. Highways will therefore require satisfactory forward visibility to be demonstrated.

It should be noted that parking spaces must be designed to the minimum dimensions of 2.5m x 5m with a minimum aisle width of 6m.

Parking prohibition Traffic Regulation Orders (TROs) are proposed around the new access junction. Whilst the reason for these TROs is understood, Highways are concerned about the impact these restrictions will have on parking and that this may force parking to occur in more unsuitable locations.

Furthermore, the introduction of such TROs would be subject to public consultation and given the significant impact these restrictions would have on parking, public objection is likely to be high.

It is also noted that the TROs are shown along the front edge of the proposed parking bays. This would mean vehicles could not legally park in the bays as the TRO is effective to the back of the footway.

Poplar Avenue Central (Residential, Care Home and Local Centre Junction)

Poplar Avenue in the vicinity of Brathay Close and the proposed new access junction (residential, care home and local centre junction) is heavily parked on the northern kerb as a result of the adjacent apartment blocks having no off-street parking. The junction proposals will impact on existing parking and the relocated bus stop and may impact of the operation of both.

Highways are concerned the proposals may lead to an increase in parking on the verge / grassed area. It is noted that a new parking bay is proposed on the southern side of the carriageway, but we are concerned this is unlikely to be used given the location in relation to the apartments.

The right turn movement into the new access road will be provided with a ghost island right turn bay. Highways would require the right turn lane to be of sufficient width such that a large vehicle could wait in the right turn bay and a large vehicle could safely pass either side of the waiting vehicle. The plans of this location do not show the resultant lane widths and we would request the plan be annotated to show this information.

We also note that the hatching for the ghost island on the western side of the junction overlaps with the junction of Brathay Close. Whilst such carriageway marking can be crossed (where necessary) this overlap is not ideal as it could result in driver confusion and will result in accelerated wear of the markings and increased maintenance costs.

The proposals involve the widening of Poplars Avenue to incorporate the ghost island right turn. This widening and the introduction of the parking layby appear to impact on existing services / telecoms apparatus in the southern verge.

The proposed relocated signal controlled (Pelican) crossing appears to be incorrectly shown, with the traffic stop-lines too close to the crossing studs. This should be revised accordingly.

Mill Lane Access (150 residential dwellings)

The scheme plans indicate that the existing alignment of Mill Lane is to be stopped up. A Section 247 agreement will therefore need to be entered into to stop-up the existing highway and a Section 38 agreement entered into to adopt the realigned highway. The highway must therefore be designed to adoptable standards.

It is not clear what the shared surface concept as referred to on the scheme plans is. Highways preference would be for a conventional junction, with a raised table (as shown), with defined priority to one of the arms - preferably the new access having priority over the northern section of Mill Lane.

The northern realigned section appears very narrow considering it *may* need to accommodate 2-way traffic movements, particularly turning through the bend. Highways would require this section to be provided to meet adoptable standards and to accommodate all potential vehicles that may use it up to and including refuse vehicles and articulated HGVs.

Mill Lane New Roundabout

The layout of the proposed roundabout may be subject to change pending the results of the capacity assessments in the second TA, however Highways have the following comments on the proposed layout:

The deflection through the roundabout from the northern arm (in a southbound direction) should be increased. The single lane approach southbound and the angle of approach mean drivers may be tempted to 'straight-line' the junction.

The alignment and positioning of the new development (northwestern) arm means that the northwest to north movement may be onerous given the radius of the turn, particularly for large vehicles. Swept path assessment will be required to demonstrate that all vehicles can negotiate the roundabout in a safe manner.

The new roundabout would also significantly affect the visibility of northbound vehicles for drivers waiting to turn out of the Mill Lane junction, given the acute angle exiting the roundabout.

The capacity modelling of the junction does not appear to have taken account of the unequal lane usage that is likely to occur on each arm. On each arm there is a strong bias in traffic movements which if not modelled correctly can lead to the model overestimating available capacity. This aspect should be addressed when the junction model is re-run with the final model flows.

Birch Avenue Access

The proposals for this access involve the provision of two replacement parking bays. The access road is shown as 4.8m width. This will need to be a 6m minimum width as the access road will need to act as the aisle to accommodate manoeuvres from the parking bays.

