



## Town and Country Planning Act 1990

### Application for Full Planning (Major)

SUBJECT TO S106 LEGAL AGREEMENT

Legal Agreement Date: 24 August 2022

**Applicant:**

Alderley Holdings Ltd

**Agent:**

Cheshire Planning Solutions Ltd  
Cheshire Planning Solutions Ltd, Park View House, Burgess  
Lane, Norley, Frodsham, Wa6 8pa

**Application No:** 2022/41087

**Proposal:** Demolition of the existing building and the erection 23 flats (1- 2 Bed - affordable housing)

**Location:** Former Vicarage, Palmyra Square North, Holy Trinity Vicarage, Palmyra Square, Warrington, Wa1 1jn,

Warrington Borough Council hereby give notice in pursuance of the above Act(s) that permission is Granted for the development referred to above in accordance with the application and plans submitted, subject to the legal agreement and following condition(s):

1. The development hereby approved shall be commenced before the expiration of three years from the date of this permission.  
Reason: To ensure that the Local Planning Authority retains the right to review unimplemented permissions and to comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the following plans: - 100 Rev S – Proposed Site Plan and Street Scene - 101 Rev F – Proposed External works and materials - 110 Rev N – Proposed Plans - 205 Rev K – Proposed Elevations Reason: To define this permission.
3. No above ground development approved by this permission (other than strictly preparatory ground works, investigations and site clearance) shall commence until further details have been submitted to include 1:20 scale drawings of the following details; - cladding patterns - brick recesses - windows openings including framing detail, material and reveal depth The development shall thereafter be constructed in accordance with the approved details. Reason: In the interests of the character and appearance of the development and in accordance with policies CS1 and QE7 of the Local Plan Core Strategy for Warrington and the Design and Construction SPD.
4. Notwithstanding the detail contained in the approved plans, all window openings in the eastern elevation of the building on the first, second, third, fourth and fifth floors and all windows in the western elevation of the building on the fourth and fifth floors shall be obscurely glazed to Pilkington Obscurity Level 4 (or other suitable equivalent). All openable window casements shall be top hung. The windows and their glazing shall be maintained repaired to this specification for the lifetime of the development. Reason: To protect the amenity of future and existing residential occupiers in accordance with policy QE6 of the Warrington Borough Council Local Plan Core Strategy 2014.
5. No above ground development approved by this permission (other than strictly preparatory ground works, investigations, demolition and site clearance) shall commence until a scheme of boundary treatments, external pedestrian access controls and bin storage enclosures have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the detail as approved and retained thereafter. Reason: In the interests of the character and appearance of the development and in accordance with policies CS1, QE7 and QE8 of the Local Plan Core Strategy for Warrington and the Design and Construction SPD.
6. No building hereby approved shall be constructed until written and photographic details of the external roofing and facing materials (including manufacturer's details) have been submitted to the local planning authority and approved in writing. Materials samples shall be made available to view on site and shall NOT be deposited with the Local Planning Authority. The development shall be constructed in accordance with the approved details/samples. Reason: To ensure an acceptable appearance for the development in accordance with policies CS1 and QE7 of the adopted Local Plan Core Strategy for Warrington and the Design and Construction SPD.

7. No part of the development hereby approved shall be occupied until the refuse and recycling storage facilities as indicated on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times. Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling and to protect the visual amenity of the area.

8. Prior to the commencement of any works on site, the developer shall submit a Construction, Highways & Environmental Management Plan (CHEMP) to the local planning authority for approval in writing. The CHEMP shall review all demolition and construction operations proposed on site including logistics. It shall cover as a minimum the following areas of work on a phase by phase basis, identifying appropriate mitigation measures as necessary: A. Highway and Traffic - Construction traffic routes, including provision for access to the site. Entrance/exit from the site for visitors/contractors/deliveries. - Temporary roads/areas of hard standing. - Schedule for large vehicles delivering/exporting materials to and from site and details of manoeuvring arrangements. For the avoidance of doubt all construction vehicles shall load/unload within the confines of the site and not on the highway. - Details of street sweeping/street cleansing/wheel wash facilities. B. Site layout and Storage - Proposed locations of Site Compound Areas. Siting of temporary containers. - Location of directional signage within the site. Parking for contractors, site operatives and visitors. - Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction. - Storage of materials and large/heavy vehicles/machinery on site. C. Environmental Controls - Proposed Construction Hours, proposed hours of site access and delivery hours of all vehicles to site, phasing of works including start/finish dates. - Details of activity on site outside the stated construction hours, e.g. workers / security on site, movement, setting up or dismantling of equipment, lighting, installation of services, e.t.c. - Environmental mitigation measures, including noise & vibration, dust and air quality measures mitigation measures including consideration of using low emission non-road mobile machinery. Details for the recycling/storage/disposal of waste resulting from the site. Consideration for joining a Considerate Contractors Scheme. Once approved in writing, all identified measures within the CHEMP shall be implemented in accordance with the requirements therein and shall be reviewed on a regular basis and in case of receipt of any justified complaint. The CHEMP and agreed requirements therein shall remain in force for the duration of all construction activities on site. Any changes to the identified CHEMP mitigation measures from either the regular review process or following receipt of a complaint shall be forwarded to the Local Planning Authority within 24hrs of a change being agreed or implemented. The development shall be carried out in accordance with the approved plan, unless otherwise agreed in writing with the Council as Local Planning Authority. Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers. In accordance with policy QE6 of the Adopted Local Plan Core Strategy (July 2014)

