

Appendix 2

Decision Notice

Town and Country Planning Act 1990

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Application for Planning Permission Accompanied by an Environmental Assessment

NOTICE OF DECISION ON PLANNING APPLICATION

Application Number: 2016/28492

PROPOSAL:	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).
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



DECISION: THE BOROUGH COUNCIL HAS DECIDED TO **REFUSE** PERMISSION FOR THE FOLLOWING REASON(S);

REASON(S)

- 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 can not 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).

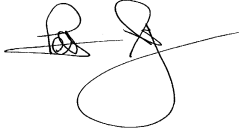
- 2) The proposal would not deliver the range of measures required to support a development of this nature and scale, with regard to the provision of school places; healthcare facilities and sport and recreation provision required by the Council's adopted Planning Obligations Supplementary Planning Document, 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.

IMPORTANT

Please read the guidance notes enclosed with this decision notice to help you understand the decision, your rights and other things you may have to do.

DATED: 24-Feb-2017

SIGNED:

A handwritten signature in black ink, appearing to read 'Pete Astley', with a large loop at the end.

Pete Astley
Assistant Director
Regulation & Public Protection

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.
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 in the case of a householder or minor commercial application of the date of this notice whichever period expires sooner.

8. You can appeal to the Planning Inspectorate against the decision, including any conditions imposed by the Council (your formal rights are set out below). If you wish to appeal, you should do so by writing to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs within 6 months of the decision date.
9. 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 of the date of this notice whichever period expires sooner.
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.