

IMPORTANT: THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

(As amended by the Planning and Compensation Act 1991)

ENFORCEMENT NOTICE

ISSUED BY: WARRINGTON BOROUGH COUNCIL ("the Council")

1. THIS IS A FORMAL NOTICE

It is issued by the Council because it appears to them that there has been a breach of planning control, within paragraph (a) of section 171A (1) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THE NOTICE RELATES

Land on the east side of Spring Lane, Warrington, WA3 7AS, shown edged red on the attached plan.

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission, the material change of use of the land to use as residential caravan site for gypsy/traveller families, with associated storage, siting of caravans, vehicles, machinery, laying of hardstanding and construction of buildings / sheds.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the breach of planning control has occurred within the last ten years.

The development conflicts with a key purpose of including land within the Green Belt, that being to assist in safeguarding the countryside from encroachment. It also does not preserve the openness of the Green Belt. There is no demonstrable unmet need for the development, and it not sited in a sustainable location. The development is inappropriate development in the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

With respect to other harm, the development fails to incorporate a sustainable drainage system or demonstrate how surface water runoff will be managed without increasing flood risk elsewhere. The site is also already within an area at risk of surface water flooding, and the introduction of hardstandings and buildings on what was previously undeveloped land as well exacerbating existing flood issues for the local area introduces safety and amenity issues for the users of the site.

Additionally, the site is partially located within the Motorway Air Quality Management Area, as well as being close to a poultry farm on the opposite side of Spring Lane. The development has the potential exposes users of the site to poor air quality.

The development is also in a DEFRA Noise Mapped Area where day and night-time noise levels are up to 70db(A) due to the proximity to the M62 motorway. No mitigation has been employed and implemented to prevent adverse impacts on the health and quality of life of the users of the site. The siting and use of caravans which are more acoustically susceptible to noise exacerbates the harm caused, and there are clearly physical constraints and environmental issues that cannot be mitigated to an acceptable level.

The development is an unsustainable form of development with poor access to sustainable modes of transport and key local services.

There is conflict with biodiversity objectives as the development fails to secure a measurable net gain in biodiversity or include mitigation or compensation measures associated with the development.

There are no other considerations that clearly outweigh the harm caused to the Green Belt by reason of inappropriateness, and the other identified harm resulting from the development, and there are therefore no very special circumstances.

The development conflicts with the Warrington Local Plan (2023), Policy GB1 (Green Belt), Policy ENV2 (Flood Risk and Water Management), Policy ENV8 (Environmental and Amenity Protection), Policy DEV3 (Gypsy & Traveller and Travelling Show People Provision), and Policy DC4 (Ecological Network).

5. WHAT YOU ARE REQUIRED TO DO

You are required to:

- a) Cease the use of the land as a residential caravan site as well as the associated storage use.
- b) Remove from the land all caravans, vehicles, machinery, sheds/buildings, and stored materials.
- c) Remove from the land the hardstanding.
- d) Following completion of requirement (c) reinstate the land to its original condition prior to the breach taking place.

6. TIME FOR COMPLIANCE

The time for compliance is 6 calendar months from the date on which this notice takes effect.

7. WHEN THIS TAKES EFFECT

This notice takes effect on **14th August 2025**.

Signed:



Head of Public Protection and Prevention :

Dated: 10th July 2025

On behalf of Warrington Borough Council, Town Hall, Sankey Street, Warrington.

ANNEX

THE RIGHT OF APPEAL

Not everyone who is served with an enforcement notice has the right of appeal; the right of appeal is only granted to those with a legal or equitable interest in the land or who are a relevant occupier at both the time the notice is served and the time of appeal. There may be people who are served as they are affected but they do not meet the legal requirements to grant a right of appeal (e.g. squatters, managing agents etc.).

Any appeal must be received, or posted in time to be received, by the Secretary of State on or before **14th August 2025**.

The enclosed information sheets set out your rights. Please note that a separate appeal form must be completed for each individual person or organisation who wishes to appeal.