9. No development (other than demolition and site clearance works) shall take place until the steps in Sections A and B below are undertaken: A: CHARACTERISATION: With specific consideration to human health, controlled waters and wider environmental factors, the following documents must be provided (as necessary) to characterise the site in terms of potential risk to sensitive receptors: • Preliminary Risk Assessment (PRA or Desk Study) • Generic Quantitative Risk Assessment (GQRA) informed by a Intrusive Site Investigation • Detailed Quantitative Risk Assessment (DQRA) • Remedial Options Appraisal Completing a PRA is the minimum requirement. DQRA should only to be submitted if GQRA findings require it. B: SUBMISSION OF A REMEDIATION & VERIFICATION STRATEGY: As determined by the findings of Section A above, a remediation strategy (if required) and verification (validation) strategy shall submitted in writing to and agreed with the LPA. This strategy shall ensure the site is suitable for the intended use and mitigate risks to identified receptors. This strategy should be derived from a Remedial Options Appraisal and must detail the proposed remediation measures/objectives and how proposed remedial measures will be verified. The actions required in Sections A and B shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007). Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with policy QE6 of the Adopted Local Plan Core Strategy (July 2014). Disclaimer: Irrespective of any involvement by this Local Planning Authority, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides entirely with the Landowner/Developer of the site (NPPF Para179).

10. The development shall not be taken into use until the following requirements have been met and required information submitted to and approved by the Local Planning Authority (LPA): A: REMEDIATION & VERIFICATION: Remediation (if required) and verification shall be carried out in accordance with an approved strategy. Following completion of all remediation and verification measures, a Verification Report must be submitted to the Local Planning Authority for approval. B: REPORTING OF UNEXPECTED CONTAMINATION: All unexpected or previously - unidentified contamination encountered during development works must be reported immediately to the LPA and works halted within the affected area(s). Prior to site works recommencing in the affected area(s), the contamination must be characterised by intrusive investigation, risk assessed (with remediation/verification measures proposed as necessary) and a revised remediation and verification strategy submitted in writing and agreed by the Local Planning Authority. C: LONG-TERM MONITORING & MAINTENANCE: If required in the agreed remediation or verification strategy, all monitoring and/or maintenance of remedial measures shall be carried out in accordance with the approved details. The site shall not be taken into use until remediation and verification are completed. The actions required to be carried out in Sections A to C above shall adhere to the following guidance: CLR11 (Environment Agency/DEFRA, 2004); BS10175 (British Standards Institution, 2011); C665 (CIRIA, 2007). Reason: To mitigate risks posed by land contamination to human health, controlled water and wider environmental receptors on the site (and in the vicinity) during development works and after completion. In accordance with policies QE6 of the Adopted Local Plan Core Strategy (July 2014). Disclaimer: Irrespective of any involvement by this Local Planning Authority, the responsibility to address contaminated land issues, including safe (re)development and secure occupancy, resides

entirely with the Landowner/Developer of the site (NPPF Para179).

11. Prior to first occupation of the apartments, glazing and ventilation for all apartments shall be installed in accordance with the requirements and methodologies of the AEC Ltd Acoustic Report titled "Alderley Group (2019) Limited, The Vicarage, Palmyra Square, Warrington - Noise Assessment For Planning Purposes, Dated 09 February 2022, Reference: P3657/R04/aPJK". In particular, the requirements of Table 5.2 of that report shall be implemented in accordance with locations demonstrated in figure 5.1. Once installed, the glazing and ventilation specifications shall be maintained and retained in accordance with the above tables for the duration of the use. Reason: To protect the amenity of future occupiers from the effects of noise from the nearby road network. In accordance with policy QE6 of the Warrington Borough Council Local Plan Core Strategy (July 2014).