Satisfactory visibility splays will need to be demonstrated for this junction. Highways are concerned that the proposed parking area on Birch Avenue will significantly restrict the visibility from the new access arm.

Confirmation should also be provided of what purpose the "proposed shared surface access" to the east will provide.

Proposed Access Junctions – Road Safety Audit (Stage 1)

It is noted that the safety issues identified in the Stage 1 Road Safety Audit appear not to have been incorporated in the scheme proposals. It is also noted that at the time of writing no Designers Response reports have been prepared by the applicant's consultants.

Until the matters raised within the audit have been addressed to the satisfaction of the audit team (separate to the Highways Development Control team), the scheme proposals cannot be accepted.

Summary & Conclusion:

This Highways response presents the review of the submitted Transport Assessment (TA), which was part 1 of the overall assessment that was to eventually include network modelling information on which the final assessment was to be undertaken. As the inclusion of the network model traffic data is critical to allowing a full and comprehensive assessment to be undertaken, the Highways comments herein should be seen as a review of part 1 of the TA alone.

The review of this initial TA has identified a number of matters that require clarification or amendment. To date no formal response has been received on these points.

In early August 2016, the applicant agreed to submit, by 14th October 2016, an Addendum TA which would detail, amongst other things, the impact of the development traffic and the full extent of proposed mitigation. The Planning Authority agreed to extend this deadline until 18th November 2016 and again, finally, until 2nd December 2016.

The current position is that whilst a Local Model Validation Report (LMVR) for the base model has been submitted by Satnam (on 6th January 2017), this does not progress matters significantly further as a number of issues will need to be addressed before this report can be signed off. The information needed for the Council to meaningfully assess the proposal was to be contained in the Addendum TA, which was to include an analysis of the impact of the development on the wider highway network in 2019 and 2029 and the full extent of proposed mitigation.

It is considered that a significant amount (realistically several months) work is needed, to complete the following stages of assessment:

- Highways review and agree the revised, resubmitted base year LMVR;
- Applicant to then apply future year flows and development traffic to the model to identify 'with-scheme' operation and where relevant junctions where further detailed analysis would be required;
- WBC to review and agree any such locations;
- Where necessary, the applicant will identify mitigation options and agree with WBC.
- Applicant to undertake detailed analysis of junctions with mitigation;

- Subject to WBC approval, applicant to re-run network model to include agreed mitigation;
- Design of, and safety audit of mitigation measures at junctions by applicant, following by costing of measures;
- Applicant to address remaining detailed layout comments raised by Highways.

Notwithstanding the information submitted by Satnam on the 6th January, there is still no agreed forecast year model or proposed mitigation measures and this still falls short of what is required for the Highways team to make a meaningful assessment - or to have an understanding of what potential financial contribution might be required.

Moreover, this work would cover only physical 'highways' infrastructure – the model output would also have to inform the level of sustainable transport / Travel Plan requirements et cetera. Also, as set out elsewhere in this report, without certainty concerning the required mitigation measures it is also not possible to confirm air quality / noise impacts.

WBC Highways have no alternative therefore, but to formally object to the scheme proposals due to insufficient information.

Appendix 2

Advice from Sport England

Sport England raises no objection to this application subject to conditions requiring the following matters be addressed prior to any reserved matters application being submitted:

1. Agronomy Report and pitch specifications to meet the Football Associations Performance Quality Standards for the replacement playing field area.
2. Sports Strategy to demonstrate the qualitative improvements to the existing site at Windermere Avenue (Radley Common) will:
 - a. provide the capacity and right pitch facility mix to accommodate the additional demand generated from the housing development
 - b. Meet paragraph 74(iii) of NPPF and Sport England Policy Exception E2 and E5 in the event any ancillary facilities and artificial grass pitches are proposed
 - c. Detailed scale plans of the qualitative improvements at Windermere
3. Management and Maintenance Scheme for the replacement site and Windermere Avenue

Sport England would also wish to be consulted on the wording of the sports section of the s106 agreement.

An assessment of the proposal and wording of the conditions is set out below.