WHAT HAPPENS IF THERE IS NO APPEAL

If there is no appeal against this enforcement notice, it will take effect on the date specified in paragraph 7 of the notice and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in paragraph 6 of the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

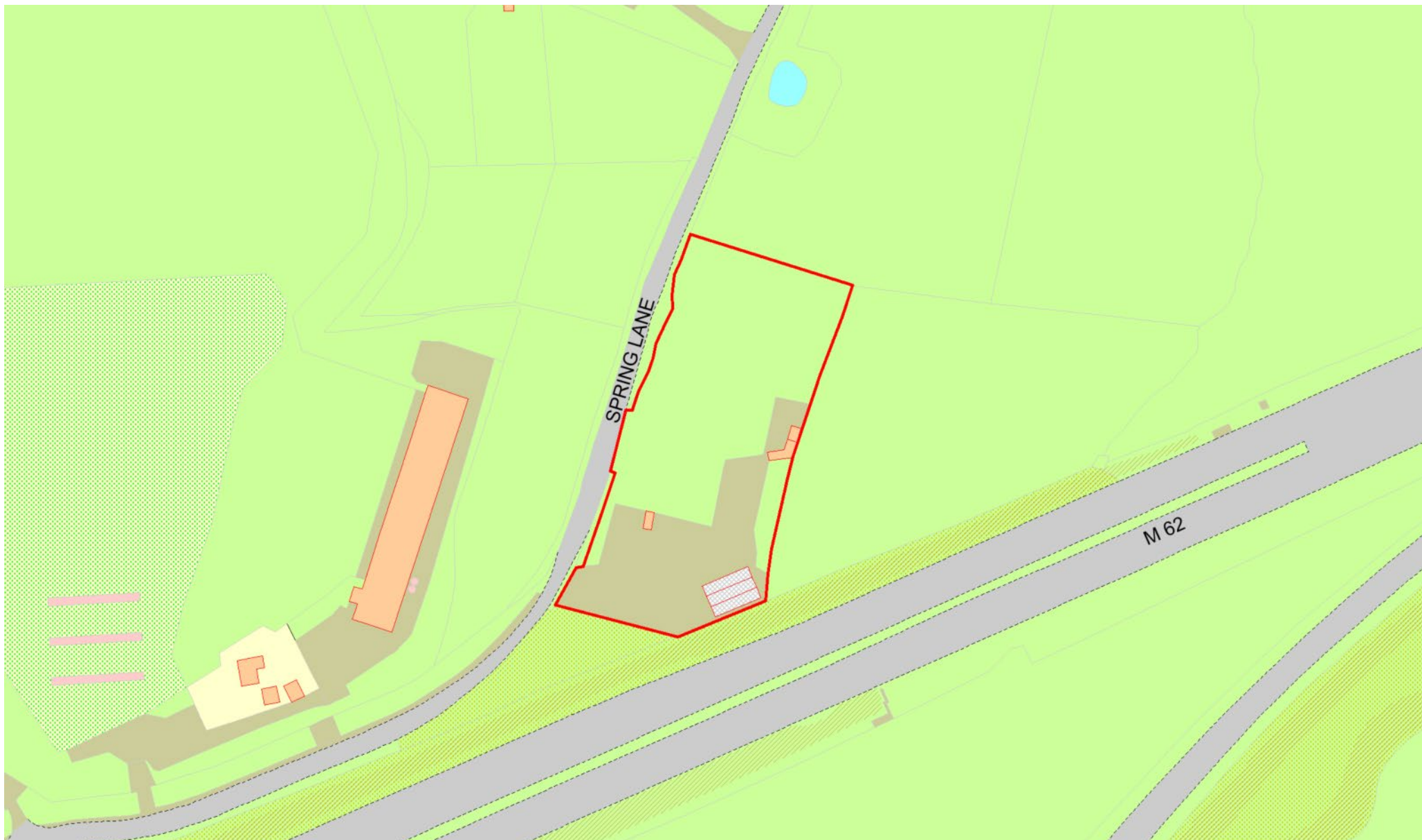
WARNING

It is an offence to contravene the requirements stated in this notice after the end of the compliance period. A person guilty of an offence shall be liable on summary conviction, or on conviction on indictment, to a fine. In determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Jason Lewis, Principal Officer Environmental Enforcement, Warrington Borough Council, Town Hall, Sankey Street, Warrington, WA1 1UH, or by email at jlewis@warrington.gov.uk

If you do need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High

Court for judicial review. A lawyer will advise you on what this procedure involves.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE



© Crown Copyright and database right 2025. Ordnance Survey 100022848. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.

Scale: 1:1250



Enforcement Notice Location Plan ENF/23/09836/EN
Land East of Spring Lane, Warrington