

APPEAL BY SATNAM MILLENIUM LIMITED

LAND AT PEEL HALL, WARRINGTON, CHESHIRE, WA2 9TY

(nearest) APP.M0655/W/17/3178530

PROOF OF EVIDENCE/ CIL COMPLIANCE STATEMENT BY MARTHA HUGHES

MA, Dip TP, MRTPI

I am Martha Hughes, a Principal Planning Officer at Warrington Borough Council.

I hold an MA in Town Planning and a post graduate Diploma in Town Planning. I have been a corporate Member of the Royal Town Planning Institute since 2004.

I have circa 19 years' experience in Development Management practice at local authorities including Leeds, Liverpool and Warrington as well as working in private practice. My experience includes dealing with large scale residential led mixed use schemes and EIA development.

I have been employed by Warrington Borough Council as Principal Planning Officer since 2013. I am the case officer for the appeal in respect of the re-opened inquiry, on behalf of the local planning authority.

1. INTRODUCTION

1.1 My Proof of Evidence/ CIL Compliance Statement relates to the Council's up-to-date position relating to the determination of the application and the reasons for refusal.

1.2 My evidence deals with the Council's position in relation to the Principle of development and the planning balance having regard to local and national planning policies.

1.3 In the intervening time since the inquiry was re-opened, the appellant has submitted new technical information for consideration as part of the appeal. This new information has now been reviewed in relation to the Council's case and the reasons for refusal. A report to provide an update on the Council's position was considered by the Council's Development Management Committee (DMC) on 1.7.20. A copy of this report and minutes are provided at Appendix 1.

1.4 The resolution of DMC in Feb 2017 provided 2 reasons for refusal as set out below;

Reason for refusal 1 (RFR1);

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).

Reason for Refusal 2 (RFR2)

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.

1.5 These reasons for refusal have been subsequently superseded through the course of the original inquiry and following review of new information received March 2020.

1.6 4 At the 1.7.20 meeting, the Development Management Committee resolved to continue to defend the appeal on highway grounds only. Consequently the Council's case now differs from the original reasons for refusal at the time the application was refused at DMC on 23.2.17.

2. PLANNING POLICY

National Planning Policy Framework 2019 (NPPF)

2.1 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.

2.2 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-date, 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.

2.3 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).

2.4 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.

2.5 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).

2.6 Para 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Local Plan Core Strategy

2.7 Relevant Policies in the Local Plan Core Strategy (2014) are set out in the submitted Statement of Common Ground and below for reference.

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

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

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
- Planning Obligations SPD

Proposed Submission Version Local Plan & evidence base

2.8 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.

2.9 It is considered that only minimal weight should attach to the PSVLP and moderate weight to the evidence base.

2.10 Peel Hall is a proposed allocation for 1,200 homes and ancillary uses in the plan, policy MD4.

2.11 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).

2.12 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.

3. COUNCIL'S UPDATED POSITION

Reason for Refusal 2 (RFR2)

- 3.1 At the 2018 inquiry, the second reason for refusal (RFR2) relating to social infrastructure was resolved through a S106 legal agreement securing delivery of relevant matters and therefore was not contested by the Council.
- 3.2 The appellant has produced an updated draft s106 legal agreement that is being reviewed by the Council and it is expected that this will be completed and submitted to the re-opened inquiry and therefore it will remain the case that RFR2 will not be contested.
- 3.3 In relation to social infrastructure requirements, the quantum of affordable housing was agreed at application stage; agreed on site provision is made in the submitted S106 agreement.
- 3.4 Local Plan Core Strategy Policy SN2 requires affordable housing to be provided on site unless the type of housing to be provided does not accord with priority needs or the nature of the site is deemed unsuitable for affordable housing.
- 3.5 This policy is supported by the Planning Obligations SPD which confirms that exceptional circumstances will need to exist for offsite provision to be considered and that the Council will need to be satisfied that it would deliver a better more sustainable outcome. (paragraph 3.32 of the SPD).
- 3.6 No robust evidence has been provided as part of the application or in subsequent S106 negotiations to demonstrate that the appeal site cannot provide affordable housing on site to meet priority needs and that exceptional circumstances exist to justify off-site provision.
- 3.7 It is common ground that sufficient provision would now be made by way of the submitted S106 agreement, insofar as sport and recreation measures are concerned. Subject to the agreement of detailed provision and wording in the S106.

3.8 As also set out in the Statement of Common Ground (SoCG), planning obligation matters in relation to schools and education provision are agreed between the parties.

3.9 There is disagreement between the parties in respect of whether the requirement for Health Care provision meets the tests of CIL regulation 122. Nevertheless there is provision made within the s106 agreement which leaves this as a matter for the Inspector/ SoS to determine.

Health Care

3.10 The Council's adopted Planning Obligations SPD sets out the requirement for mitigation for the impact of major new residential developments on healthcare provision at page 31 of the SPD and in this regard the SPD supplements LPCSW policy SN7 – Health and Wellbeing.

3.11 Paragraph 3.119 of the SPD sets out a cost per dwelling of £771, from which is derived a contribution of £925,200 – based on the proposed maximum of 1200 dwellings.

3.12 It is the Council's and its healthcare partner's intention to use a financial contribution from the developer to fund the co-location of two existing healthcare practices at a new site location. This new facility would help provide sufficient capacity to meet the demand on healthcare services should the appeal site be developed as proposed.

3.13 In accordance with the SPD, there is no requirement for a new primary healthcare facility within the appeal site itself.

3.14 The assessment of need for the required financial contribution is set out in the proof of evidence of Nick Armstrong which is submitted to support the CIL compliance statement (Appendix 2).

- 3.15 Nick Armstrong at the CCG in his proof confirms that following the 2018 inquiry for the proposed development, NHS Warrington CCG commissioned Gbpartnerships via Renova Developments to undertake an estates feasibility and option appraisal on behalf of the GPs at Padgate Medical Centre and Fearnhead Cross Medical Centre. The study forms part of the pre-business case work to support the delivery of a new primary care centre for Padgate Medical Centre and Fearnhead Cross Medical Centre. This work was completed in March 2020.
- 3.16 Further discussions following completion of this study had to be put on hold due to the NHS response to the Covid-19 pandemic since March 2020. Work on this project will resume after Primary Care is de-escalated from the current incident and are no longer working under national directions.
- 3.17 The proof of evidence of Nick Armstrong and the feasibility and options appraisal report support the requirement for the health contribution contained in the draft s106 agreement.
- 3.18 The council contend that the level of detail available regarding the proposed new facility is sufficient to reasonably and legally require the contribution as part of the S106 Agreement.
- 3.19 The Appellants position at the 2018 inquiry was that the level of detail and the lack of any fresh information or detail since the 2018 inquiry is not sufficient to reasonably and legally require payment of the contribution as part of the S106 Agreement. The appellants were unable to review the feasibility and options appraisal report submitted on behalf of the CCG prior to the submission of evidence.
- 3.20 Notwithstanding this area of disagreement, this matter is provided for in the s106 agreement that will be entered into and it is acknowledged that it will be a matter for the Inspector/ SoS to determine.

3.21 Importantly, this was a matter that was considered at the 2018 inquiry and was uncontested in the High Court challenge.

3.22 The 2018 Inspectors Report concluded at para 12.48;

The pivotal issue is whether the obligation is directly related to the development. The Council (through Warrington Clinical Commissioning Group) provided extensive evidence in support of its case that the funds would be spent on the co-location of existing medical practices in Fearnhead and Padgate. There is no site yet identified and the proposal is subject to public consultation. Nonetheless, there is a clear, active strategy in place to address the need arising from the proposed development and, in my judgment, the obligation can be regarded as being directly related to the development.

3.23 The Inspector also concludes at 12.51 and 12.53 'I consider that the unmitigated adverse effects of the proposal upon existing healthcare facilities would be a significant material consideration that would weigh against it. Putting to one side the fact that new residents might find themselves unable to access GP services, Core Strategy policy CS1 is clear that to be sustainable, development must accord with national and local planning policy, taking into account other material considerations.'

3.24 'In conclusion, overall I consider that the submissions and oral evidence demonstrate the basis for the obligations and how they relate to the development proposed, set out (or reference) how any financial contributions have been calculated and indicate whether the CIL regulation pooling limits have breached. It is evident how the funds would be spent. They provide evidence that the above obligations meet the tests set out in the Regulations.'

3.25 The SofS decision letter dated 20.12.18 para 22 states that the SofS agrees with the Inspector's conclusion at IR12.53 that, in so far as it goes, the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 56 of the Framework.

3.26 A CIL compliance table in respect of all of the obligations is provided at Appendix 2 in relation to Regulation 122 of the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) and the requirement that planning obligations contained in s.106 Agreements must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question.

3.27 It is also of relevance that since the SofS decision, the Community Infrastructure Levy Regulations (Amendment) (England) (No. 2) Regulations 2019 removed regulation 123 'pooling restriction'.

Reason for refusal 1 (RFR1)

3.28 The only outstanding issue from the Council's perspective at the 2018 inquiry was that contained in Reason 1 (insufficient information – highways, air quality and noise impacts).

3.29 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.

3.30 The re-opened inquiry has enabled this information to be submitted as part of the appeal. Satnam submitted new traffic modelling data and Transport Assessment (TA) at the end of March 2020, as well as an addendum to the Environmental Statement which includes Air Quality Assessment and noise reports. The information was publicised and of 4th June 2020 in accordance with the relevant legislation .

3.31 Following the review of the new technical information submitted by the appellant, the issues set out in the original RFR1 relating to insufficient information have been reduced and consideration of highway matters has moved on.

- 3.32 The central part of RFR1 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. ‘
- 3.33 The Council is satisfied that Air Quality and Noise concerns have now been overcome in terms of the outline proposals. These matters are dealt with as part of two separate Statements of Common Ground. Further detail will be required at reserved matter stage and through the design and layout of future detailed proposals.
- 3.34 The Councils 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.
- 3.35 The Council’s case at the re-opened inquiry relates to 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.
- 3.36 In conclusion, the Council does not maintain its position in respect of RFR1 in relation to insufficient information. However the Council does maintain an objection to the proposal in respect of the impact of the development on the highway network alone.
- 3.37 The Council’s evidence in respect of this matter is set out in the proof of evidence of Mike Taylor, WBC Transport Development Control Team Leader.

4. PRINCIPLE OF DEVELOPMENT

4.1 As well as the update in terms of the Council's case, it is also considered necessary to set out the Council's assessment of the principle of development.

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

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

4.4 As stated earlier, Warrington is not currently able to demonstrate a 5 year housing land supply; based on the information contained in SHLAA 2019 and therefore as a result paragraph 11 of the NPPF advises that the relevant development plan policies are considered 'out of date' and applications meeting the criteria of sustainable development should be granted planning permission. The exceptions to this under para 11d) are where:

- i 'the application of policies in the 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 the Framework taken as a whole'.

- 4.5 It is not considered that the application site is designated as any areas of assets of particular importance as defined by the NPPF and therefore the first exception cannot be applied to this application.
- 4.6 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.
- 4.7 The land is “greenfield”, in the sense that it has not been previously developed.
- 4.8 The application seeks consent for an additional 1200 residential units at the site together with local centre and associated uses. In the absence of a demonstrable 5 year housing land supply, the National Planning Policy Framework makes it clear that there should be a presumption in favour of sustainable development.
- 4.9 It is agreed in the SoCG that having regard to the presumption in favour of sustainable development under para 11 d) of the NPPF it is considered that the principle of residential development on the site is acceptable.
- 4.10 Local Plan policy SN1 sets out the distribution and nature of new housing required, emphasising the need to ensure that the mix of housing in terms of type, size and tenure meets identified needs and ensures that an attractive and balanced housing offer is available. Whilst the mix of units will be finalised at the time of the reserved matters submission, it is expected that the applicant progresses a scheme that provides a range of different sized units.
- 4.11 The development would also result in the delivery of additional affordable homes in the Borough, The Council’s latest Local Housing Needs Assessment (LHNA), published in March 2019, identifies a current need for affordable housing of 377 dwellings per annum.

4.12 There has obviously been a significant under delivery of affordable housing in recent years. The proposed development would clearly help meet this identified need for Warrington residents through the provision of affordable homes that would be secured via S106 agreement to ensure the affordable housing is delivered by a registered provider and secured for the lifetime of the development.

4.13 The Council considers that the second exception of para 11 d) is applicable and this is set out in the proof of evidence of Mike Taylor, whereby the adverse impacts of granting permission would be severe and would not outweigh the benefits.

Conclusion on the principle of development

4.14 In terms of matters of principle, residential development at the site is acceptable (subject to detailed assessment of other material considerations) because;

- It contributes to meeting identified needs with the borough in terms of housing deliverability;
- The development delivers an appropriate amount of affordable housing on the site, meeting an identified need

4.15 The principle of the proposed development is therefore acceptable when assessed against policy SN1 of the Local Plan and guidance within the NPPF.

4.16 In relation to the retail and local centre uses proposed, the assessment contained in the 2017 DMC report concluded that the sequential and impact tests were acceptable, and that there were no sequentially preferable sites and there would be no significant adverse impacts as a result of the proposals. It is considered that this is still the case and no further assessments are considered necessary to satisfy the requirements of policy SN5 of the Local Plan Core Strategy.

4.17 In relation to ecological matters, these are agreed in the Planning Statement of Common Ground – having regard to policy QE5.

The effect of the proposed development on the character of the area

- 4.18 This matter was considered at the 2018 Inquiry as a matter introduced by the Inspector, in relation to the potential effect of traffic from the appeal scheme on the character of the area.
- 4.19 The Inspector's and Secretary of State's conclusions in relation to the effect of the proposed development on the character of the area were not part of the grounds for the High Court challenge and it is therefore considered that substantial weight should be attributed to this part of the previous Inspector's Report and SofS conclusions.
- 4.20 The inspector concluded that the level of increase in the flow of traffic along them, whether technically appropriate or not, would, inevitably, make them less pleasant routes along which to walk (or cycle) and, indeed, to drive. They would be busier, noisier and, potentially, more difficult to cross especially for certain residents.
- 4.21 The evidence of Mike Taylor concludes that the proposal will result in severe impact on the local road network between the Sandy Lane West/ A49 roundabout and the Sandy Lane West/ Cotswold Road roundabout and therefore the traffic movement in and out of the entire surrounding residential area for private vehicles as well as public transport services.
- 4.22 Mike Taylor also concludes that the proposed development will change the nature and function of the Sandy Lane West, Poplars Avenue, Capesthorne Road route so that its primary purpose becomes movement creating a barrier to the existing community. This will subsequently alter the character of the area with potential impacts on public safety, residential amenity and the movement of vulnerable road users.
- 4.23 It is therefore considered that having regard to the previous inspector's report, and WBC highways evidence, the proposal would conflict with policy QE7 of the Core Strategy and also conflict with aspects of the Framework, which seek to protect local character.

5. PLANNING BALANCE & CONCLUSIONS

5.1 Substantial, positive weight is given to the potential benefits which the proposed development might bring in terms of delivering a substantial amount of new housing to help meet the housing land requirements of the borough in the absence of the Council being able to demonstrate a 5 year housing land supply.

5.2 In relation to “social infrastructure” requirements set out in the Local Plan Core Strategy and the adopted Planning Obligations SPD – these are each addressed earlier in my proof and are considered to be provided for within the draft s106 agreement expected to be submitted to the inquiry.

5.3 Notwithstanding weight attached to the benefit to housing land supply, and affordable housing provision, it is not considered that the impact of the development proposed on the transport/ road network, and the local area has been demonstrated to be adequately mitigated.

5.4 Overall therefore I consider that without known and agreed highway mitigation to address the severe impact concerns, the potential benefits of granting outline planning permission would be significantly and demonstrably outweighed by the negative effects of the likely impacts, having regard to para 11 of the Framework and further guidance in the Framework taken as a whole.

5.5 Mike Taylor’s highways evidence demonstrates that the appeal proposal would have adverse impacts upon the safety and efficiency of the highway network which in turn would affect residential amenity in the surrounding area and the character of the area. The appeal proposal is therefore contrary to policies QE7, MP10 of the Local Plan Core Strategy.

5.6 The benefits can be summarised as

- providing up to 1200 dwellings, to which substantial weight should be attached

- 30% of which would be affordable, in a borough with a significant undersupply of both market and affordable units. Again this carries substantial weight
- The proposal includes provision for local centre facilities and social infrastructure including, primary school and sports facilities to support the proposed development. I attach moderate weight to this.
- The proposed sports hub is welcomed, although this is in part to offset the loss of the Mill Lane playing fields and to meet the demands arising from the new development. Moderate weight is attached to this.
- Moderate weight is attached to the economic benefits associated with the proposed development including construction jobs arising from the development, together with increased expenditure from future residents and employment benefits associated with the local centre.

5.7 In terms of implications should the appeal be dismissed and future housing requirement, although the site is included as a proposed allocation in the emerging Local Plan, it is considered that minimal weight should be attached to the proposed allocation. Furthermore, the Proposed Submission Version Local Plan does not include the site within the first 5 years of the housing trajectory. This is, therefore considered to be a matter for the emerging Preferred Development Options, and future Examination.

