



# WARRINGTON

Borough Council

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## Town and Country Planning Act 1990

### Application for Full Planning Permission Notice of Decision

**Application No.:** 2019/36287  
**Proposal:** Full Planning - Proposed demolition of existing garage, Construction of new dwelling and Alteration of existing access  
**Location:** 8, HILL CLIFFE ROAD, WALTON, WARRINGTON, WA4 6NX  
**Decision:** THE BOROUGH COUNCIL HAS DECIDED TO **GRANT PERMISSION** SUBJECT TO THE FOLLOWING CONDITION(S);

#### Condition(s) & Reason(s)

- 1) The development hereby approved shall be commenced before the expiration of three years from the date of this permission.

Reason: To ensure that the Local Planning Authority retains the right to review unimplemented



permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following documents:
  - (a) The planning application forms, design and access statement and additional information received by Warrington Borough Council on 25th March 2020.
  - (b) Submitted drawing No's 1150/1; 1150/2; 1150/3; 1150/4; 1150/5 received on 25th March 2020.

Reason: for the avoidance of doubt and to enable Warrington Borough Council to adequately control the development and to minimise its impact on the amenities of the local area and to conform with Policy QE7 of the Warrington Core Strategy.

- 3) None of the building(s) hereby approved shall be constructed until written and photographic details of external roofing materials (including manufacturer's details) shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples.

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

- 4) None of the building(s) hereby approved shall be constructed until written and photographic details (including manufacturer's details) of external facing materials shall be submitted to the local planning authority for approval. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples.

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

- 5) Prior to first occupation of any building(s) hereby approved a satisfactory programmed landscaping scheme which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented during the first planting season following the first occupation of the development and any tree or shrub planted which dies or is felled, uprooted, willfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

- 6) All trees to be retained on site shall be protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. The development shall not commence unless

and until the measures required by the British Standard are implemented and all measures required shall continue until the development has been completed.

Reason: To ensure that the trees on the site are protected during construction works in the interests of local amenity, and in order to comply Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

- 7) Prior to development commencing, details of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment shall be completed before first occupation/use or in accordance with an agreed time-table.

Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

- 8) Contaminated Land Condition: Characterisation & Remediation Strategy

No development (other than demolition and site clearance works) shall take place until the steps in Sections A and B below are undertaken:

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

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

Completing a PRA is the minimum requirement. DQRA should only be submitted if GQRA findings require it.

B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall be submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified.

The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides

entirely with the Landowner/Developer of the site.

9) Contaminated Land Condition: Completion

The development shall not be taken into use until the following requirements have been met and required information submitted to and approved by the Local Planning Authority (LPA):

A: REMEDIATION & VERIFICATION: Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the LPA for approval.

B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously-unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the LPA.

C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details.

The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007).

Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion.

In accordance with: Policy QE6 of the Adopted Local Plan Core Strategy (July 2014); Paragraphs 170(f) & 178 of the National Planning Policy Framework (February 2019), and Section 4 of the Environmental Protection Supplementary Planning Document (May 2013).

Disclaimer: Irrespective of any involvement by this LPA, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site.

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification): (i) no external alterations shall be carried out to the dwelling(s) (ii) no extensions shall be carried out to the dwelling(s) (iii) no garages or outbuildings shall be erected within the curtilage of the dwelling(s) (iv) no vehicle standing space or hardstanding shall be provided within the curtilage of the dwelling(s) (v) no gates, walls, fences or other structures shall be erected along any boundary to the curtilage of the dwelling(s) (vi) no means of vehicular access shall be constructed to the curtilage of the dwelling(s) (vii) no windows or dormer windows shall be added to the dwelling(s) other than those expressly authorised by this permission,

unless planning permission for such development has been granted by the Local Planning Authority.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 and QE8 of the Warrington Core Strategy.

- 11) The ground and 1st floor windows on the south facing elevation shall not be glazed otherwise than with obscured glass only, of a type and degree of obscurity to be first agreed in writing by the Local Planning Authority and thereafter permanently retained as such.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy.

- 12) The ground and 1st floor windows on the south facing elevation shall be top hinged and have restricted opening, to be first agreed in writing by the Local Planning Authority and thereafter permanently retained as such.