The Proposal and Impact on Playing Fields

The proposal for playing field is in two parts:

- Creation of a replacement playing field immediately to the north of Windermere Avenue (Radley Common). This area of playing field will replace the existing site at Mill Lane.
- Qualitative improvements to Windermere Avenue (Radley Common). Although no information has been provided to confirm what those improvements will be pre application correspondence and appendix 6 of the Planning Statement suggests they will be the same as previous planning application 2012/20610. This will see the creation of:
 - 1 full size Artificial Grass Pitch
 - 1 adult football pitch
 - 1 junior pitch
 - Changing facilities and car parking

Mill Lane Replacement Sites

The replacement area to the north of Windermere Avenue has been measured at 3.2ha in area with indicative pitch layouts accommodating two full sized football pitches (60m x 100m excluding run off) and one junior pitch (37m x 27m excluding run off). Relocating the playing field to the north of Windermere Avenue would create a sustainable and functional solution to provide a sporting hub that would benefit from economies of scale, and meet both the quantity and quality requirements of both paragraph 74(ii) of NPPF

and Sport England policy.

However, it is not known what the underlying ground conditions of the proposed playing field site is and whether it is feasible to create new playing field that meets the required performance standards. An Agronomy Report identifying the soil and drainage conditions with recommendations for a schedule of works and costs will be required to ensure the proposed replacement playing field can be implemented. Based on the findings of the Agronomy Report pitch specifications should be provided that meet the Football Associations Performance Quality Standards. In addition consultation with the Football Association and Council should identify what pitch sizes are required to meet the requirements of the existing pitch users relocated from Mill Lane.

Should the findings of the Agronomy Report on this site show construction of a playing field is not feasible then the applicant will need to provide an alternative replacement site within the locality. In the event this happens the applicant should consult with the Council and Football Association to identify an appropriate site.

It is unclear from the s106 Heads of Terms whether the applicant intends to manage and maintain the site or whether the land will be transferred to the Council to manage and maintain as part of the wider Windermere Avenue site. It is important that once the works are carried out there will be an organisation in place to carry out the management and maintenance of the site.

It is also not clear whether the term "laying out of the playing fields" within part 1(a) and 1(b) of the s106 Heads of Terms is the responsibility of the applicant to implement or whether a contribution will be paid to the Council. If the latter then the contribution should be based on the findings and schedule of works with associated costs contained within the Agronomy Report.

It is noted the implementation of the replacement playing field prior to development of the existing site at Mill Lane has been included within the s106 Heads of Terms. This is welcomed and Sport England would like to be consulted on the final wording.

Windermere Avenue/Radley Common Improvements

The information provided by the applicant at pre application stage and within Appendix 6 of the Planning Statement suggests the scheme for improvements to this site are identical to those presented with a previous planning application ref: 2012/20610. Although this application was dismissed at appeal Sport England did not object to the principle subject to further information and consultation being carried out prior to a reserved matters application being submitted. The improvements are considered to create additional capacity within the site to meet the additional demand for sport arising from the housing development. Sport England would not consider the improvements alone as mitigation for the loss of playing field because these are qualitative improvements only and do not provide a quantity replacement as required by paragraph 74(ii) of NPPF and Sport England's Policy Exception E4.

A Sports Strategy for the site should be prepared to show how improvements will:

- provide the capacity and right pitch facility mix to accommodate the additional demand generated from the housing development
- Meet paragraph 74(iii) of NPPF and Sport England Policy Exception E2 and E5 in the event any ancillary facilities and artificial grass pitches are proposed

Although an Artificial Grass Pitch (AGP) contributes to the supply of pitches in the area, it is a fixed structure that cannot be relocated and resized like a grass pitch can. For that reason there must be a clearly defined strategic need for the AGP with clearly defined sporting benefits that outweigh the loss of natural turf playing field. The applicant is strongly advised to liaise with the Council, Live Wire and the pitch sport national governing bodies, in particular the Football Association, Rugby League and Rugby Union. Sport England has provided an advisory note to assist the applicant when gathering information for the Sports Strategy.