5.8 The conclusions of the previous Inspector and Secretary of State are considered to hold substantial weight as part of the re opened inquiry where they were not related to the successful parts of the High Court challenge. The Inspector and SoS concluded that 'the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework taken as a whole'.

5.9 In the circumstances the Inspector and SoS concluded that the proposal would not represent a sustainable form of development.

5.10 It is noted that the Inspector at para 14.20 stated that ‘indeed, the issues arising from either the scheme’s highways or air quality modelling work would alone be sufficient to lead me to this conclusion.’

5.11 It is therefore considered that the additional information submitted to the re-opened inquiry does not alter the conclusions reached by the previous Inspector in relation to the overall planning balance and the recommendation to the SoS that the appeal should be dismissed.

5.12 The Inspector is respectfully invited to dismiss the appeal.

APPENDICES

APPENDIX 1 – DMC REPORT & MINUTES 1.7.20

APPENDIX 2 - CIL COMPLIANCE STATEMENT

APPENDIX 3 – NICK ARMSTRONG PROOF OF EVIDENCE 2018 & HEALTH CENTRE OPTIONS AND
FEASIBILITY APPRAISAL

DEVELOPMENT MANAGEMENT COMMITTEE**1 July 2020**

Present: Councillor J Grime (Chairman)
Councillors P Carey, K Mundry, J Wheeler,
S Wright, G Friend, B Barr and S Parish

This meeting was held remotely in accordance with the Coronavirus Act 2020 – Section 78

DM142 Apologies for Absence

Apologies for absence were received from Councillors T McCarthy and L Morgan.

DM143 Code of Conduct – Declarations of Interest

Councillor	Minute	Reason	Action
G Friend	DM146	Previously spoke against the application	Remained in the meeting and took part in discussions and vote
G Friend	DM147	Member of Poulton Fearnhead Parish Council who had objected to the application	No involvement with the application, remained in the meeting and took part in the discussion and vote
J Grime	DM148	Ward Councillor for area in question and Member of Culcheth and Glazebury Parish Council who had objected to the application	No involvement with the application, remained in the meeting and took part in the discussion and vote

DM144 Minutes

Resolved,

That the minutes of the meeting held on 10 June 2020 were agreed as a correct record and signed by the Chairman.

DM145 Planning Applications

Resolved,

That Pursuant to the Town and Country Planning Act 1990 (As Amended) the applications for permission to develop land be considered and dealt with in the manner agreed.

DM146 2016/38492 – 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 - 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).

The Director of Growth submitted the above report with a recommendation to continue to defend the appeal on highway grounds.

Members noted the update report.

Members received a further 11 written representations objecting to the proposal of development which are summarised as follows;

1. Strong objections to the project on the grounds that it will have a disastrous impact on the area in terms of adding to an already congested road network. The M62 junction adjacent to the proposed development is extremely busy. By building further housing and businesses this would result in the local roads being completely overwhelmed. It is also worth adding that in a post C19 economy, the local area will be awash with vacant business properties, therefore we don't need any more to be built. As well as creating gridlock on the roads, building such a large development would also have an adverse impact on the environment. There is already too much traffic and the air pollution levels are high creating problems for vulnerable people and putting children at risk
2. On entering Birch Avenue from the A49 you have a driveway to the left accessing 8 houses on Newton Road. This is only 11.1 meters from the turning off the A49, plus an immediate driveway to access the first of the 8 houses. To the right, a

driveway accessing two houses which is already difficult and dangerous to access and exit with traffic coming off the A49

3. Within 48.86 meters, there is a left turning into Elm Road which is 4.3 meters wide. Elm Road houses 28 homes and with approximately 2.5 cars per household, this is an estimation of 70 vehicles coming and going onto Birch Avenue, there is no other access point for these vehicles
4. From Elm Road it is approximately 59 meters to the intended entrance onto the first development site of 20 houses (ref 01). With the approximation given of 2.5 cars per household, this is an estimation of 50 cars using this access point, entering and exiting onto Birch Avenue. According to the proposed plans there will be no other access point for these vehicles
5. The entrance to the Fairhaven NHS unit (ref02) is approximately 29 meters from the entrance (ref01). The Fairhaven Unit has between 20 to 50 vehicles coming and going onto Birch Avenue on a daily basis
6. From the access to the Fairhaven Unit (ref02) there is an intended entrance (ref03) only 10 meters to the left. This access point will house traffic for the 15 houses proposed of the 2nd development. With the approximation of 2.5 cars per household, with plans for 15 houses this entrance will have a traffic flow of approximately 37.5 cars. This access point (ref03) is directly in front of a retired resident's bungalow and is the only proposed access point for these vehicles.
7. There are 18 houses on Birch Avenue with a total of 45 vehicles. With this considered added to the additional expected traffic, this is a total of 252.5 vehicles coming and going down Birch Avenue on a daily basis. Birch Avenue is a road that is only 4.8 meters wide and cannot be widened and for those who do not have a driveway cars are parked on the roadside
8. The houses that do have driveways available will find it impossible to pull on and off due to the traffic. Taking into consideration the morning and evening work traffic, school runs from this development, the added traffic from the Fairhaven Unit, plus delivery and bin wagons, Birch Avenue will be in absolute chaos
9. Traffic Assessment, Air Quality and Noise are still areas of great concern and the proposals are not strong enough
10. With regards to the Traffic Impact assessment, it is difficult to agree that, Sandy Lane West arm of the A49 Winwick Road/A574 Cromwell Road can be resolved with the significantly increased traffic movement a new development would create
11. Impact on Poplars Avenue and Capesthorpe Road and surrounding areas - This area is a heavily populated and has significant problems due to little off street parking and heavy congestion of traffic any increased traffic movements would compound problems for our residents
12. Delph lane, the traffic increase would increase dramatically and would create significantly increased traffic disruption to residents in the east of the ward
13. Air pollution on Winwick Road A49 within the ward is still rated as one of the worst in the region, by increasing traffic movement within Poplars and Hulme ward this will only become worse
14. Noise levels are bound to increase if more traffic are diverted onto the roads on within the Poplars and Hulme area

15. The development will put more traffic the roads in the area to a degree that will be totally unacceptable. It will also build on an area that has been open ground, used by the local populace for generations
16. The development would increase the mass of air pollutants
17. The continued absence of an adequate east/west cross town route linking the Birchwood and Westbrook Districts means that the link provided by Poplars Avenue, Cleveland Road and Sandy Lane West has become the route of necessity for many motorists wishing to make the east/west journey across the north of Warrington - In that respect the most direct route for anyone based in the north east of the town who wishes to shop at Sandy Lane West, or the Junction 9 retail outlet on Winwick Road or Gemini retail park is the route provided by Poplars Avenue, Cleveland Road and Sandy Lane West
18. The road alignment for the new Aldi development means that Sandy Lane West now contains five busy junctions over a very short stretch of highway which clearly act as a barrier to good traffic flow
19. New junction will provide access to several housing areas together with a care home, a supermarket, a pub and a school. The intention is that the traffic from these future developments will use the proposed Central Access Junction as the exit point from the site. From here this traffic will simply be allowed to flood the myriad of surrounding estate roads in our area including Cleveland Road and Sandy Lane West
20. The current plan fails to produce effective systems, merely relying on 'sticky plaster' solutions to facilitate a diabolical scheme that clearly lacks real local knowledge
21. Traffic light junction at Delph Lane and Myddleton Lane - There would be little if no improvement achieved by this system, merely adding even more delay to journey time and increasing emissions and noise from standing traffic. The road is extremely narrow with inadequate pavement that currently constitute unacceptably high safety risks to cyclists and pedestrians. Winwick and Croft villages will be also impacted as Delph Lane is a popular shortcut to access the motorway network
22. Traffic light junction at Crab Lane and Enfield Park Road – Peak hour traffic already backs up both ways at this location along Enfield Park Road
23. Removal of grass verges to accommodate parking proposals down the entire length of Poplars Avenue and large sections of Capesthorpe Avenue for parking bays creates serious safety public issues
24. Mill Lane access – Houghton Green Village will suffer a 267% increase in traffic generated by 150 homes, it is a 'no-thought' road. Access design is unacceptably poor
25. Up to 1,750 vehicles will use the proposed 'Ballater Playing Field' roundabout. Again, of poor design. Its 'one way in and out' access poses serious safety issues as it will be merely yards from a blind junction at Mill Lane, an unrestricted speed limit and an existing roundabout
26. Increased traffic using Birch Avenue and Elm Road will directly access the A49 within meters of the M62 junction 9 roundabout, restricting the flow of traffic and impacting the safety of both drivers and pedestrians. The roads surrounding Peel Hall already impose 20mph restrictions, the introduction of 3,000+ vehicles from

the whole development, on roads not designed for such volumes, would bring network chaos

27. To relocate Ballater Playing Fields to a different ward would deprive our community of a much-used open and green recreational amenity
28. Peel Hall is known as the “last great green wild space” of North Warrington. People spend their time there enjoying the wildlife and habitat. It is a place where they go to relax and improve their mental health
29. It is a place where nature is in its rawest state and Appleton’s ecology study describes its varied wildlife, woods, ponds, and grassland that if lost can never be brought back
30. The land has always experienced poor drainage with evidence dating back to the medieval times. In 2001 the Lancaster University Archaeological Unit dig revealed evidence of a medieval moat which is of County interest. It is recommended that archaeological mitigation action is taken to preserve it.
31. Peel Hall sits alongside the west bound busy M62 where a proposed buffer of only 30m is to be developed to help mitigate the toxic fumes, noise, and bright lights of the motorway
32. If self-seeding trees had been allowed to grow, there could have been a natural woodland barrier
33. Peel Hall should be playing an active part in that process not a destructive one
34. The Secretary of State for Housing, Communities & Local Government agreed with the Inspector after the last Inquiry, that the application should be dismissed
35. The detrimental impact of the development on all areas surrounding Peel Hall, and the wider impact on Warrington, remain the same
36. Peel Hall has significant access problems; the proposed access points are inadequate for a development of the size proposed
37. Current infrastructure does not support a development of this size, and there are no mitigation measures proposed that would improve the matter

One further representation was received by the Chairman, however, it was rejected on the grounds it contained offensive material.

Resolved,

That Members support the recommendation to continue to defend the application appeal on highway grounds.

**DM147 2019/34628 – Land to the rear of No.57-91 Orford Rd, Warrington - Full Planning -
Erection of a detached bungalow**

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

Members received a further written representation in support of the application, which is summarised as follows;

1. The site currently comprises an existing paddock. There are two stables within the application redline boundary. Certificate of Lawfulness (Existing Use) (CLE) 2013/22614 confirms these stables can be used for “domestic / personal equestrian use for riding, jumping and grazing of not more than four horses or ponies and storage of one horse trailer”
2. The application was initially submitted in March 2019, and comprised a two-storey house with associated livery business. During the initial consultation process, a number of objections were received from residents, principally relating to overlooking / loss of privacy, and disturbance generated from the proposed livery Business. The comments received were taken on board the design team, and the proposals were amended accordingly
3. The submission before members today comprises a single storey bungalow, with a modest roof pitch, sensitively positioned fenestration and habitable-room outlook only away from the existing dwellings on Orford Road. The livery business was omitted from the proposals. The existing stables will be for domestic use only
4. Despite the significant reduction in scale of the proposals, a number of further objections were received from local residents and the Parish Council – notably relating to Highways (visibility at egress) and Flood Risk. On Highways, submitted Statement 661749-A-TN01-Rev02 by RSK confirms the existing access to be 4.7m at the point of egress, with adjacent land to the south also in the ownership of the applicant should widening be considered necessary. Visibility splays of 43 metres can be achieved from a point of 2.0 metres back from the carriageway. This was concluded to be ‘acceptable’ for the earlier proposals, which included a livery business and 12 parking spaces. The current proposals comprise just a single bungalow
5. On Flood Risk, the site has undergone a sequential test in accordance with adopted policy, and recommendations on Finished Floor Levels have been adhered to in the design. Notwithstanding the Flood Risk Zone, correspondence with the EA has confirmed there has been no recorded flooding on the site since records began in 1947. The site is protected by new flood risk defences, and photographic evidence submitted to the Council confirms the site did not flood even during the recent storm in February 2020

Resolved,

That application 2019/34628 be approved as per the Officer recommendation.

DM148 2019/35262 – 9, BROSELEY LANE, CULCHETH AND GLAZEBURY, WARRINGTON, WA3 4HP - Full Planning - Proposed demolition of existing dwelling and outbuildings, and construction of new dwelling and associated works.

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

Members received a further representation in support of the application which is summarised as follows;

1. Proposed replacement of the existing dwelling is acceptable in the Green Belt and the scale of development is considered to result in a building which is not materially larger than existing buildings on the site
2. The considerable time taken to get the application to this stage reflects discussion over design and scale; meeting all highway requirements and the provision of detailed ecological surveys to satisfy the Council's advisors on such matters
3. The existing building is not in good condition. Refurbishment to a current standard would result in radical alteration to the existing house and probably result in extension under permitted development rights which would create a collection of buildings with limited uniformity, poor neighbour amenity and much greater impact on the openness of the Green Belt than produced by this negotiated solution. Suggested conditions impose far greater control over development than would be the case with a refurbishment option
4. The application sites sits with neighbouring dwellings of a much more recent origin. The new development does not seek to reflect these newer non-descript buildings but to reflect the scale and form of the building which it replaces.

Members received a further written representation commenting on the proposals which is summarised as follows;

1. Broseley Lane is part of the B5207 which runs from Culcheth through Lowton on to Ashton in Makerfield. It is a busy route being one of the two routes to the A580 from Culcheth for residents and has rush hour traffic from the Birchwood and Risley employment areas. It is also a "rat run" on the many occasions the motorway system is congested or blocked. This is also a route for farm vehicles and lorries
2. Most of the way the pavement is only on one side of the road and there is no pavement on the nearby bridge over the railway
3. Resident and visitor parking is required on site, plus demolition and construction parking should be
4. History of traffic problems in the area
5. The front elevation shows a gate and fence which is not on the site plan- this would hamper vehicles entering the site
6. Support point 10 which stipulates no gates across the vehicular access
7. The house would be better placed further away from no.13 to allow for a large parking /turning area for residents and construction
8. Request for permitted development rights to be removed

9. No objection to the demolition of the house but, as the application suggests that the building could be from the middle of the 19th Century, a photographic record of the house before demolition would be part of local history.

Resolved,

That application 2019/35262 be approved as per the Officer recommendation.

DM149 Appeal Decisions Summary

The Committee received a report from the Director of Growth that detailed recent appeal decisions.

Resolved;

That the report be noted.

Signed.....

Dated.....