Reason: In the interests of visual amenity and in order to protect the amenities of the occupiers of neighbouring properties and to comply with Policy QE6 of the Warrington Core Strategy.

- 13) The surface water drainage of the site has been designed to prevent the discharge of water on to the public highway.

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

- 14) No part of the development shall be brought into use until visibility splays of 2metres by 2metres have been provided on each side of the access. The depth shall be measured from the back of footway/verge; and the width measured outward from the edges of the access. The splays shall be created clear of obstructions to visibility at or above a height of 0.6metres above footway/verge level. Once created, the visibility splays shall be maintained clear of any obstruction and shall be retained at all times.

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

- 15) No part of the development hereby approved shall be occupied until the visibility splays defined by the Highways Statement are cleared of all obstructions to visibility exceeding 600mm in height above footway level. The visibility splays shall subsequently be maintained free of any visual obstruction thereafter.

Reason: To ensure adequate visibility at the street junction or site access in the interests of road safety.

- 16) Any gate or other form of barrier across the access shall be positioned at least five metres back from the nearside edge of the highway boundary of Hill Cliffe Road, and shall be constructed to open into the site only.

Reason: To permit vehicles to pull clear of the carriageway when entering the site in the

interests of road safety.

- 17) Notwithstanding the details shown on the approved plans parking space adequate for not less than three cars to be stored clear of the highway shall be provided within the curtilage of each dwelling prior to first use of the development hereby permitted. The precise manner in which such provision is to be made shall have first been submitted to, and approved in writing by, the Council as Local Planning Authority and, if necessary, include for a widening of the existing driveway opening and associated pavement crossing facility. The parking facilities so provided shall be kept free for that specific use thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that order), no building works, would reduce this provision, shall take place except following the express grant of planning permission by the Council.

Reason: To ensure adequate secondary off-street parking space is provided/maintained, without overhanging of the footway in order to maintain unimpeded visibility for all road users, to ensure the safe and free flow of traffic and to assist pedestrian safety.

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

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

## **INFORMATIVES**

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## **IMPORTANT**

This decision relates solely to planning legislation, and does not grant authority under the Building Regulations, nor any other legislation that might be required. The guidance notes enclosed with this decision notice will help you to understand this decision, your rights and other things you may have to do.

DATED: 13-May-2020

SIGNED:



Niki Gallagher  
Development Manager  
Development Management

## **NOTES**

1. This decision is not an approval under the Building Regulations, nor is it a Listed Building or Conservation Area Consent for demolition or other works, consent to display advertisements, consent to lop or fell protected Trees (unless immediately required in connection with the carrying out of the development and the Council has confirmed in writing that all conditions relating to details which affect trees have been satisfied), or authority to close/divert a public right of way. It relates to the development described. Carrying out of a different form of development could result in enforcement action. You should therefore seek advice in writing on any proposed amendment or alteration.
2. The formation or alteration of footway crossings and other highway works must be to the specification of the Council as Highway Authority. Please refer to the Highways Department at New Town House, Buttermarket Street, Warrington prior to commencement.
3. The granting of planning permission should not be taken as indicating that the requirements of legislation concerned with public health, public safety, and pollution control or food hygiene have been satisfied. Please refer to the Environmental Health Section at New Town House, Buttermarket Street, Warrington prior to commencement.
4. The opening of a place of work, premises into which the public will go or an educational facility gives rise to a legal duty to make provision for the needs of the disabled.
5. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. If you want to appeal against our Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
6. If this is a decision to refuse planning permission for a householder application or for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. This process **does not** apply to any in circumstances where an appeal against the refusal to grant listed building consent or conservation area consent is submitted at the same time as an appeal against the refusal to grant planning permission.
7. If this decision relates to the same or substantially the same land and development as is or subsequently becomes the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice, or within 12 weeks only in the case of a householder or minor commercial application of the date of this notice whichever period expires sooner.
8. If this decision relates to the same or substantially the same land and development as is or subsequently becomes the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28

days of the date of this notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice whichever period expires sooner.

9. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.co.uk/info/200207/appeals](http://www.planningportal.co.uk/info/200207/appeals)
10. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
11. If you feel your application was not dealt with properly, you can write to The Executive Director for Economic Regeneration, Growth & Environment who will investigate in accordance with the Council's complaints procedure.