

Application No: 14/1158M

Location: APPLETON AIRFIELD, CROWLEY LANE, HIGH LEGH, KNUTSFORD, CHESHIRE

Proposal: Construction of a subterranean car storage facility with ancillary above ground office development and associated demolition and landscaping

Applicant: How Planning

Expiry Date: 01-Aug-2014

SUMMARY:

The proposal is the construction of a subterranean car storage facility with ancillary above ground office development and associated demolition and landscaping. The main elements of the scheme which involve new build are contained within Warrington Borough. Warrington Borough Council's Development Management Committee has assessed that relevant part of the application and resolved to grant planning permission.

The key issues are for Cheshire East Council relate to the following: -

- impact on the green belt;
- alterations to the access, traffic flows to and from the site when construction is complete;
- landscape impact; and
- environmental Health matters.

Following assessment of the above, it is considered that the proposals would have an acceptable impact on the green belt and the local environment and appropriate conditions can be attached to mitigate for any harm caused. Therefore a recommendation of approval is made. Should consent be granted, the report and details of the application would have to be referred on to the National Planning Casework Unit to see if the Secretary of State wishes to call the application in for his own determination.

RECOMMENDATION:

Approve subject to conditions

PROPOSAL:

Construction of a subterranean car storage facility with ancillary above ground office development and associated demolition and landscaping.

SITE DESCRIPTION:

The application site straddles the local authority boundary between the Boroughs of Cheshire East and Warrington. The main element of the scheme (and main part of the former airfield)

falls within Warrington. The eastern portion of the site, the subject of this report, lies within Cheshire East.

The site comprises a flat, former airfield site in the Cheshire Green Belt covering over 70 hectares. The site has long since been bisected by the M56 motorway with the northern portion of the former airfield now comprises an industrial estate (Appleton Thorn Trading Estate). The eastern portion of the site – the subject of this application, comprises a large expanse of agricultural land and vegetation, intersected by taxiways, a runway and numerous areas of hardstanding. There are a number of small buildings on the site (within Warrington Borough's jurisdiction), including those associated with the historic use, along with more recent additions.

Visibility of the site is mainly limited to intermittent views from Crowley Lane and Swineyard Lane to the east Arley Road to the west and Crowley Lane to the east. The northern boundary of the site is contained by the M56 and trees which line the motorway. Immediately to the south and west of the site is the boundary with Cheshire West and Chester which comprises the village of Antrobus. A number of dwellings and small business units are scattered along the country lanes which surround the site – most of the potentially affected properties being located on Arley Road, Sandy Lane and Crowley Lane.

PROPOSAL

Due to the site straddling the boundary between two authorities, identical applications have been submitted to Warrington Borough Council and Cheshire East Borough Council. If the development is to proceed, planning permission would be required from both authorities.

The description of development is for construction of subterranean car storage facility with ancillary above ground office development and associated demolition and landscaping accessed from Crowley Lane.

The application has been amended during the application process. The ancillary office element has been reduced by approximately 25% in respect of floorspace. The proposed security lodge and means of escape have also been reduced in scale. The application now comprises the following elements:

- Construction of a subterranean two storey car storage and internal display facility (capacity for 118 cars) with ancillary private office, storage areas, plant and bathroom facilities – 12,067m² (most floor space underground).
- The proposed above ground two storey private office building (with associated facilities) 222m² - up to 6.8m in height.
- Erection of a small security lodge and two means of escape from the below ground structure.
- Construction of an access road from the former airfield runway to the proposed development including a 15 space external car park and curved access ramp in order to access the subterranean structure.
- **Remodelling of access road from site entrance at Crowley Lane to existing airfield to access to development (within Cheshire East); and**
- **Construction and planning of grass mounding, wetland habitats, landscaping and general environmental/landscaping/ecological improvements works across the site (partly within Cheshire East).**

- Excavation of approximately 65000m³ of material in order to accommodate the car storage facility. **The material will mostly be used within the wider site as part of the landscaping.**

The items mentioned in **bold** above fall within land which is in the jurisdiction of Cheshire East Council. Those are the elements that fall for determination as part of this application.

At their Development Management Committee on 29th January 2015 Warrington Borough Councillors voted in favour of the proposals which fall within their jurisdiction and referred the application on for consideration by the National Planning Casework Unit, as it involves the provision of floor space of more than 10 000 sq m on Green Belt land.

The scheme which has been referred to the NPCU consists of a garage storage and display facility, which would be located on the northern part of the site, partially on an existing hardstanding. The proposal would also involve the removal of areas of hardstanding around the airfield, albeit the runway would be retained. The proposal does not involve the resurfacing of any areas of taxiways or runway.

The development which falls on the Warrington Borough land, proposes that a car storage and display facility would be used to store a large private car collection (in the ownership of one individual); it would not be open to members of the public. It is not proposed to use the airfield to regularly race, or test cars, which are kept in the collection. The above ground 'office' is intended for the five members of staff.