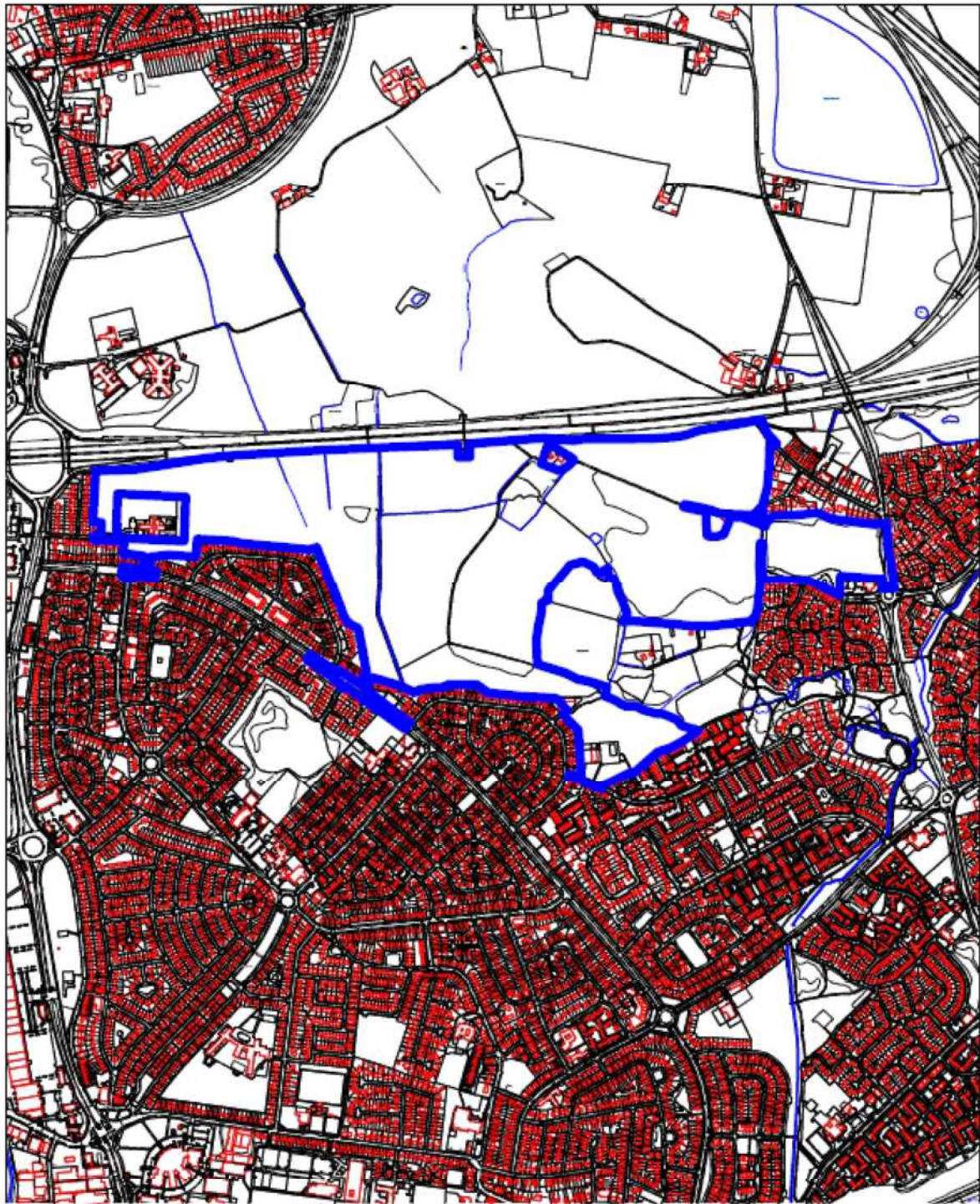
DEVELOPMENT MANAGEMENT COMMITTEE

Wednesday 1st July 2020

Start 18:00

<u>Item</u>	<u>Page</u>	<u>App Number</u>	<u>App Location/Description</u>	<u>Recommendation</u>
1	4	2016/38492	<p>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</p> <p>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).</p>	Continue to defend appeal on highway grounds

- | | | | | |
|----------|-----------|-------------------|---|----------------|
| 2 | 28 | 2019/34628 | Land to the rear of No.57-91 Orford Rd,,
Warrington
Full Planning -Erection of a detached bungalow | Approve |
| 3 | 54 | 2019/35262 | 9, BROSELEY LANE, CULCHETH AND GLAZEBURY,
WARRINGTON, WA3 4HP
Full Planning - Proposed demolition of existing dwelling and outbuildings, and construction of new dwelling and associated works. | Approve |



WARRINGTON
Borough Council



Warrington Borough Council Planning Department



DMC 1st July 2020
2016/28492

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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 Capesthorne 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 Capesthorne 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 Capesthorne 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 worst 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 Capesthorne 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 worst-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 Arbury and Wincwick (Important Hedgerow)		Existing Culvert		10m Foreshore bar corridor		CH Location for Care Home
	Areas with the Site excluded from the development		Peel Hall Manor Farm Moat Area (Archaeological Feature)		Proposed Allotments		Existing Pond to be retained		LC Location for Local Centre
	Public right of way		Gas Main and Easement		Existing areas of off site vegetation		Proposed Attenuation Pond		S Location for Primary School
	Boundary between the historic townships of Arbury and Houghton (Important Hedgerow)		8m Water Vole buffer zone to Spe Brook		Existing areas of woodland, trees, hedgerows and vegetation to be retained.		Proposed Gravel Crested Weir Mitigation Pond		Location for Community Facility
	Location for Bus Gate		Railley 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)		Proposed wildlife corridor				
	Indicative Road Line								

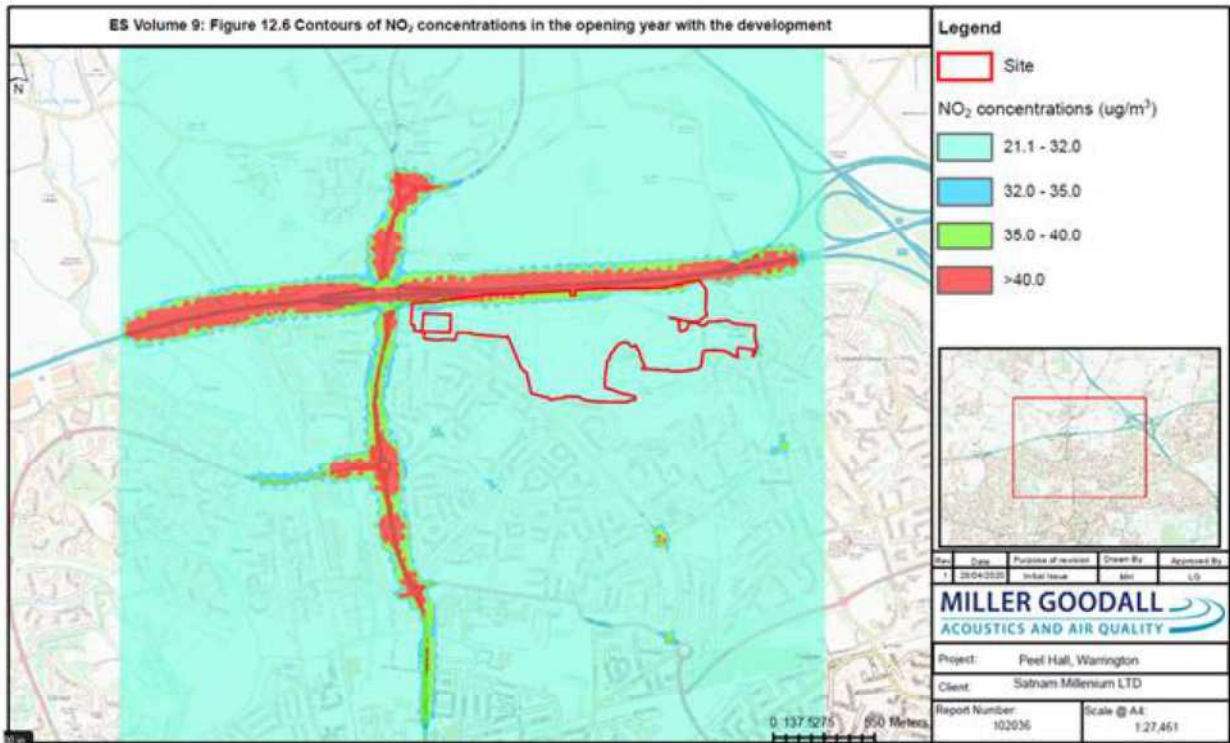
*Note: Heights shown are proposed from ground level. Heights shown are fixed and take precedent over number of storeys shown.

Project: PEEL HALL WARRINGTON		
Title: Parameters Plan		
Client: Satnam Millennium Ltd		
Date: January 2020	Scale: 1:2,500@A1	
Drawn: SW/ DS	Drawing No: 1820_35	
Checked: DAV/ DS	Revision: A	

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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

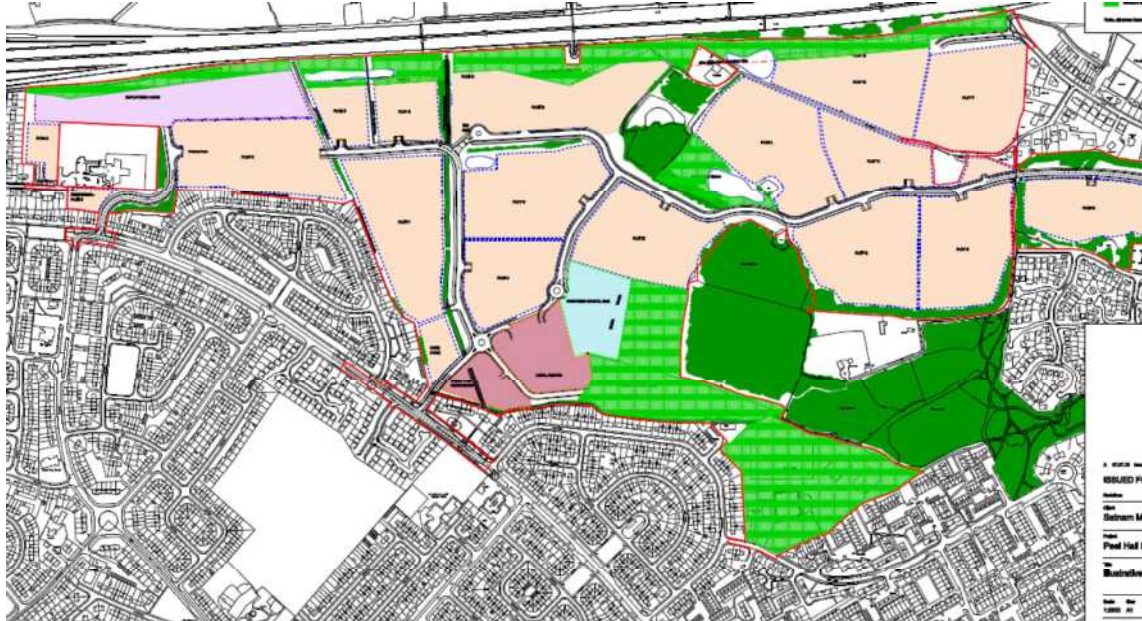
DEVELOPMENT CONTROL COMMITTEE DATE 23rd February 2017

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 highways 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.

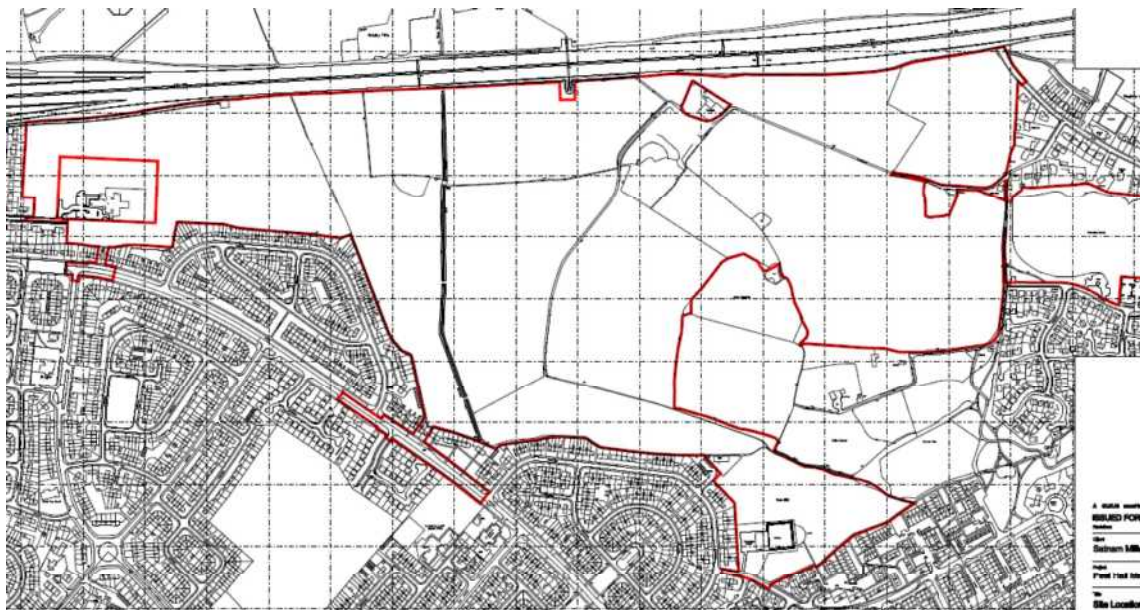
No part of the site is Green Belt. The entire 69 hectare site is within the confines of the built up area boundary of Warrington.

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.



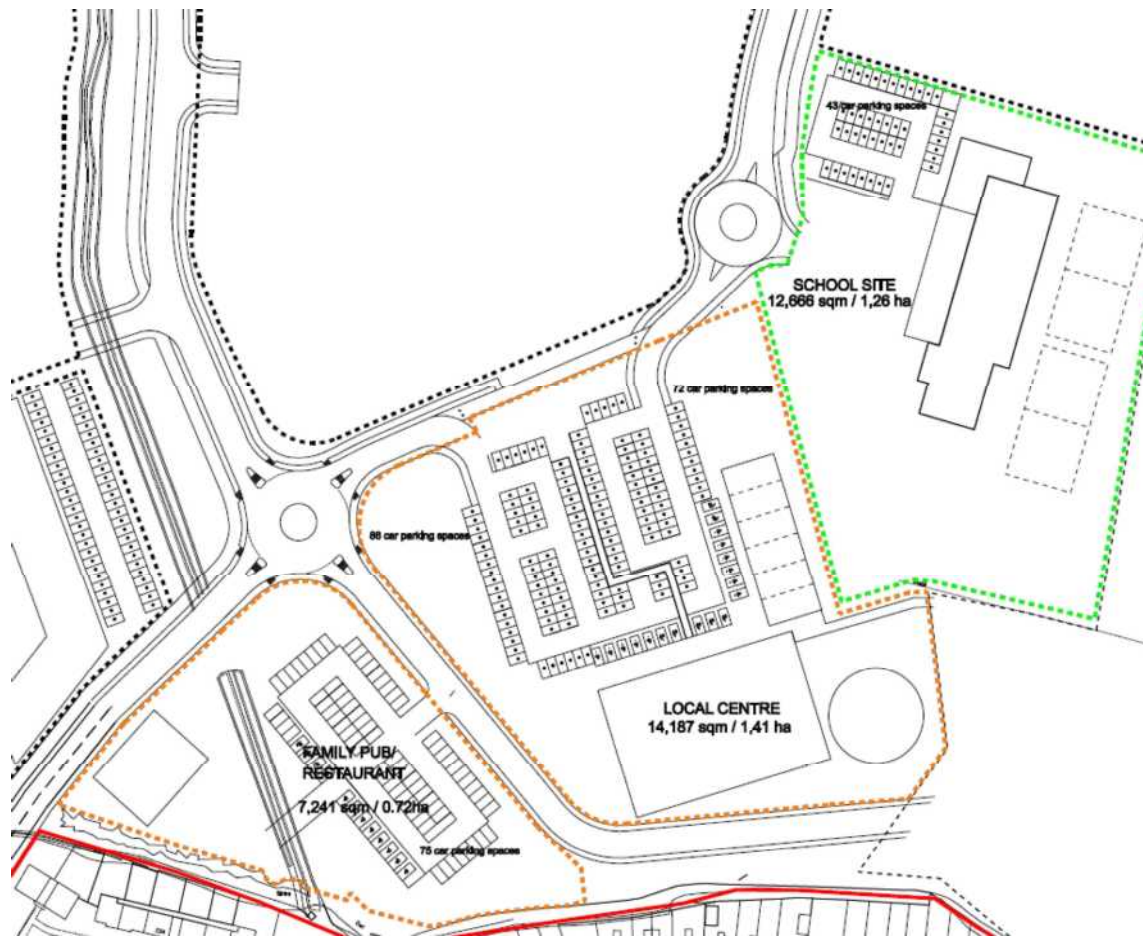
The application site “red edge” boundary



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 and 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 x 1,200 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

Displays 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.

Warrington Borough Council

Planning Obligations - CIL Compliance Statement

Appeal: Land at Peel Hall, Warrington

Appeal Ref: APP/M0655/ W/17/3178530

Paragraph 56 of the National Planning Policy Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

The following tables set out the Policy Context, basis of need and CIL Compliance to support the case for each planning obligation sought in respect of the appeal meets the tests.