Once the Sports Strategy has been undertaken and agreed with the Council, Live Wire and NGB's, and after consultation with Sport England, detailed scale plans of the site should be submitted. Ideally the plans should include technical specifications of all planned improvements although this can be submitted as part of the reserved matters application if required:

- Ancillary facilities – elevations, floor plans with dimensions
- Artificial Grass Pitch/MUGA – cross sections showing sub layer depths and materials, drainage, dimensions, pitch markings, fence height and materials, sports lighting to include Lighting Assessment and Noise Assessment
- Natural Turf pitches – pitch specifications including drainage plans

Any ancillary facilities will need to meet the following exception to Sport England Policy:

'E2 - The proposed development is ancillary to the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use'.

Sport England has provided guidance on the planning implications of sports lighting and noise which the applicant should refer to when developing the Sport Strategy.

Consultation with National Governing Bodies of Sport

Under the terms of a Memorandum of Understanding Sport England has with the main pitch sport national governing bodies the Football Association (FA) and Rugby Football League have been consulted.

The Regional FA Facilities and Investment Manager has provided the following information on existing use of Mill Lane and comments on the proposal:

1. According to recent data collection we have Winwick Athletic as using the Peel Hall Park for their U13s girls team (match play) and then a further 8 teams aged U8s – U14s using the site for training purposes.

2. The FA supports the proposal in principle notwithstanding the missing technical information. However the PPS for Warrington is currently in development and therefore we would request any proposals for full size 3G FTPs are fed in to this process and action planning to ensure the strategic location is correct. There is a need for up to 5 additional full size 3G pitches in Warrington however the exact locations have not been explored fully. It would be a concern to see a standalone 3G pitch in an isolated area. Evidence and experience suggest these type of pitches need to be situated close to buildings, changing rooms and parking to ensure they are secure.

The national RFL Facilities Manager has commented that if improvements are made to Windermere Avenue there are two local clubs who could benefit especially if any planned AGP had a rugby compliant shockpad.

Health and Well Being

Sport England would wish to see the principles contained within the document 'Active Design' incorporated into this proposal.

We believe that being active should be an intrinsic part of everyone's daily life – and the design of where we live and work plays a vital role in keeping us active. Good design should contribute positively to making places better for people and create environments that make the active choice the easy choice for people and communities. That's why Sport England, in partnership with Public Health England, has produced the Active Design Guidance. This guidance builds on the original Active Design (2007) objectives of improving accessibility, enhancing amenity and increasing awareness, and sets out the Ten Principles of Active Design.

Ten principles

The ten principles have been developed to inspire and inform the layout of cities, towns, villages, neighbourhoods, buildings, streets and open spaces, to promote sport and active lifestyles.

The guide features an innovative set of guidelines to get more people moving through suitable design and layout. It includes a series of case studies setting out practical real-life examples of the principles in action to encourage planners, urban designers, developers and health professionals to create the right environment to help people get more active, more often.

The Active Design Principles are aimed at contributing towards the Governments desire for the planning system to promote healthy communities through good urban design.

Given the above assessment, Sport England does not wish to raise an objection to this application as it is considered to broadly meet paragraph 74(ii) of NPPF and Sport England Policy Exception E4. The absence of an objection is subject to the following condition(s) being attached to the decision notice should the local planning authority be minded to approve the application:

Conditions Suggested by Sport England

- a) Prior to any reserved matters application being submitted the following documents have been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England:

i) Agronomy Report containing a detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to the Football Associations Performance Quality Standards. The scheme shall include a written specification and detailed plans of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and implemented prior to commencement of development of the existing Mill Lane playing fields. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme. The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the Football Associations 'Grass Pitch Quality Performance Standard' guidance note

Prior to any reserved matters application being submitted a Sports Strategy shall be prepared in consultation with Sport England and has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall apply to the planned improvements at Windermere Avenue/Radley Common and include details of strategic need and sporting benefits of each pitch type and ancillary facility. Based on the agreed findings of the Strategy a scale plan shall be submitted to and approved by the Local Planning Authority, after consultation with Sport England showing the location and dimensions of each sports facility and pitch.

Prior to any reserved matters application being submitted, a Management and Maintenance Scheme for the replacement and improved sports facilities at Windermere Avenue/Radley Common including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England. For Artificial Grass Pitches a sinking fund and timescale for replacing the carpet shall be included. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the Windermere Avenue/Radley Common sports facilities.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.