12. Prior to the installation of any external lighting on site, a comprehensive assessment of lighting details for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall show levels of illumination around the site (isolux drawings) and any overspill lighting beyond the physical site boundary. Mitigation measures or installation requirements shall be clearly identified within the scheme as well as control measures such as time clocks/light sensors or other control methods. Once approved, the agreed scheme shall be implemented in full prior to the commencement of use of that lighting and shall be retained as approved thereafter. Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site. This would be in accordance with policy QE6 of the Warrington Borough Council Local Plan Core Strategy (July 2014)

13. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include: (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365; (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public combined sewer, the rate of discharge shall be restricted to 5 l/s; (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and (v) Foul and surface water shall drain on separate systems. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage. Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

14. Prior to the first occupation of the development hereby approved, a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum: a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan. Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

15. Other than ground investigation works, site clearance and remediation, the development hereby approved shall not commence until a local employment scheme has been submitted to and approved in writing by the local planning authority. The scheme shall outline the means of maximising the beneficial local economic impact from the development in terms of contracting and supply chain opportunities for local businesses and job opportunities for the local community/residents and businesses. The approved employment scheme shall be fully implemented. Reason: To deliver employment and other socio-economic benefits to the local economy in accordance with policy PV3 of the Warrington Local Plan Core Strategy.

16. No development hereby approved shall be occupied until a detailed landscaping scheme including hard surfacing, means of enclosure, planting of the development and biodiversity enhancement measures have been submitted to the Local Planning Authority and approved in writing. The approved scheme shall be implemented during the first planting season following the completion of the individual phase of development and any tree or shrub planted which dies or is felled, uprooted, wilfully damaged or destroyed in the first five year period commencing with the date of planting shall be replaced by the applicants or their successors in title. Reason: To ensure a satisfactory form of development and to enhance the visual amenities of the locality and to comply with Policy QE7 of the Warrington Core Strategy and the Warrington SPD: Design and Construction.

17. The demolition of the existing building is likely to cause harm to common pipistrelle bats as identified in the Bat Survey by HB Bats updated February 2022 and shall not in any circumstances commence unless the local planning authority has been provided with either: a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or b) a statement in writing from the relevant licensing body or local planning authority to the effect that it does not consider that the specified development will require a license. Reason: To ensure that the implementation of the development is carried out without causing harm to existing species, which are afforded protection in law, by the provision of replacement habitat. In compliance with policy QE5 of the Warrington Borough Council Local Plan Core Strategy 2014.

18. Notwithstanding the details contained with the approved plans numbered 100 Rev S – Proposed Site Plan and Street Scene and




101 Rev F – Proposed External works and materials, except for site clearance and remediation, no part of the development shall be occupied until a scheme for the provision of secured cycle storage in accordance with the Council's current standards has been submitted to and approved in writing by the Council as Local Planning Authority. For the avoidance of doubt, the cycle parking provision shall only be accessible to occupiers of the development and shall not be placed in a publicly accessible area of the development. The scheme shall be implemented as approved before any part of the development is brought into use and shall be retained as such thereafter. Reason: To ensure that adequate provision is made for parking cycles on the site and to establish measures to encourage non-car modes of transport.

19. No demolition works shall take place until a contract for the subsequent redevelopment of the site, as permitted by this permission has been signed. Reason: To ensure that the development proceeds following the loss of a building which has a presence within the conservation area. Without any built form in this location, it is considered that this would be detrimental to the setting of the conservation area.

## **INFORMATIVES**

1. The Local Planning Authority operates a pre-planning application advice service. All applicants are encouraged to engage with the Local Planning Authority at pre-planning application stage. As part of the determination of this planning application the Local Planning Authority has worked pro-actively and positively with the applicant ensuring that upon receipt all representations and consultation responses are available to view on the Council's web site. The Local Planning Authority has considered the application and where necessary considered either the imposition of planning conditions and/or sought reasonable amendments to the application in order to deliver a sustainable form of development in accordance with the National Planning Policy Framework.
2. The enclosed approval is issued under the Town & Country Planning Act 1990. You may also require Building Regulation approval which is dealt with by the Councils Building Control Section. You must ensure that all necessary permissions are obtained BEFORE starting work, otherwise abortive expense may be incurred. The full or partial demolition of a building will require the submission of a Section 80 Notice to Building Control, more advice on this can be found at <https://www.warrington.gov.uk/get-permission-demolish-building>

SIGNED:



Development Manager  
Development Management

DATED: 26 August 2022

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## **IMPORTANT**

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

## **NOTES**

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
2. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
3. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
4. If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this decision; or 12 weeks in the case of a householder application or a minor commercial application.
5. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)
6. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
7. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they

imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

8. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

#### **Purchase Notices**

1. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
2. In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.