Obligation	Policy context	Basis of need	CIL Compliance
<p>Contributions to Bus infrastructure (services, 20, 21, 25)</p> <p>Contribution to extend and subsidise the bus services within the site; £117K 5 x annual payment £106k 5 x annual payment</p> <p>Bus stops and shelters £50k</p>	<p>Para 103 of the framework. Policy</p> <p>Warrington LPCS Policies CS4, MP1, MP4, MP7</p> <p>Warrington Planning Obligations SPD</p>	<p>Based on the appellant's TA and Travel Plan to fund sustainable transport improvements to ensure that the site is served by adequate public transport to encourage sustainable forms of transport</p>	<p>The proposals is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms; Paragraph 103 of the Framework requires that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes</p> <p>Without this contribution towards extensions to the bus services within the site to serve future residents and employees within the local centre there would be a failure to deliver adequate public transport services to serve the proposed development which will result in sustainable transport modes not being available, and the development placing additional demand on car based travel options.</p> <p>(b) Directly related to the development; The Obligation will be used towards the extension of service(s) to serve the site and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development The estimated cost is based on the costs associated with the infrastructure requirement and subsidy for the extension of the services.</p>

Obligation	Policy context	Basis of need	CIL Compliance
Highway improvements/ mitigation	<p>Para 108 of the framework</p> <p>Warrington LPCS Policies QE6, MP1, MP7</p> <p>Warrington Planning Obligations SPD</p>	<p>The appellant's TA and addendum includes mitigation measures to mitigate the impact of the development and increased traffic movements. Without this contribution the necessary improvements would not be provided.</p>	<p>The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended):</p> <p>a) Necessary to make the development acceptable in planning terms; Paragraph 108 of the Framework requires that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</p> <p>Without this contribution to mitigate impacts of the development these improvements would not be delivered and the development would not comply with the relevant policies referred to in this table and would not be acceptable.</p> <p>(b) Directly related to the development; The Obligation will be used towards highway improvements to mitigate impacts from the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development The estimated cost is based on the appellant's submitted scheme of improvements as part of the TA.</p>

Obligation	Policy context	Basis of need	CIL Compliance
Affordable Housing 30% on site provision (up to 360 dwellings).	<p>Para 64 of the framework</p> <p>Warrington LPCS Policy SN2</p> <p>Warrington Planning Obligations SPD</p>	<p>The average number of affordable housing units delivered over the past 10 years in the Borough, has been 156 completions per year. Warrington's Local Housing Needs Assessment (2019) calculates an overall need for affordable housing of 377 homes per annum between 2017 and 2037. There is a significant shortfall.</p>	<p>The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms; Paragraph 64 of the framework expects that for major development involving the provision of housing at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.</p> <p>Without this obligation towards the provision of affordable housing within the site, the development would fail to contribute to the delivery of affordable homes within the borough.</p> <p>(b) Directly related to the development; The Obligation relates to the provision of affordable homes within the site and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development The level of affordable housing provision is 30% in accordance with policy SN2 of the adopted Local Plan.</p>
Replacement Playing Fields	Para 97 of the framework	There will be a loss of 3.2ha of playing field land and pitches at Mill Lane,	The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the

	<p>Local Plan Policy QE3 (Green Infrastructure), Policy SN7 (Enhancing Health and Well-being) and Policy MP10 (Infrastructure).</p> <p>Warrington Planning Obligations SPD</p> <p>Playing Pitch Strategy (2019),</p>	<p>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.</p>	<p>tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms;</p> <p>Para 97 of the framework states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <p>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</p> <p>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</p> <p>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</p> <p>Without this obligation to secure the provision of replacement facilities the, the development would result in the loss of 3.2ha of playing field land and fail to comply with the requirements of para 97 of the NPPF as well as policy QE3, SN7 and MP10 of the Local Plan.</p> <p>(b) Directly related to the development; The Obligation relates to the provision of replacement facilities that are lost as a result of the proposed development and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development</p>
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			<p>The replacement provision is directly related to the existing playing field which accommodates 2 adult football pitches and 1 7v7 junior football as set out in the Playing Pitch Strategy 2019.</p>
<p>Public open space provision and Management Scheme, Community Building and Changing Facilities</p>	<p>Para 92 of the framework</p> <p>Local Plan Policy QE3 (Green Infrastructure), Policy SN7 (Enhancing Health and Well-being) and Policy MP10 (Infrastructure).</p> <p>Warrington Planning Obligations SPD</p> <p>Playing Pitch Strategy (2019),</p>	<p>Additional demand on facilities which are likely to arise from the proposed development has been calculated using Sport England's Playing Pitch Calculator. The proposed development size is 1,200 dwellings and Warrington's average household size is currently 2.3 people per dwelling = a new population estimate of 2,760</p>	<p>The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms;</p> <p>Para 92 of the framework states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.</p> <p>Without this obligation to secure the provision of public open space provision, the development would place additional demand on existing facilities within the vicinity of the site and would fail to comply with para 92 of the NPPF as well as policy QE3, SN7 and MP10 of the Local Plan.</p> <p>(b) Directly related to the development; The Obligation relates to open space provision to meet the demands of the additional population associated with</p>

			<p>the residential development and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development Sport England's strategic planning tools have been used to help estimate the additional demand for sport and sport facility requirement.</p>
<p>Primary School Site/ Primary School Contribution / Off-Site Primary School Contribution/ Secondary school contribution</p>	<p>Local Plan policy MP10 Warrington Planning Obligations SPD</p>	<p>WBC Planning Obligations SPD sets out that Residential developments of 11 or more units (or with a maximum combined gross floorspace of more than 1000sqm) will be required to provide a contribution in order to secure delivery of appropriate enhancements to existing education facilities in the local area where there is insufficient capacity to meet the increase in school age children generated by the development. The contribution will be calculated by multiplying the number of school age children arising from a</p>	<p>The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms;</p> <p>Para 92 of the framework states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.</p> <p>Para 94 states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:</p>

		<p>development for which capacity does not currently exist against the cost of providing primary and secondary school places.</p> <p>For large scale development proposals where the unmet need justifies the delivery of a new school, the Council will seek to secure land as part of the overall development proposal.</p> <p>In relation to the appeal scheme the following requirements have been calculated based on current admission numbers.</p> <p>1.5 form entry (FE) of primary school capacity is required to mitigate the forecast impact of the proposed development.</p> <p>Land within the appeal site should be provided at nil cost to the Council</p>	<p>a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.</p> <p>Without this obligation to secure the provision of primary school places, the development would place additional demand on existing facilities within the vicinity of the site and would fail to comply with para 92 of the NPPF as well as policy QE3, SN7 and MP10 of the Local Plan.</p> <p>(b) Directly related to the development; The Obligation relates to education requirements to meet the demands of the additional population associated with the residential development and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development</p> <p>A developer contribution of £4,478,040 relating to the impact on the demand for primary school places is calculated according to likely pupil generation, as set out in para 3.49 of the SPD, based on the proposed maximum of 1200 new homes at the appeal site (ie, 1200 homes x 0.3 = 360 pupils).</p> <p>The £4,478,040 figure is derived by applying the cost multipliers set out in para 3.52 of the SPD (ie 360 pupils x £12,439 (DfE cost per place) = £4,478,040).</p> <p>A developer contribution of £3,492,936 relating to the impact on the demand for secondary school places is calculated according to likely pupil generation, as set out</p>
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		<p>(para 3.55 of the SPD), for a new one FE primary school. The expansion of at least 1 nearby existing primary school by 0.5 FE would supply the balance of the forecast increase in demand on primary school places which would result from the development.</p> <p>The Council's position is that a new build secondary school would not be needed – provided that the expansion of one or a number of existing high schools is agreed</p>	<p>in para 3.49 of the SPD, based on the proposed maximum of 1200 new homes at the appeal site (ie, 1200 homes x 0.18 =216 pupils).</p> <p>The £3,492,936 figure is derived by applying the cost multipliers set out in para 3.52 of the SPD (ie 216 pupils x £16,171 (DfE cost per place) = £3,492,936).</p>
Health Contribution	<p>Local Plan policy SN7 – Health and Wellbeing MP10 – Infrastructure</p> <p>Warrington Planning Obligations SPD</p>	<p>Mitigation for the impact of major new residential developments on healthcare provision is set out in the Council's adopted Supplementary Planning Document (SPD) "Planning Obligations" which supplements Local Plan policy SN7 – Health and Wellbeing and MP10 infrastructure. This SPD</p>	<p>The proposal is in accordance with the Council's Adopted Local Plan and Planning Obligations SPD and meet the tests of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended);</p> <p>a) Necessary to make the development acceptable in planning terms;</p> <p>Para 92 of the framework states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:</p> <p>a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting</p>

		<p>accords with para 34 of the framework.</p>	<p>places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.</p> <p>It is the Council's and its healthcare partner's intention to use a financial contribution from the developer to fund the co-location of two existing healthcare practices at a new site location. This new facility would help provide sufficient capacity to meet the demand on healthcare services should the appeal site be developed as proposed.</p> <p>The assessment of need for the required financial contribution is set out in the proof of evidence of Nick Armstrong</p> <p>(b) Directly related to the development; The Obligation relates to health care provision to meet the demands of the additional population associated with the residential development and therefore relates directly to the development.</p> <p>(c) Fairly and reasonable related in scale and kind to the development</p> <p>Paragraph 3.119 of the Planning Obligations SPD sets out a cost per dwelling of £771, from which is derived a contribution of £925,200 – based on the proposed maximum of 1200 dwellings.</p>
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Padgate Medical Centre



Woolston Surgery



Fearnhead Cross Medical Centre



Longford Street Medical Practice

Estates Feasibility & Options Appraisal Report
Delivery of a New Primary Care Facility for Padgate Medical Centre
& Fearnhead Cross Medical Centre

in

East Warrington

March 2020

<<Final Version>>

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1. Introduction

Gbpartnerships have been commissioned by Renova Developments (Liftco) to undertake an estates feasibility and option appraisal study to support the delivery of a new primary care centre for Padgate Medical Centre and Fearnhead Cross Medical Centre, on behalf of Warrington CCG and GPs. The aspiration of both the practices is to dispose of the not fit for purpose estate they currently occupy and to co-locate in one location, in one health centre. The new centre will be sufficient in size to allow for the occupation of the Padgate Medical Centre, the Woolston Surgery (this is a branch practice) which is currently leased from NHS Property Services and the Fearnhead Cross Medical Centre main surgery. Fearnhead Cross Medical Centre will retain its branch surgery to meet the demand of the local population in that area.

1.1 Background

Fearnhead Cross Medical Centre and Padgate Medical Centre aspire to co-locate in a new primary care health centre. Both practices are comfortable co-locating and sharing occupation in a single building in order to realise cost efficiencies, by disposing of their current not fit for purpose premises which are worn and tired and restricted in their ability to create the extra clinical space needed to meet demand.

The Practices are located approximately 1 mile apart and have identified a preferred geographical area but have not yet identified their estates requirements or a preferred location for the new build.

In the past Padgate Medical Practice have completed IG1 documentation (Improvement Grant Expressions of Interest form) for Warrington CCG, based on discussions with NHS Property Services and the estates department of Warrington Borough Council, regarding the use of land to the rear of the health centre and possible use of the community centre. At the time of the application the practice informed Warrington CCG that Warrington Borough Council were very enthusiastic about the Improvement Grant Proposal and that they had agreed in principle to a co- location development.

1.2 Project Scope Key Objectives

Key objectives of this report are:

To support both Practices to determine their estates requirements and the preferred location option for the scheme.

- Engage with key stakeholders including both Practices, Warrington CCG, the local community services provider Trust, the local Council and the Public Health team.
- Determine the estates requirements of the new build, i.e. size and scope of the new build; car parking allocations; and high-level key design requirements; including the production of a schedule of accommodation. This will include growth from Peel Hall development.
- Conduct a local site / vacant property search to identify any potential sites / properties that could be suitable for the new facility.
- Determine the best location for the new facility, i.e. identify a preferred location / service option / plan through an option appraisal process, including benefits, timescales; high level capital and revenue costs; and high level risks, constraints and mitigations.
- Produce a draft and then final report on behalf of GPs, that will be submitted to the CCG for final approval.

2. Key Messages

Padgate Medical Centre and Fearnhead Cross Medical Centre aspire to dispose of their current poor-quality estate and relocate their practices in one health centre.

Both Practices have expressed concerns about their current premises and the pressures felt around trying to work effectively in premises which are poorly configured and restrictive in their ability to adapt in order to accommodate the growing population and growing demands of change required by the new Primary Care Networks (PCN's).

The practices are struggling for clinical space and have limited support space such as group rooms and confidential space for patients and staff. The current configuration and building conditions may not be able to meet the demands of the new services (and workforce) required by the newly formed PCN.

Whilst population forecast for the practices for the next 5 years is estimated at an increase of 417 for both practices, this forecast will significantly increase once the Peel Hall Housing Development is

approved. The development is for an estimated 1,200 new homes in the area surrounding the practices which could result in an estimated forecast increase of 2,880 (1,200 new homes multiplied by 2.4 new residents occupying each dwelling). Upon approval of this application both practices will require investment to accommodate the additional registrations. The section 106 document requires the developer to make a *“healthcare contribution” means the sum of £925,000 (to be paid in instalments applicable to each Residential Phase in accordance with Paragraph 7 of the Fourth Schedule) for the purpose of providing or contributing towards a Health Centre or its future expansion or services.”*

Currently the Practices have 21 clinical rooms available over the four sites. Utilising the Health Building Notes HBN 11-01 facilities for primary and community care services room calculator and talking to both practices has identified that they are currently struggling to meet demand.

The Peel Hall development of 1,100 new homes resulting in a further 2,880 population increase will result in the practices requiring additional clinical space to meet demand, based on current working practices e.g. a low percentage of work utilising digital technology. With the Covid-19 pandemic forcing health services to significantly shift from “face to face” interventions to telephone and digital interventions this assumption may be incorrect, i.e. it maybe that following the pandemic both Practices continue to offer significantly more digital interventions and so need less or different types of rooms.

Based on the forecasted growth anticipated and from interviews with the practices a schedule of accommodation drafted estimated that a new build Primary Care Health Centre will be approximately 1182m². This figure is made up of a net total is 714m² and additional space for circulation and other allowances. As the project is at an early, strategic stage, these allowances are generous and once detailed design work is completed at outline business case stage the size of the building may well reduce.

A desk top appraisal undertaken estimates that 0.5 acres or 0.2 ha or 2023m² would be required. This would allow for a building and approximately 25 parking spaces.

There would be an estimated £200k to spend on land, which is based on estimates for the local area of approximately £400k per acre.

Other key assumptions that local stakeholders can use as a basis to move the project forward are:-

- Rent of approximately £210/m² based on 1064m² NIA.
- Build cost of approximately - £2400/m², which would equal £2,836,800 based upon a new build.
- Plus, Net Initial Yield assumed of 5%.
- The overall capital costs, including construction, fees, finance and land (excluding loose FF&E and IT equipment) will be in the order of £3,800,000.
- Profit of approximately 8-9%.
- Ideally, the District Valuer (DV) assessment would conclude with a rent of £215-£220/m² as this would offer greater flexibility to find and acquire a deliverable site.
- Total rent reimbursement for Warrington CCG consideration is approximately £232k per annum on a Tenants Internal Repairing Lease basis.

A local land availability search produced a limited short list of options, which were discussed at a workshop with both Practices and the CCG on the February 2020.

1. Lease space at the Bewsey Park Community Centre.
2. Build a new GP Primary Care facility utilising the footprint of land currently occupied by the Padgate Medical Centre and/or utilising the land to the rear of the premises and/or the land currently occupied by the Padgate Community Centre.

At the workshop, Option 2 was determined to be the preferred option. Workshop attendees also discussed potential procurement options and next steps.

It is felt that due to the lack of central NHS Capital funding, the most appropriate two procurement routes are GP Self-Funded Development or Third Party development (3PD). However, the GP's appetite for development / financial risk and access to available funding may rule out the GP self-funded development option. 3PD offers the benefit that all financial and development risks are transferred to and taken by the 3PD developer. The 3PD developer will also have the requisite expertise to progress and manage the development. The project is in itself too small to be viable under a PPP/LIFT procurement route.

Once the GP's have determined whether they still want to move the project forward or not and the preferred procurement route, the next steps would be to:

- Engage with Warrington Council regarding the viability of utilising the land to the rear of the Padgate Medical Centre and also the possibility of incorporating service elements of the current Community Centre in to a new centre.
- Produce an Outline Business Case (OBC) which will go into the next level of detail and confirm the preferred option, (the economic case), the commercial / procurement case and the financial case (including the Section 106 contribution). The OBC should also include more stakeholder engagement, a review of the assumptions about digital technology, architectural design work that will determine the exact size of the centre and the best site solution and the operational issues relating to the solution e.g. decant or not, timescales, etc.

3. Local Area Analysis

3.1 Warrington GP's Clusters and Primary Care Networks

At the centre of the NHS Long Term Plan are Primary Care Networks (PCNs) consisting of groups of general practices working together with a range of local providers, including across primary care, community services, social care and the voluntary sector, to offer more personalised, coordinated health and social care to their local populations.

Networks will be based around natural local communities typically serving populations of at least 30,000 and not tending to exceed 50,000. They should be small enough to maintain the traditional strengths of general practice but at the same time large enough to provide resilience and support the development of integrated teams

PCNs will provide proactive, coordinated care to their local populations, in different ways to match different people's needs, with a strong focus on prevention and personalised care. Staffing the PCNs will be challenging and to deliver effective integrated care, teams will need other healthcare professionals working alongside GPs, such as pharmacists, district nurses, community geriatricians, dementia workers and allied health professionals, in addition to staff working in social care and the voluntary sector.

There are 26 GP practices in Warrington. The maps below highlight the clusters that these practices belonged to in 2015.

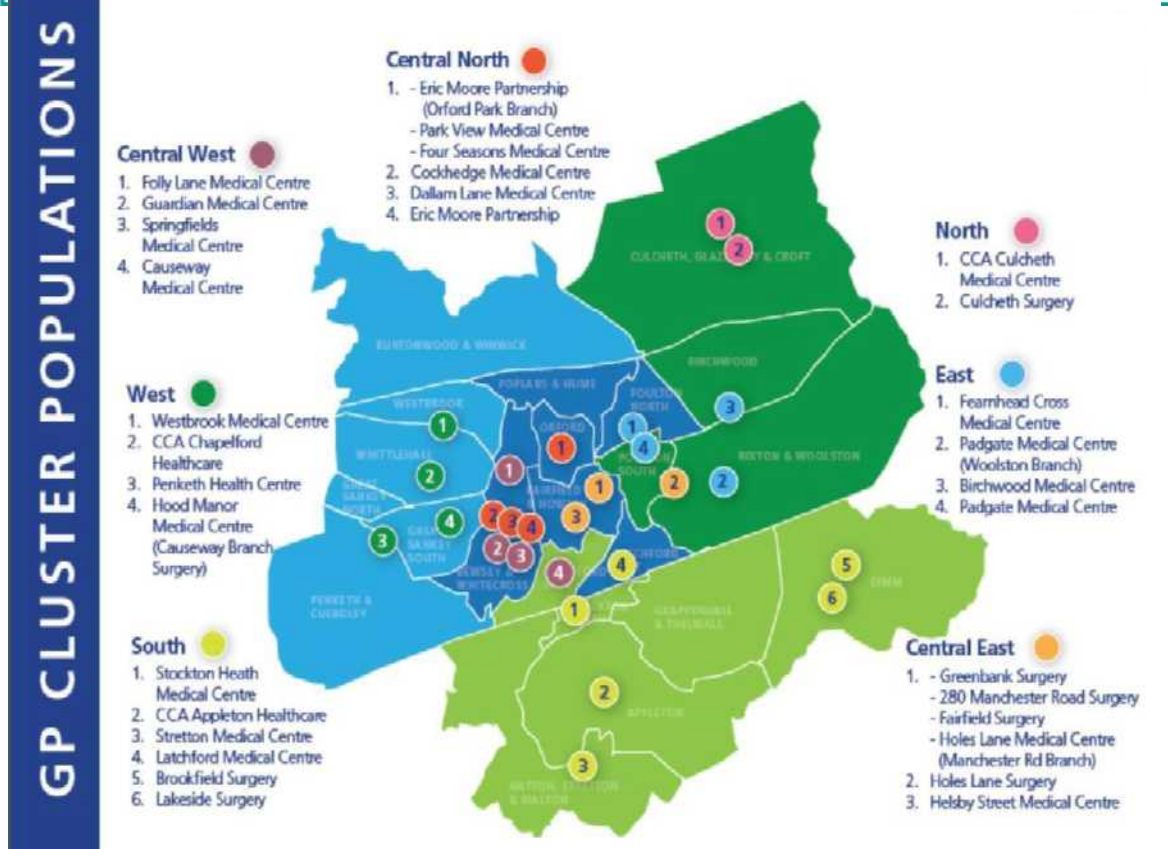
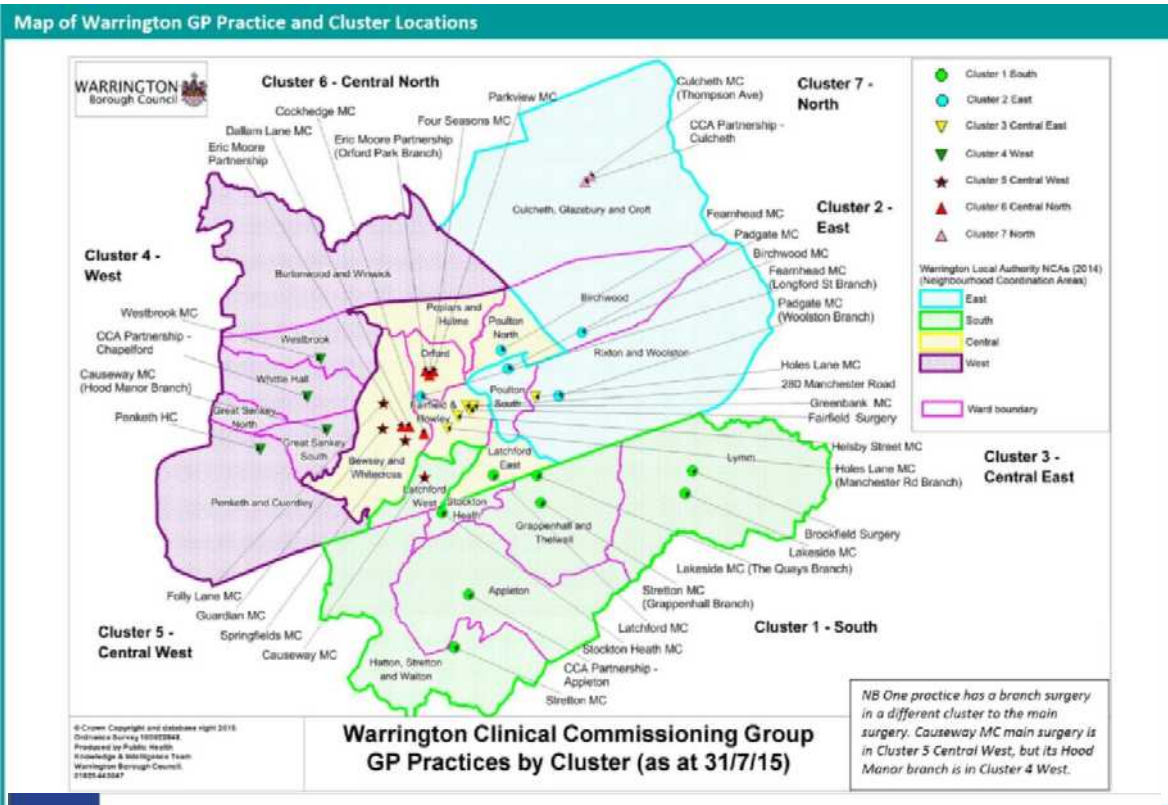


Figure 1- Warrington GP Clusters 2015

Since 2015, the practices have now formed 5 Primary Care Networks. These practices have begun working together and with community, mental health, social care, pharmacy, hospital and voluntary services in their local areas in these new PCN's (primary care networks)

Primary Care networks build on the core of current primary care services and enable greater provision of proactive, personalised, coordinated and more integrated health and social care. Clinicians describe this as a change from reactively providing appointments to proactively care for the people and communities they serve. Where emerging primary care networks are in place in parts of the country, there are clear benefits for patients and clinicians.

The table below illustrates the PCN that each of the 26 practices above are now part of.

CENTRAL & WEST WARRINGTON HEALTHCARE NETWORK Clinical Director: Dr Julian Poulter	CAUSEWAY MEDICAL CENTRE	The name and address of the entity that the Core Network Practices within this Network nominate to receive funding under the Network Contract DES from the commissioner is Causeway Medical Centre, 166-170 Wilderspool Causeway, Warrington, WA4 6QA
	DALLAM LANE MEDICAL CENTRE	
	ERIC MOORE PARTNERSHIP	
	FOLLY LANE MEDICAL CENTRE	
	PENKETH MEDICAL CENTRE	
EAST WARRINGTON NETWORK Clinical Director: Dr Rakhi Raj	BIRCHWOOD MEDICAL CENTRE	The name and address of the entity that the Core Network Practices within this Network nominate to receive funding under the Network Contract DES from the commissioner is Padgate Medical Centre, 12 Station Road, Padgate, Warrington, WA2 0RX
	FEARNHEAD CROSS MEDICAL CENTRE	
	PADGATE MEDICAL CENTRE	
WARRINGTON CENTRAL EAST NETWORK Clinical Director: Dr Mike Northey	COCKHEDGE MEDICAL CENTRE	The name and address of the entity that the Core Network Practices within this Network nominate to receive funding under the Network Contract DES from the commissioner is Greenbank Surgery, 274 Manchester Road, Warrington WA1 3RB
	FAIRFIELD SURGERY	
	GREENBANK SURGERY	
	HELSBY STREET MEDICAL CENTRE	
	MANCHESTER ROAD MEDICAL CENTRE	
WARRINGTON INNOVATION NETWORK Clinical Director: Dr Dan Bunstone	4 SEASONS MEDICAL CENTRE	The name and address of the entity that the Core Network Practices within this Network nominate to receive funding under the Network Contract DES from the commissioner is Springfields Medical Centre, Bath St Health & Wellbeing Centre, Leigh Street, Warrington WA1 1UG
	CHAPELFORD MEDICAL CENTRE	
	CULCHETH MEDICAL CENTRE	
	PARKVIEW MEDICAL PRACTICE	
	WESTBROOK MEDICAL CENTRE	
SOUTH WARRINGTON NETWORK Clinical Director: Dr Ash Ahluwalia	BROOKFIELD SURGERY	The name and address of the entity that the Core Network Practices within this Network nominate to receive funding under the Network Contract DES from the commissioner is Latchford Medical Centre, 5 Thewall Lane, Warrington, WA4 1LJ
	LAKESIDE SURGERY	
	LATCHFORD MEDICAL CENTRE	
	STOCKTON HEATH MEDICAL CENTRE	
	STRETTON MEDICAL CENTRE	

Figure 2 - Warrington Primary Care Networks

East Warrington Primary Care Network consists of the practice that form this study and the Birchwood Medical Centre.

3.2 JSNA East Cluster

The 2016¹ JSNA reported that the East Cluster had approximately 32,000 patients.

Most of East Cluster patients live in the electoral wards of Birchwood (31%), Poulton North (19%), Poulton & Hulme (10%), and Orford.

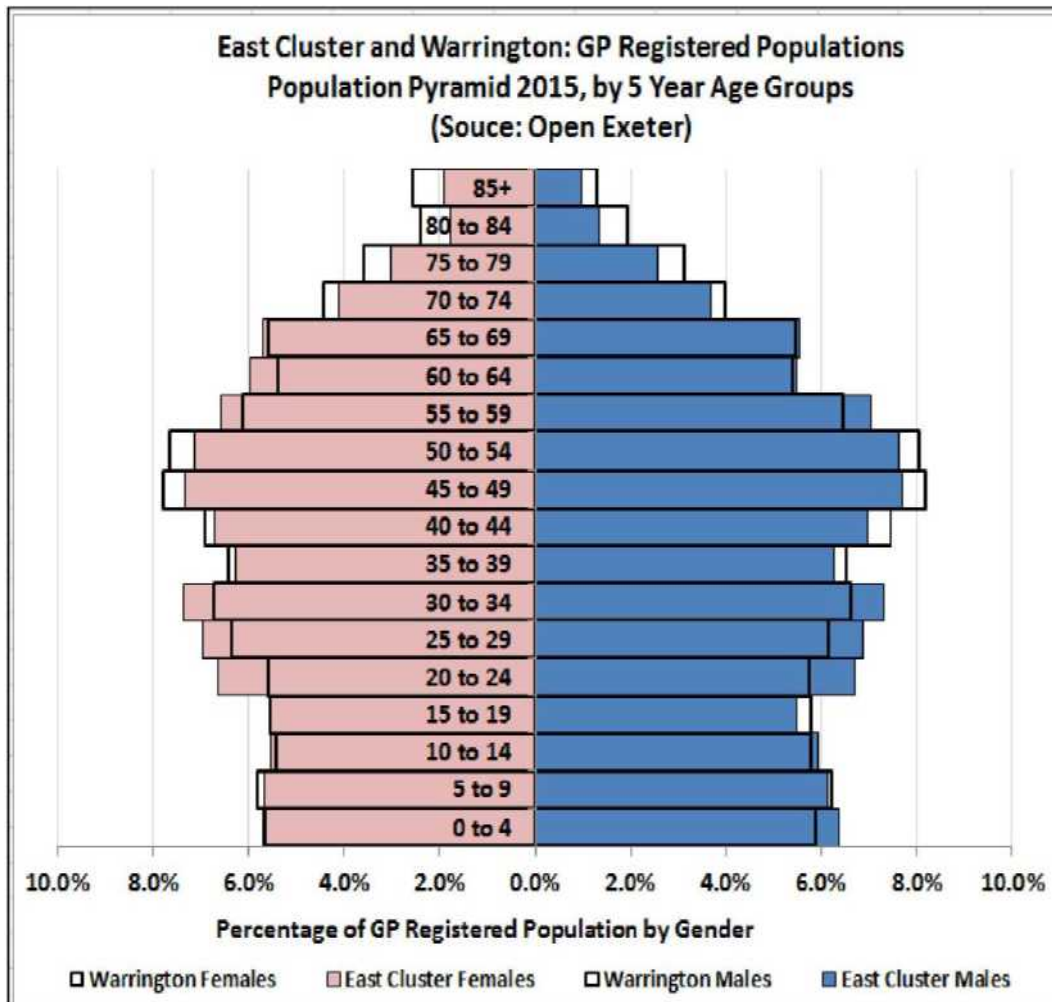


Figure 3 - Population Demographics East Cluster

In 2015 (June) the population of the East Cluster was 32,000. The smallest practice in the East Cluster is the Padgate Medical Centre. Fearnhead Cross Medical Centre is the largest in the cluster.

All 3 East Cluster practices have a fairly similar population structure to each other, apart from Birchwood MC having a higher proportion of 40-64 yearolds. The cluster as a whole is fairly similar to Warrington.

¹ <https://www.warrington.gov.uk/jsna>

East Cluster has a much higher proportion of patients in Quintile 1 (most deprived 5th in England) and a much lower proportion in Quintile 5 (least deprived 5th in England);

Fearnhead Cross MC in particular has a high proportion of patients living in Quintile 1 (42%).

In terms of health-related behaviour, the East Cluster and all 3 practices were not significantly different to Warrington overall for smoking prevalence, unsafe levels of alcohol consumption, and very low levels of physical activity, but obesity prevalence was significantly worse. Fearnhead Cross Medical Centre had a significantly higher proportion with 3 or more lifestyle risk factors.

East Cluster had substantially lower recorded prevalence of palliative care, dementia and osteoporosis than

Warrington overall, and substantially higher prevalence of depression, epilepsy, learning disabilities and mental

health. At cluster level, accessibility of a GP practice was similar to Warrington overall.

Although the majority of the practice population currently consists of 40- 64 year olds, in the next 10 15 years the practice population will have aged. More than two-fifths of national health spending in the UK is devoted to people over 65, according to estimates produced for the Guardian by the Nuffield Trust – a figure that is only likely to increase with the nation's ageing demographic.

The data shows that an 85-year-old man costs the NHS about seven times more on average than a man in his late 30s.

3.3 Housing Developments

Both Padgate MC and Fearnhead Cross MC are also in close proximity to an area where housing is to be developed known as Peel Hall. The development will consist of 1,200 homes over a 10 year build out programme with a local centre and food store up to 2,000m², financial and professional services, restaurants and cafes, bars, takeaways. It also includes non-residential uses up to 600m², restaurant and pub up to 800m², research, assembly and light manufacturing uses, a primary school, open space including sports facilities, access roads and supporting infrastructure.

Both practices will require investment to accommodate the additional patient population growth and new registrations. The section 106 document requires the developer to make a "healthcare

contribution” means the sum of £925,000 (to be paid in instalments applicable to each Residential Phase in accordance with Paragraph 7 of the Fourth Schedule) for the purpose of providing or contributing towards a Health Centre or its future expansion or services.”

4. Current GP Estate

4.1 Current GP Estate – Padgate Medical Centre



Figure 4 - Padgate Medical Centre

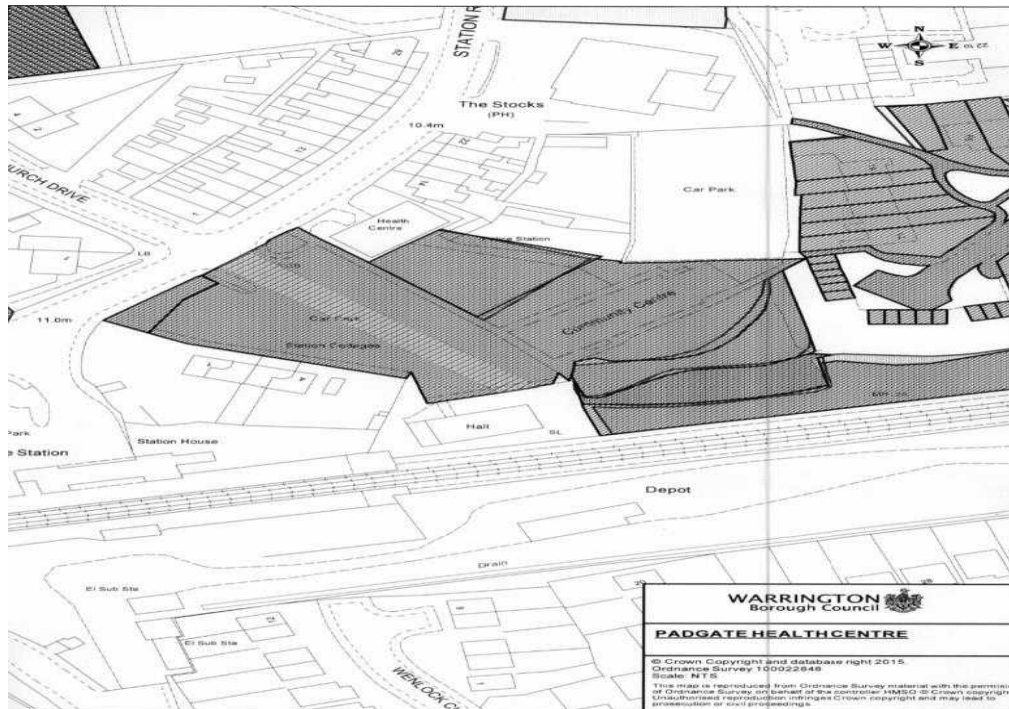


Figure 5 - Location of Padgate Medical Centre & Padgate Community Centre

The above plan details the location of the Padgate Medical Centre and the Padgate Community Centre. To the rear of the Health Centre there is disused land. This leads on to the Community Centre to the rear.



Figure 6 - Padgate Youth & Community Centre

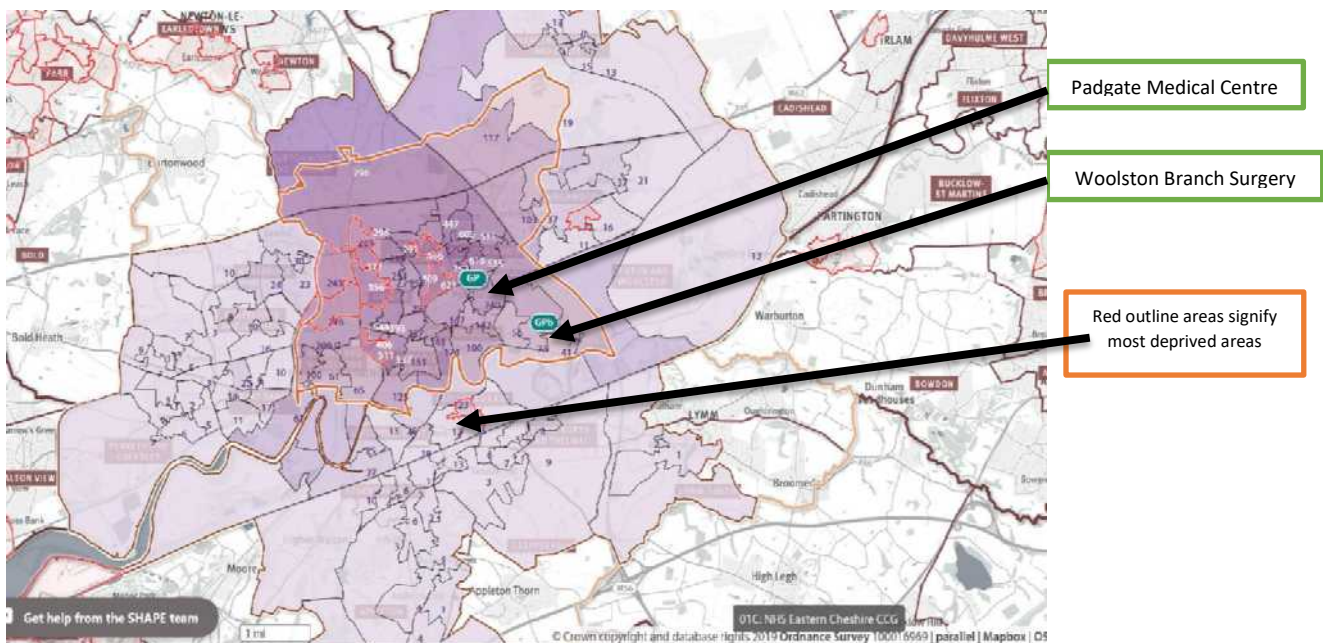


Figure 7 - Practice Boundary location, location of registered patients, most deprived areas.

Premises Description

The practice is located in Warrington, Cheshire. The Practice is located in a double storey purpose-built premises. To the rear of the premises there is disused land which leads onto a very worn and tired appearing local Community Centre. To the side of the premises there is a large Council carpark which is shared by the practice and the Community Centre. Internally the practice interior is tired and requires updating.

Practice Tenure

The premises are GP owned and leased to the practice on a short term lease.

Premises Issues

No flexibility to reconfigure internally to create further clinical space. There are privacy issues due to lack of meeting / other private room space. No dedicated patients’ records storage. Records are located in various offices and rooms around the premise.

Internal Configuration

The table below details the number of rooms in the premises:

Type of Room	No of Rooms
Clinical Rooms	
GP Clinical Room	3
Treatment Room	1
	4
Staff Area	
First Floor - Admin Room	1
First Floor - Kitchen	1
Ground Floor - Practice Managers Office	1
Ground Floor - Reception	1
	4
Other Rooms	
Patient Toilet DDA compliant	1

Figure 8 - No of rooms in Padgate MC

4.2 Current GP Estate – Woolston Surgery



Figure 9 - Woolston Surgery

Premises Description

The surgery is located within the purpose built Woolston Neighbourhood Health Centre. The premises are fairly modern.

Practice Tenure

The premises are leased from the City Council to the practice.

Premises Issues

There are privacy issues due to lack of meeting / other private room space. Patients are seen over two locations. The ideal would be to be seen at one site.

Internal Configuration

The table below details the number of rooms in the premises:

Type of Room	No of Rooms
Clinical Rooms	
GP Clinical Room	2
Treatment Room / Minor Ops	1
	3
Staff Area	
Ground Floor - Reception / Kitchen to rear	1
Staff Toilet	1
	2
Other Rooms	
Patient Toilet DDA compliant	1

Figure 10 - No of rooms at Woolston Surgery

4.3 Other Practice Information

The below tables detail the practice premises payments and practice staff information.

Average Payment per registered patient	£127.38
Average Payment per weighted patient	£129.06
GP contract type	PMS
Dispensing Practice	No
Premises payments	£46,636.39

Figure 11 - Other Premises Information²

Clinical Staff Details	No of Staff
GP Partners	3
Practice Nurse 1 = 30hr, 1 = 18 hr, 1 = 12 hrs	3
ANP, 1=FT, 1=3dyas a week	2
1 GP Trainee Going full time from Sept 2020	1
Practice Manager	1
Practice Secretary Full Time	1
Admin Staff	2
Reception Staff	8
Meds Management Pharmacist	1
Meds Management Technician	1
Total	23

Figure 12 - Total Padgate Practice staff across both sites



Figure 13 - Total Admin Staff across both sites

² Payment information obtained from SHAPE.org

4.4 Registered Patient Profile and List Size Historic and Future Predictions.

The graph below illustrates the age of the patients registered at the practice. The largest registered age group is of working age between 35 – 55. The practice has a smaller percentage of patients over the age of 65.

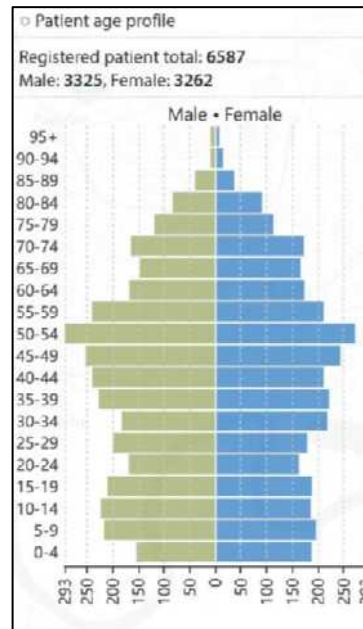
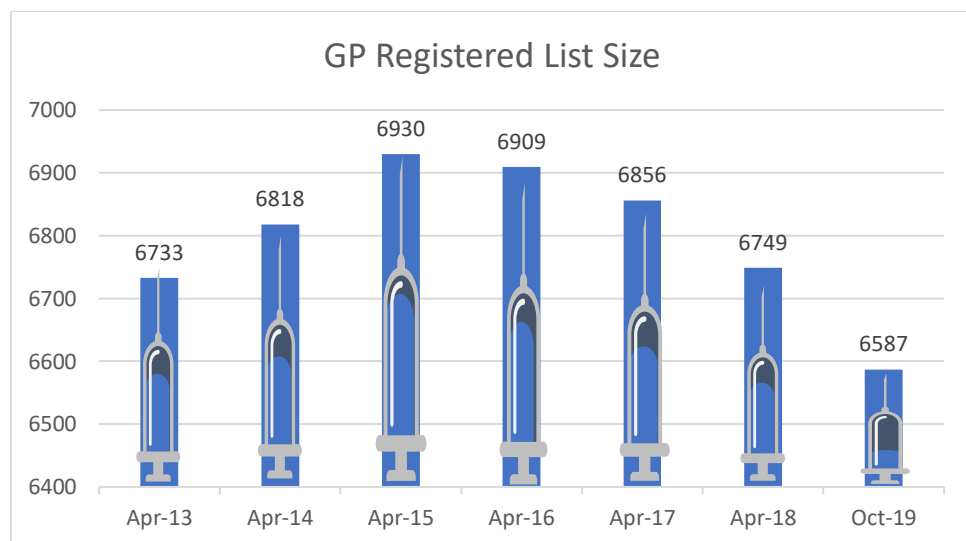


Figure 14 - Patient Age Profile

The bar chart below illustrates the changes in the patient registered numbers since April 2013. To date there has been a decrease of -146 patients registering with the practice.



Apr-13	Apr-14	+ / -	Apr-15	+ / -	Apr-16	+ / -	Apr-17	+ / -	Apr-18	+ / -	Oct-19	+ / -	Overall +/-
6,733	6,818	85	6,930	112	6,909	-21	6,856	-53	6,749	-107	6,587	-162	-146

Figure 15 - Historic patient list size growth

At the end of 2018, Warrington Public Health Team completed a comprehensive analysis that takes the Strategic Housing Land Availability Assessment (SHLAA) information and current Practice patient distribution to provide an estimate of potential impact on GP Practice populations over coming years. These estimates exclude the Peel Hall development and are shown in the following table;

Practice Code	Practice	No Registered Patients at Oct 2018	No Registered Patients at Oct 2019	Projections: Estimated no extra patients for each practice								
				Single Years for next 5 Yrs					5 -year Period			
				2018/19	2019/20	2020/21	2021/22	2022/23	2018/19-2022/23	2023/24-2027/28	2028/29-2032/33	
N81109	Padgate Medical Centre	6,680	6,587	21	4	26	99	15		164	134	101

Figure 16 - Practice Patient Population Forecast

The SHLAA predicts a growth in population in the next five of 164 patients, with the addition of the growth anticipated from the Peel Hall Development (split over the both practices) of 1,440 this gives a total increase expected of 1,604 new patients.

A site visit of the Padgate Medical Centre highlighted further the pressures currently facing the practice.

There were no staff/ patient support areas in the premises such as meeting rooms or any patient confidential rooms which could be used in order to conduct discussions of a private or sensitive nature. Due to this on occasions informal staff meetings have had to be undertaken in staff member cars in the car park, and discussions with patients are undertaken in the open plan waiting room. The Practice Managers office is currently used as a hot desk / patient records storage / informal meeting room.

By 2020 the practice will be required to provide for its patient population the services of:

- 1 x First contact physician
- 1 x Social Prescriber
- 1 x Paramedic

Although the practice list size has not seen a significant increase in size, we are informed by the practice that the demands of change around the practice service contract and now new ways of working resulting as being part of the PCN are adding pressure on an already heavily utilised practice premises. The practice is a training practice and have GP's who can provide training but the lack of available clinical room space is restricting this. Other services utilising the practice premises are:

- IAPT Team,

- Lifestyle Advisors,
- CAB,
- Respiratory Physician.

The practice informs as part of its GMS contract the requirements are to provide 422 GP Clinician appointments per month and 104 non-GP prescribing appointments, it struggles to provide this due to the lack of clinical space available and is concerned that if further changes to service delivery will require the use of space either in the form of admin or clinical room space, the practice does not have this space available. The practice is concerned due to this it may result in the practice failing performance targets set.

4.5 eConsult

From the 7th October 2019 the practice began to offer a new eConsult service to its registered patients. Over the period of 7th October to 27th October the below tables illustrate the number of patients that used the eConsult site in order to access GP Primary Medical Services:



Figure 17 - Number of patients using eConsult

The practice informs that the eConsult service has had a good uptake. Although the management of patients via this service has allowed for a smoother processing of patient appointments, this has not seen a reduction in the footfall of patients still receiving one to one consultation with the clinicians as any saved appointments resulting from the E-consult process were still being allocated to patient.

4.6 Fearnhead Cross Medical Centre



Figure 18- Fearnhead Cross Medical Centre

Premises Description

The practice is located in Warrington, Cheshire, and is in close proximity to a Community Centre, Library and shopping facilities. The building is a single storey purpose-built health centre, built circa 1984 with a small car park to the rear of the premises. On street car parking is available.

Practice Tenure

The premises are leased from Assura. The current lease has expired, and the practice are in occupation on a periodic tenancy. Currently new lease negotiations are in discussion.

Premises Issues

The practice premises are tired and worn, there is no scope to create any further clinical space on the current footprint and the practice are currently struggling to meet demand.

Internal Configuration

The table below details the number of rooms in the premises:

Type of room	No of rooms
Clinical Rooms	
GP Clinical Room	5
Treatment Room	1
Practice Nurse Room	1
	7
Staff area	
General Office	1
Practice Managers Office	1
Reception / Patient Records	1
Staff Toilet	2
Meeting Room / Library / Staff Room	1
	6
Other Rooms	
Waiting Room	1
Patient Toilet DDA	1
Kitchen	1
Dirty sluice / Nurse Store	1
Cleaners Room / Sluice	1
Server Room	1
	6
Total number of Rooms	19

Figure 19 - No of rooms in Fearnhead Cross Medical Practice Premises

4.7 Longford Street Surgery



Figure 20 - Longford Street Surgery

Premises Description

The practice is double storey premises with a small car park to the rear. On street parking is available

Practice Tenure

The premises are owned by the GP Partners who are currently looking to sell and lease back.

Premises Issues

The premises are restrictive in scope to create any further clinical space on the current footprint. The practice is seeking to keep this premises in order to service the patient in this area.

Internal Configuration

The table below details the number of rooms in the premises:

Type of room	No of rooms
Clinical Rooms	
GP Clinical Room	4
Treatment Room	1
Practice Nurse Room	1
Counselling Room	1
	7
Staff area	
First Floor Admin Room	2
First Floor Managers Office	1
First Floor Kitchen	1
First Floor Staff Toilet	2
Ground Floor Staff Toilet	1
	7
Other Rooms	
Waiting Room	1
Patient Toilet DDA	1
Reception / Patient Records	1
	3
Total number of Rooms	17

Figure 21 - No of rooms at Longford Lane Premise

4.8 Other Practice Information

The below map shows the location and distance between both practices, and the location in purple of their registered patients.

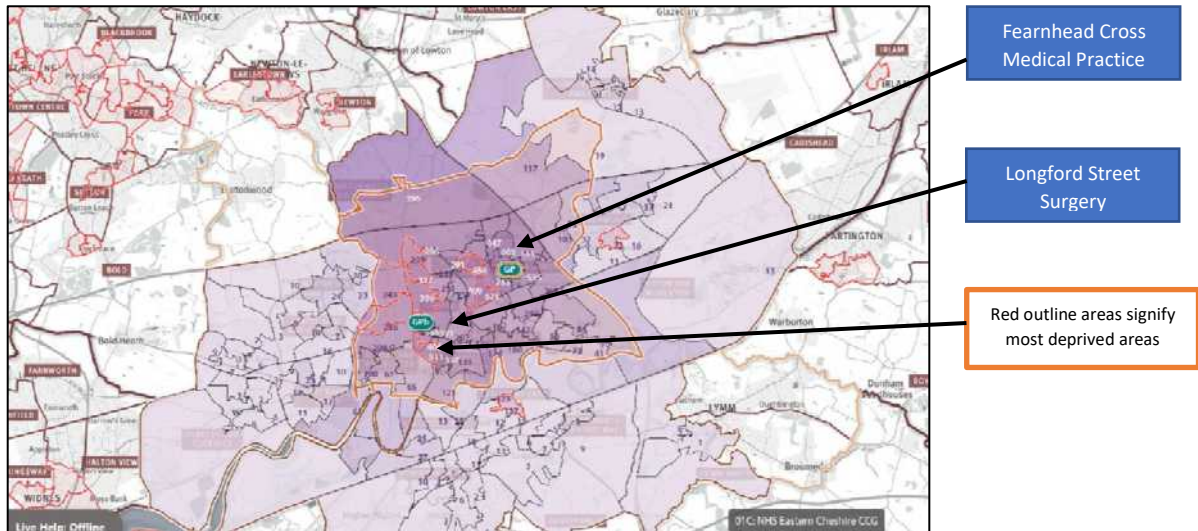


Figure 22 - Practice Boundary Location, location of registered patients, most deprived areas of Warrington

The below tables detail the practice premises payments and practice staff information.

Average Payment per registered patient	£130.01
Average Payment per weighted patient	£123.70
GP contract type	PMS
Dispensing Practice	No
Premises payments	£97,877.64

Figure 23 - Other Premises Information³

Clinical Staff Details	No of Staff
GP Partners	7
Medical Student (4 th year med Students 3.5 days per week	1
Salaried GP (part time) 1 = 1day per week, 1= 2 days per week	2
Full time Advanced Nurse Practitioner	3
Practice Nurse (1 x fulltime, 1 x 30hours, 1 x 22.5hours	3
Clinical Pharmacist (full time) can be located in admin room	1
HCA (1 x full time, 1 x part time)	2
Clinical Pharmacist through HCN	1
Total	20

Figure 24 - Total number of Practice Staff across both sites

³ Payment information obtained from SHAPE.org

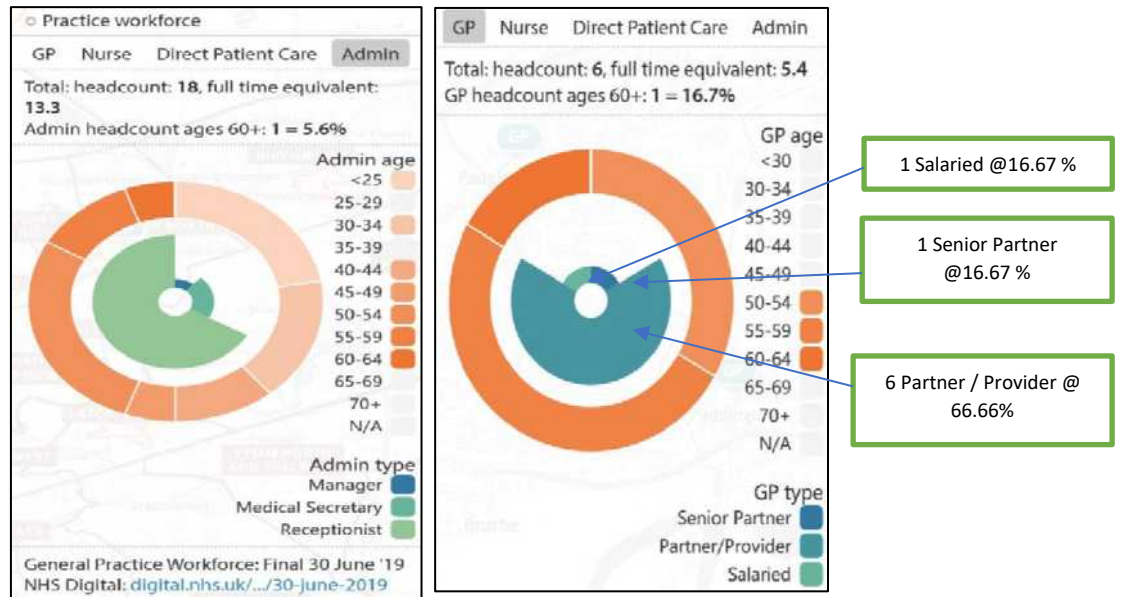


Figure 25 – Admin and GP Staff across both sites

4.9 Registered Patient Profile and List Size Historic and Future Predictions.

The graph below illustrates the age of the patients registered at the practice. The largest registered age group is of working age between 30 – 34. The practice has a smaller percentage of patients over the age of 65.

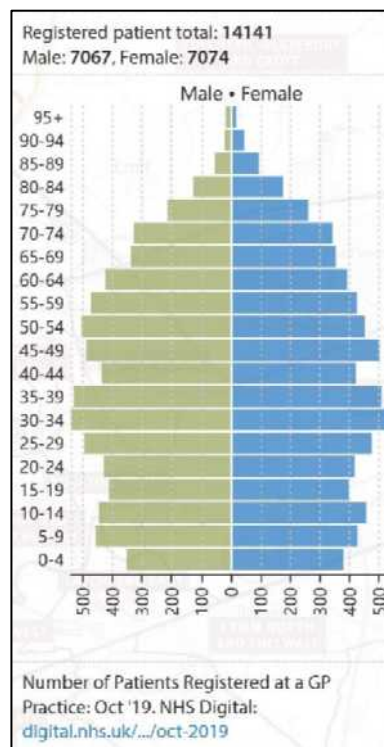
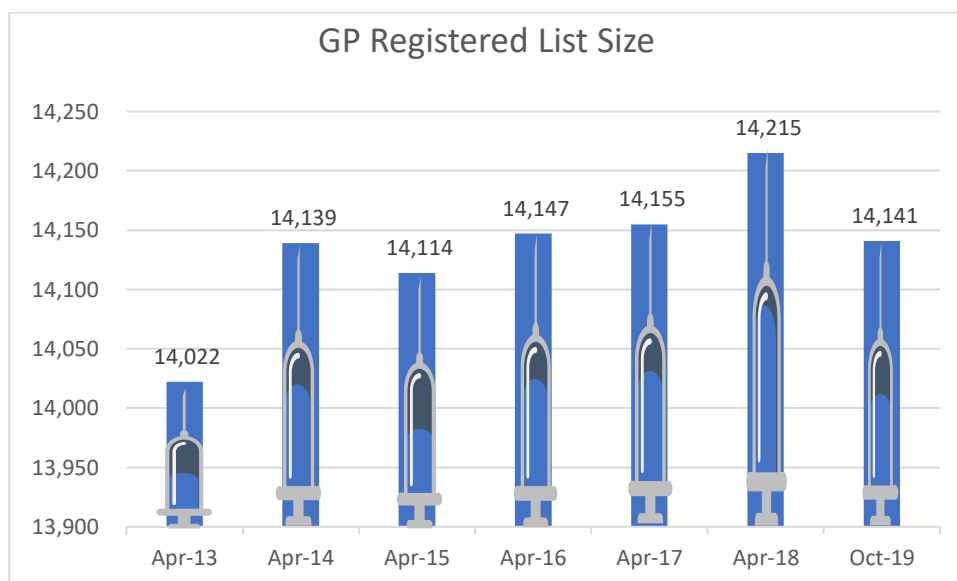


Figure 26 - Patient Age Profile

The bar chart below illustrates the changes in the patient registered numbers since April 2013. To date there has been an increase of 119 patients registering with the practice.



April 2013	April 2014	+ / -	April 2015	+ / -	April 2016	+ / -	April 2017	+ / -	April 2018	+ / -	Oct 2019	+ / -	Overall +/-
14,022	14,139	117	14,114	- 25	14,147	33	14,155	8	14,215	60	14,141	- 74	119

Figure 27 – Fearnhead Cross MC Historic patient list size growth

At the end of 2018, Warrington Public Health Team completed a comprehensive analysis that takes the Strategic Housing Land Availability Assessment (SHLAA) information and current Practice patient distribution to provide an estimate of potential impact on GP Practice populations over coming years. These estimates are shown in the following table;

Practice Code	Practice	No Registered Patients at Oct 2018	No Registered Patients at Oct 2019	Projections: Estimated no extra patients for each practice								
				Single Years for next 5 Yrs					5 -year Period			
				2018/19	2019/20	2020/21	2021/22	2022/23	2018/19-2022/23	2023/24-2027/28	2028/29-2032/33	
N81048	Fearnhead Cross Medical Practice	14,193	14,141	30	13	83	87	41		253	459	367

Figure 28 - Practice Population Forecast

In the next five years the practice population is forecasted to increase by 253 patients, with the addition of the growth anticipated from the Peel Hall Development (split over the both practices) of 1,440 this gives a total increase expected of 1,693 new patients.

4.10 eConsult

From the 14th October 2019 the practice began to offer a new eConsult service to its registered patients.

Over the period of 14th October to 31st October the below tables illustrate the number of patients that used the eConsult site in order to access GP Primary Medical Services:

Visits 323	Unique Visitors 229	Self Help Visits 9
Pharmacy Self Help Visits 7	Call Back Provider Visits 0	eConsults Submitted 142
eConsults diverted to other services 10	Attempts to save appointment 94	Estimated appointments saved 85.2

Figure 29 - Number of patients using eConsults

The practice informs that the eConsult service has had a good uptake. Although the management of patients via this service has allowed for a smoother processing of patient appointments, this has not seen a reduction in the footfall of patients still receiving one to one consultation with the clinicians as any saved appointments resulting from the E-consult process were still being allocated to patients.

A site visit of the premises highlighted further the pressures currently facing the practice. A lack of staff meeting room space, or private rooms where private matters may require discussion is not available and this continues to cause difficulty for the practice.

Although the practice list size has not seen significant increase, we are informed by the practice that the demands of change around the practice service contract and now new ways of working being part of the PCN are adding pressure on an already heavily utilised practice premises.

The practice are a training practice and they have GP's who can provide training but the lack of available space is restricting this.

The practice informs as part of their GMS contract the requirements are to provide 910 GP Clinician appointments per month and 210 non-GP prescribing appointments, they struggle to provide this due to the lack of clinical space available and are concerned that further changes to service delivery requirements may result in them not meeting these targets.

By 2020 the practice will be required to provide for their patient population the services of:

- 1 x First contact physician
- 1 x Social Prescriber
- 1 x Paramedic

5. Current Capacity and Schedule of Accommodation

In order to ascertain the optimum number of rooms required for each practice, the practice list size is used and applied to Department of Health Building Notes HBN 11-01 facilities for primary and community care services calculator. This is the standard tool used across England to determine future primary and community care estate requirements. The table below identifies the inputs used to obtain the optimum rooms required. The outputs can be seen on the below.

Primary Care Assumptions	For Consulting / Exam / Treatment Rooms
Patient access rate	Average of 8 visits per year
Percentage patients accessing rooms	100% of registered patients seeing range of clinicians, e.g. GP's, nurses, pharmacists, etc.
Practice hours open	Fearnhead Cross 08:00 – 18:30 Mon – Fri Padgate 08:00- 18:30 Mon - Fri
Appointment duration	Average 12 minutes
Room utilisation	80%
Working Weeks	50-weeks per year

Figure 30 - HBN Calculations

Once the above calculations are applied the table below highlights that currently the practices are just about meeting demand.

	Current List Size	Current Rooms	HBN Guidance Rooms Required assuming 80% utilisation
Padgate	6587	7	7
Fearnhead	14215	14	14

Figure 31 - Current Clinical Capacity

The Peel Hall development of 1,100 new homes will result in forecast increase to the population of 2,880. Using the HBN calculations as a guide and splitting the number of expected patients between both practices, the table below highlights the number of clinical rooms required.

	Current List Size	Current Rooms	HBN Guidance Rooms Required assuming 80% utilisation
Padgate	8027	7	7
Fearnhead	15655	14	15

Figure 32 - Future Clinical Capacity

The above calculations, however, do not consider the following important factors which will continue to restrict the current practices:

- The practices are unable to service future, integrated ways of working due to an ageing, poor quality estate.
- Poor physical environment, unable to meet the requirements of modern healthcare in terms of:
 - access
 - safety
 - dignity
 - privacy and effectiveness
- A requirement of the new Primary Care Networks is to provide on-site clinical pharmacists, social prescribers and paramedics, this will put pressure on current clinical capacity as more space will be required for multi-disciplinary teams.
- If the practices aspire to become training practices or offer community services from their current buildings this would not be possible due to poor quality and configuration of their current estate.

Based on the forecasted population growth the schedule of accommodation in the figure below highlights the space requirements required in order to meet demand.

PADGATE DEVELOPMENT(STAND ALONE ACCOMMODATION)					
Ref	Room	HBN 11-01			Comment
		Area	Qty	Total	
	Entrance/Wait/Receive				
	Entrance Lobby	12.0	1	12.0	
	Reception/Office	5.5	4	22.0	assume 4 receptionist
	Waiting Area	63.0	1	63.0	Assumes 2 people waiting per clinical room @ 1.5sqm
	WC: Male: Semi-Ambulant	5.0	1	5.0	1 male and 1 female WC for every 25 waiting room spaces (ref. HBN 11-01)
	WC: Female: Semi-Ambulant	5.0	1	5.0	
	WC: Independent Wheelchair	4.5	1	4.5	
	Nappy Change	5.0	1	5.0	
	Interview Room	8.0	1	8.0	for private conversations, social prescribing, pharmacist, counselling / mental health appointments or emergency situations
	Clinical Accommodation Padgate				LIST SIZE: assume 8,027
	Consultation/Examination	16.0	9	144.0	practice currently has approx, 6,587 patients and 7 clinical rooms, across both sites. Practice plans to increase its list size, become a training practice and provide some community services and new roles as per Long Term Plan
	Treatment Room	16.0	2	32.0	
	Clinical Accommodation Fearnhead				LIST SIZE: assume 7,828
	Consultation/Examination	16.0	9	144.0	practice currently has approx 14,215 patients and 14 clinical rooms over two sites Practice plans to increase its list size, become a training practice and provide some community services and new roles as per Long Term Plan
	Treatment Room	16.0	2	32.0	
	Clinical Support Accommodation				
	Clean Utility	8.0	1	8.0	
	Dirty Utility	8.0	1	8.0	
	Store: General	8.0	2	16.0	
	Office Accommodation				
	Office: Practice Manager	8.0	2	16.0	
	Office: Administration Plus Hot Desks	5.5	12	66.0	12 desks
	Medical Records	16.0	2	32.0	2sqm per 1,000 records, assumes all new records will be electronic
	Meeting / Group Room	32.0	1	32.0	space for 15 people for group therapy, staff meetings, wellbeing sessions, etc
	Photocopier Room	8.0	1	8.0	plus storage
	Staff Accommodation				
	Staff Rest	16.0	1	16.0	assume 10 to 15 staff at any one time
	Staff Shower/Change	6.0	1	6.0	
	WC: Staff	2.5	2	5.0	
	WC: Staff: Accessible	4.5	1	4.5	
	FM				
	Switch	2.0	2	4.0	
	Cleaner's Room	8.0	1	8.0	
	IT Hub	8.0	1	8.0	
	Net Total			714	
	Planning Allowance (25%)			179	
	Engineering Allowance (12.5%)			89	
	Circulation (28%)			200	
	TOTAL			1182	For SOC stage only as allowances are generous

Figure 33 - Schedule of Accommodation

A desk top appraisal undertaken estimates that 0.5 acres or 0.2 ha or 2023m² would be required. This would allow for a building and about 25 parking spaces.

There would be an estimated £200k to spend on land, which is based on estimates for this area of approximately £400k per acre.

Other key assumptions that local stakeholders could use as a basis to move the project forward are: -

- Rent of approximately - £210/m² based on 1064m² NIA
- Build cost of approximately - £2400/m², which would equal £2,836,800 based upon a new build.
- Net Initial Yield assumed at 5%
- Profit of approximately 8-9%
- Note figures above do not include contingency. The assumption being used at this stage is the project would find a fairly “clean” site (no contamination, no difficult ground/topography etc) and build a fairly economic building.
- Ideally, DV assessment would conclude with a rent of £215-£220/m² as this would offer greater flexibility to find and acquire a deliverable site.
- Total rent reimbursement for Warrington CCG consideration is approximately – £232k per annum on a Tenants Internal Repairing Lease basis.

6. Strategic Context

6.1 National Drivers

The visual below highlights the influencing drivers within the Health & Care Sector.



Figure 34 - Influencing Drivers

The following key policy documents emphasise the National priority to transform primary and community care, along with the necessity to improve the efficiency and effectiveness of the NHS estate:

- NHS Long Term Plan (January 2019).
- Five year Forward View (October 2014).
- General Practice Forward View (April 2016). The document sets out NHS England's proposals to relieve pressures

- in general practice and maximize the opportunities from practices working together at scale. It contains specific, practical and funded steps – on investment, workforce, workload, infrastructure and care redesign.
- Next Steps on the NHS Five Year Forward View (March 2017).
- NHS Property and Estates: Why the estate matters for patients; An independent report by Sir Robert Naylor for the Secretary of State for Health (March 2017).
- Health and Care Partnerships (STPs).
- NHS England and the British Medical Association very recently agreed a new GP contract for 2018/19, the announcement of a review of primary care premises, which will look to “ensure that premises used for primary medical care are fit for purpose into the future bearing in mind likely service and other developments, and that they promote the recruitment and retention of GP contractors as well as representing value for money.” (March 2018).

6.2 Local Drivers - NHS Local Estates Strategies

In June 2015 the Department for Health (DH) published Local Estates Strategies, A Framework for Commissioners.

The document set out a requirement for Commissioners (CCGs) to establish a Local Estates Forum and to develop a local estates strategy.

NHS Warrington CCG developed its Strategic Estates Plan 2015-2020 in partnership with the local authority, local service providers and Community Health Partnerships. The CCGs approach to strategic estate planning aims to deliver;

- Increased efficiencies; through the better utilisation of high-quality community and central property assets;
- Better service integration; driving improvements in service efficiency and better outcomes for residents;
- New service models; supporting the drive to move services into the community, replacing outmoded and inadequate premises and releasing capital through a structured programme of disposals;
- Flexibility in Service provision; making enhanced use of new technology and modern working practices.

In May 2018 each place within the Cheshire and Merseyside Health and Care Partnership was required to produce an updated high-level summary of their Strategic Estates Plans. These included prioritised projects, provider capital positions, surplus land and any planned disposals.

The Warrington Borough Council Local Plan will set out the legal planning framework for Warrington's development for the next 20 years. The Local Plan aims to meet government guidelines by delivering 18,900 new homes (or 945 a year, up to 2037) and will also support Warrington's ongoing economic growth by providing 362 hectares of employment land.

The headline figures of the Local Plan are;

- a. 18,900 new homes by 2037
- b. Almost 90% of Warrington's green belt will remain preserved
- c. 363 hectares of employment land
- d. 20% affordable housing stock to be developed in Inner Warrington
- e. 30% affordable housing stock developed elsewhere in the borough
- f. 1/5 homes will be built for elderly residents

The Proposed Submission Version Local Plan (draft Local Plan) is available to view in full on at <https://www.warrington.gov.uk/info/201073/local-plan>

7.2 Land to the rear of Padgate Medical Centre including the Community Centre

We are informed by the Council that a full Community Asset Transfer didn't happen as the community group felt it could not afford the site. The Council are just in the process of putting the Community Group into a rolling annual tenancy. The Council are open to suggestions around the site and its use as a Primary Care Centre with the use of some space for Council Services. The Car Park is not a managed car park and the Council are happy to discuss ways of including the car park and its management into any new build project.

8. Non-Financial Benefit Options Table

The non-financial benefits criteria table below looks to review and score at a high level, (this will require further discussions with the practices in a workshop) the five non-financial benefits which could be delivered based on each location option.

Option	Title	Description	Non-Financial Benefit Criteria					Pros, Cons & Comments
			1	2	3	4	5	
			Delivery of Health Facility	Increased Capacity	Optimum Use of Space	Accessible Facilities	Achievability and Timeliness	
1.	Do Nothing	All practices continue to offer their services from current estate.	X	X	X	X	X	Although there would be no initial disruption to service, over a longer period of time doing nothing would result in the practices struggling to provide the services required by the new PCN's and new ways of working. The Peel Hall Development will see an increase in patient population increasing additional pressure on both practices. This option will not improve service effectiveness, nor meet NHS strategic aims
2.	Do Minimum	Provide bookable staff meeting room facilities at Birchwood Medical Centre. This will address staff privacy issues. This solution is not however ideal as staff time will be taken travelling to have meetings which may only be of a short duration. This does not address the fact that patients still have no private room to be taken to from reception to speak to staff about personal issues that do not require a clinician.	X	X	✓	✓	✓	Although there would be no disruption to service this option will not improve service effectiveness and efficiency. There will be a cost to GP & NHSE
3.	Extend Current Practice Premises – Fearngate Cross Medical Centre Only	Create clinical space by extending on the current footprint	X	X	X	X	X	There is insufficient space available to extend on the current footprint.
4.	Extend Current Practice Premises – Padgate Medical Centre Only	Create clinical space by extending on the current footprint	✓	✓	X	✓	?	The Padgate practice could create space on the current footprint by way of creating another floor to its current premises. However, this would only service the current practice and does not meet the vision the practices share of co-locating in order to rationalise the estate and dispose of not fit for purpose premises.

5.	Support expansion of surgeries via new build.	New build on current Community Centre site utilise land to the rear of the Padgate Practice and demolish the old Community Centre to the rear and incorporate this into a new build Health facility	✓	✓	✓	✓	?	<p>Site owned by GPs. and Council This will address capacity issues and will allow practices to meet the increase in demand due to future population increases.</p> <p>This provides an opportunity for the Council to re-provide facilities currently in the old worn out Community Centre to the rear of the Practice Premise. There will be a cost to GP. Local Council & NHSE</p>
6.	Support expansion of surgeries via extension on the current Padgate Surgery premises, and possible use of land to the rear of the Padgate premises	Possible creation of multi-level floors allowing for a premise with possible 2 to 3 stories to the existing Padgate premises	✓	✓	✓	✓	?	<p>Site owned by GPs. This will address capacity issues and will allow practices to meet the increase in demand due to future population increases.</p> <p>This will address current capacity issues and future population increase local to surgeries providing there is space available on current footprint.</p> <p>There will be a cost to GP & NHSE</p>

Figure 36 - Options Table

Both Option 5 and 6 score high marks, and both options support the vision of the practices to co-locate in one premises in order to rationalise their current not fit for purpose estate and benefit from cost savings.

Both options can be delivered on a combined site foot print and from a high-level perspective there is a deliverable option on this site. The next step business case will seek to further identify which of these options is the best deliverable option. It will further analyse costs relating to the build, land costs, decants costs and impact on business as usual in order to then determine the best option and way forward.

9. Procurement Options

CCGs are not permitted to incur significant capital expenditure, so the procurement options are set out below. All options are ultimately underpinned by GP rent reimbursement, in-line with the District Valuer value for money test.

The options, advantages and disadvantages of each Procurement Option are set out below:

Option	Advantages	Disadvantages
<p>1. NHS Capital through NHS PS/ CHP</p> <p>NHS PS/CHP procuring construction and owning the building. Leased to GPs and community providers</p> <p>Capital scheme</p>	<ul style="list-style-type: none"> Cheaper borrowing costs Access to Frameworks such as P22 which simplifies the procurement process Length of tenure issues are easier to manage, as these are negotiated between NHS bodies 	<ul style="list-style-type: none"> Lack of capital availability, particularly if the scheme is not currently identified as an NHS PS/CHP project Potential timing difficulties re approval of capital expenditure Occupancy risk lies with the NHS NHS takes all development risks NHS capital has a requirement to make commercial returns
<p>2. NHS Capital via an NHS Trust</p> <p>A local Trust could lead on the development and sub-let to GPs and other providers. Furthermore, they may wish to take space themselves</p> <p>Capital scheme</p>	<ul style="list-style-type: none"> Cheaper borrowing costs Faster route if within Trust's delegated limit for capital expenditure (i.e. this avoids the need for approval from the Central NHS) Access to Frameworks such as P22 which simplifies the procurement process 	<ul style="list-style-type: none"> Lack of capital availability NHS capital has a requirement to make commercial returns Balance Sheet Treatment for the Trust which can incur capital charges Occupancy risk lies with the Trust and NHS Trust takes all development risks
<p>3. Public Sector Capital via a Local Authority</p> <p>The Local Authority (LA) could lead on the development and lease to GPs and other providers. Furthermore, they may wish to take space themselves</p> <p>Capital scheme</p>	<ul style="list-style-type: none"> Cheaper borrowing costs Faster approvals route for capital expenditure Access to Frameworks which can simplify the procurement process A way of turning capital into revenue for the LA, helping them to become more sustainable 	<ul style="list-style-type: none"> Capital availability Requirement for commercial return Occupancy risk lies with the LA The LA takes all development risks

Option	Advantages	Disadvantages
<p>4. GP Self - Funded Development</p> <p>The GP Practices would fund and own the development with the CCG reimbursing the GMS rental element. Any Trust could also potentially take space under separate lease arrangements, and would pay rent/service charges to the GP, as landlord</p> <p>Revenue scheme</p>	<ul style="list-style-type: none"> • Potential profit opportunity for GP Practices • Opportunities to introduce public capital such as ETTF or CIL/s.106 can reduce costs/ improve affordability (for example, 100% of the development can be funded by ETTF, subject to certain restrictions/ timescales) 	<ul style="list-style-type: none"> • Possible difficulties in financing • Would require a considerable time commitment and GP would need to enlist specialist design and development expertise at their own cost and risk • GPs would have to take development risk. This includes early development cost risk which is not fundable via banks and could end up as abortive. Indicatively this could be up to £200k. • Less influence for the CCG in terms of design and models of service • GP's do not always want to own premises, as it can make GP staffing more complicated if partners are tied to premises ownership • Premises Costs Directions can hinder/ restrict the introduction of NHS capital
<p>5. Private Sector Third Party Development</p> <p>A Third Party designs, builds and finances the new building with the tenants (e.g. GPs and other providers) taking tenants-repairing leases</p> <p>Revenue scheme</p>	<ul style="list-style-type: none"> • Programme and "Price" risks can be transferred to Third Party • Opportunities to introduce public capital such as ETTF or CIL/s.106 can reduce costs/ improve affordability (for example, 100% of the development can be funded by ETTF subject to certain restrictions/ timescales) • Could be delivered by local specialist health development partner e.g. AEP or GBP • Specialist developers will generally progress developments faster due to experience/ resource, as well as being in their interest to complete in the shortest possible timescales 	<ul style="list-style-type: none"> • Borrowing costs marginally higher than public sector borrowing • GP Practices and other providers have to sign up for long term leases (i.e. only appropriate for long term GMS contract, not short-term APMS type contracts)
<p>6. Public Private Partnership (PPP) Development (e.g. LIFT)</p> <p>PPP designs, builds, finances and operates the building</p> <p>Revenue scheme</p>	<ul style="list-style-type: none"> • If the scheme is in a LIFT area, or is adjacent to a LIFT area, no procurement process is required, given LIFT is pre-procured. • Programme and "Price" risks can be transferred to PPP • VAT concessions through operation of "Unitary Payment" - the CCG can recover the VAT charged on the unitary payment (rentals and service charges) by the LIFT company • Opportunities to introduce public capital such as ETTF or CIL/S106 can reduce costs/ improve affordability • Various lease models are available under LIFT, such as LPAs, LRAs, FRI and TIR which provides flexibility 	<ul style="list-style-type: none"> • Development may be too small for a traditional LPA or LRA LIFT model, but an FRI or TIR lease may still be viable • Higher cost of borrowing • Possible higher cost of Unitary Payment if all risks included (for example, Vandalism risk, Facilities Management and Lifecycle costs are priced into a LIFT model, but the transfer of these risks to LIFT typically means this is not on the Balance Sheet for the NHS organisation) • Long term commitment required by CHP and the CCG

It is felt that due to the lack of central NHS Capital funding, the most appropriate two procurement routes are GP Self-Funded Development or Third Party development (3PD). The GP's appetite for development/financial risk and access to available funding may rule out the former though. 3PD offers the benefit that all financial and development risks are transferred to and taken by the 3PD Developer. The 3PD developer will also have the requisite expertise to progress and manage the development.

The project is in itself too small to be viable under a PPP/LIFT procurement route

10. Conclusion and Next Steps

Once the GP's have determined whether they still want to move the project forward or not and the preferred procurement route, the next steps would be to:

- Engage with Warrington Council regarding the viability of utilising the land to the rear of the Padgate Medical Centre and the possibility of incorporating service elements of the current Community Centre in to a new centre.
- Produce an Outline Business Case (OBC) which will go into the next level of detail and confirm the preferred option, (the economic case), the commercial / procurement case and the financial case (including the Section 106 contribution). The OBC should also include more stakeholder engagement, a review of the assumptions about digital technology, architectural design work that will determine the exact size of the centre and the best site solution and the operational issues relating to the solution e.g. decant or not, timescales, etc.

APPEAL BY SATNAM MILLENIUM LIMITED
LAND AT PEEL HALL, WARRINGTON, CHESHIRE, WA2 9TY (nearest)
APP.M0655/W/17/3178530

PROOF OF EVIDENCE/ CIL COMPLIANCE STATEMENT

OF NICK ARMSTRONG, CHIEF OPERATING OFFICER, WARRINGTON
CLINICAL COMMISSIONING GROUP

I am Nick Armstrong, Chief of Information, Technology & Estates, at NHS Warrington Clinical Commissioning Group (CCG) and NHS Halton Clinical Commissioning Group (CCG) and have been in post at NHS Warrington CCG since it became a statutory body in April 2013. I have responsibility for Strategic Estates development working in partnership with local providers and stakeholders.

1) Estimated population growth arising from the proposed development

1.1 The proposed development aims to build 1200 homes over a 10 year period. Without detail of the proposed size of dwellings it is difficult to precisely project the resulting population increase. However, based on the latest average household size for Warrington of 2.27, it is estimated that the proposed development may result in a population increase of approximately **2,720**.

2) Demand on Primary Care

2.1 The majority of the population register with a GP. Therefore, it is reasonable to assume that the additional 2,720 residents would seek to register for GP services.

2.2 Patients have the legal right to choose a GP practice that best suits their needs¹. Since January 2015, all practices in England have been free to register new patients who live outside their practice boundary area. This means patients can, in theory, choose to register with a practice that is most convenient for them. This is voluntary for practices, and refusals can be made for various reasons including capacity and clinical need. It is therefore not possible to state that **all** potential residents of the proposed development will register with the closest practices, however proximity to home is one of the main determining factors influencing patient's choice of GP as cited in national reports.²

3) Existing Primary Care Facilities

3.1 Access routes have not yet been determined for the proposed development. Based on Euclidian ('as the crow flies') distances, Padgate Medical Centre and Fearnhead Cross Medical Centre are the nearest existing GP practices to the proposed site.

3.2 Both practices are currently operating at capacity. This is evidenced via both workforce statistics and in terms of physical space within the premises:

¹ Appendix Three - NHS Choice Framework, DH, 2016 <https://www.gov.uk/government/publications/the-nhs-choice-framework>

² Monitor, 2015: Improving GP Services: Commissioners and Patient Choice

3.2.1 Primary Care workforce statistics are collated nationally and illustrate the capacity issue across Warrington as a whole, and for these two practices:

- The average number of patients per GP across England as a whole is 1,762³
- The average number for Warrington GPs is 2140³
- The average number for Fearnhead Medical Centre is 2,780, and for Padgate Medical Centre 2,173⁴

3.2.2 Premise capacity: Both practices are constrained in terms of physical space:

- **Padgate Medical Centre** currently operates out of two sites; a main practice at Padgate and a branch clinic at Woolston. Space at both sites is fully utilised. There is minimal, short-term capacity, with one room currently available on a Friday afternoon. The practice plan to use this capacity shortly to provide additional face-to-face patient consultations. There is no room for expansion on either of the existing sites as they are both landlocked with no scope to expand.
- **Fearnhead Cross Medical Centre** currently operates from two sites; a main practice at Fearnhead, and a branch surgery at Longford Street. Neither site has capacity to expand.

4) Methodology for calculating financial contribution

4.1 The method agreed for calculating the contribution for healthcare from developments is set out in the WBC Planning Obligations SPD (page 31).⁵ The guidance stipulates that residential developments of 50 or more units will be required to provide a contribution in order to secure delivery of appropriate enhancements to existing health facilities where there is insufficient capacity to meet the needs of the increase in population generated by the development.

4.2 A standard charge of £771 per residential dwelling has been defined based on average household size and the catchment and cost of a new health facility. For large scale development proposals, which will generate a level of population increase which justifies the delivery of a new health facility, the Council will seek to secure a new facility as part of the overall development proposal.

4.3 This standard charge has been applied to the proposed 1200 homes to calculate the financial contribution sought of **£925,200**. It is acknowledged that given patient choice and for reasons related to access, not all new residents may register at these two practices. However, in developing fit for purpose premises, which have the capacity to provide a range of integrated primary care services in-keeping with the GP Forward View and the vision for the delivery of primary care services, it is assumed that the majority of new residents will choose to register with GPs at the new Practice.

5) How the financial contribution will be used

³ NHS Digital, General and Personal Medical Services. <http://digital.nhs.uk/catalogue/PUB30149> Sept 2017 (Warrington data included at Appendix 2)

⁴ Local data as at Feb 2018 (Appendix 1).

⁵ WBC Planning Obligations SPD: https://www.warrington.gov.uk/info/200564/planning_policy/2089/supplementary_planning_documents

5.1 The financial contribution will be used to part-fund the development of new fit-for-purpose premises. The two GP practices are exploring options for co-location onto a site to address current issues. The exact cost of the new development is yet to be ascertained, as it is dependent on a number of factors including land cost etc. The funding secured through this Section 106 agreement would enable the provision of a facility that can also meet the needs of the increasing population arising from this housing development. This would help ensure that future residents of the proposed Peel Hall development would be able to register at local practices that have the capacity to provide a range of primary care services in-keeping with the GP Forward View and the vision for the delivery of primary care services.

5.2 As a condition of receipt for Section 106 funding towards the new Fearnhead and Padgate premises, the practices will be required to maintain a practice list catchment area that includes the Peel Hall development.

5.3 Following the previous inquiry for the proposed development in 2018, on behalf of the GPs at Padgate Medical Centre and Fearnhead Cross Medical Centre, NHS Warrington CCG commissioned Gbpartnerships via Renova Developments to undertake an estates feasibility and option appraisal. The study forms part of the pre-business case work to support the delivery of a new primary care centre for Padgate Medical Centre and Fearnhead Cross Medical Centre. This work was completed in March 2020. Further discussions following completion of this study had to be put on hold due to the NHS response to the Covid-19 pandemic since March 2020. Work on this project will resume after Primary Care is de-escalated from the current incident and are no longer working under national directions.

Appendix 1: Practice List Size and Full-Time Equivalent GPs

Practice Name	Registered List (Feb 2018)	Number of FTE GPs (Feb 2018)	Average number of patients per GP
FEARNHEAD CROSS MEDICAL CENTRE	14,234	5.1	2780
PADGATE MEDICAL CENTRE	6,736	3.1	2173

Source: Practice information systems February 2018

Appendix 2: Warrington and England Patients Populations and Full-Time Equivalent GPs

NHS Digital Workforce Statistics Sept 2017	Registered List (Sept 2017)	Number of FTE GPs (Sept 2017)	Average number of patients per GP
Warrington	217,669	101.8	2139.1
England	58,674,676	33,301.7	1761.9

Source: Extract of relevant information from NHS Digital Workforce Statistics September 2017