As the part of the application which falls within the Warrington Borough Council land comprises inappropriate development in the Green Belt, the applicant submitted a statement which comprised their consideration of very special circumstances:

- Ecological and landscaping benefits comprising seven new wildlife ponds; new species rich grassland, woodland and management of existing and proposed areas;
- Removal of unsightly, dilapidated buildings which would result in an overall reduction of 628m² floorspace;
- Bespoke architectural design which the applicant considers to be a fascinating example of 21st Century architecture;
- The proposal would lead to public safety benefits because the site will be manned by a dedicated security team;
- The removal of up to 43,000m² of hardstanding;
- Restrictions to airfield use in terms of restrictions above and beyond permitted development rights; and,
- Job creation – significant job creation for the construction trade and associated businesses.

In terms of the reduction in floorspace, the main cluster of buildings comprise a former air traffic control tower and outbuildings – these fall within the Cheshire East Borough Council part of the site. A number of other small buildings would be removed around the periphery of the site within the Warrington Borough Council land.

Areas of hardstanding would be removed comprising taxiways and other redundant hardstanding areas. These areas are within both Warrington Borough and Cheshire East Borough.

RELEVANT HISTORY:

- 09/1869M - Use of former airfield and associated buildings as a motorsports and advanced driving academy including the creation of new access, conference building, parking, landscaping and wetland habitat – refused 21-Oct-2009
- 08/2275P - Change of use of airfield and associated buildings to motor sports and advanced driving academy including the creation of new building, access and parking with associated landscaping and wetland habitat – withdrawn 04-Mar-2009
- 42188P - Continuance of use as test site for Thornton Research Centre – approved 12-Sep-1985
- 38357P - Former runway to be used as a test track and facilities for product testing – approved 17-Sep-1984
- 31114P - Former runway to be used permanently as a test track and facilities for the testing of motor vehicle products - 13-Oct-1982
- 34995P - Former runway to be used permanently as a test track and facilities for the testing of motor vehicle products – approved 14-Oct-1983
- 26300P - (Renewal) former runway track to be perm. Used as test track motor vehicle products – approved 17-Jun-1981

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are the paragraphs relating to Green Belt and Sustainable Development.

Development Plan:

The Development Plan for this area is the 2004 Macclesfield Local Plan, which identifies that the site lies within the Green Belt.

The relevant Saved Policies are: -

- NE11 Nature Conservation
- NE17 Nature Conservation
- BE1 Design Guidance
- DC3 Amenity
- DC6 Circulation and Access
- DC8 Landscape
- DC13 Noise
- DC14 Noise
- DC17 Water Resources

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

- MP1 – Sustainable Development
- SD1 – Sustainable Development in Cheshire East
- SD2 – Sustainable Development Principles

PG3 – Green Belt
SE1 – Design
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland

CONSULTATIONS:

Highways:

The Strategic Highways Engineer raises no objections to the application.

Environmental Health:

The Contaminated Land team has no objection to the application and notes that the application site area falls primarily within Warrington Borough Council's area. As such, following discussions with WBC the same/similar conditions are recommended. A clear location plan of the proposed stockpile is requested, with the boundary between the two Council areas clearly shown. Conditions requiring a Phase 2 investigation to be carried out along with any remediation, should also be attached.

Environment agency (EA):

Environment Agency – no objection.

Cheshire Archaeological Officer raises no objections subject to condition.

High Legh Parish Council object to the application. The Parish Council's main concern is the proposed main entrance onto Crowley Lane. This is referred to as the existing main entrance in the application which it is not and has not been for at least 50 years. Since the M56 was built the main entrance has been just South of the M56 bridge on the Appleton Thorn to Arley Road. This is the entrance that was used by Shell for many years. Crowley Lane south of the proposed entrance is extremely narrow and twisty throughout Crowley and the Parish Council are surprised that Cheshire West have not expressed concerns and Crowley Lane's junction with Swineyard Lane is narrow and unsatisfactory. If this entrance is used for construction traffic it is totally unsuitable (especially if surplus waste has to be taken off site) as it would be for the proposed use. The unsuitability of Crowley Lane is highlighted in the WBC Transport Development Control report by Marie Barry dated the 17th April.

High Legh Parish Council are of the opinion that if planning is given consent then the existing and good entrance at the Appleton Thorn end of the site should be used as this can accommodate two way traffic better than Crowley Lane.

The application shows a substantial amount of hardstanding being removed, this being the parts of the former airfield that would not form part of a track. It is unclear and vague in the application as to what purpose the remaining hardstanding will be used for and what types of events held other than to say it has permitted development use for 14 days a year. If permission were to be granted, severe restrictions should be imposed on the hardstanding/track as to how and when it can be used and also it should not be for any commercial gain.

It should be noted for comparison that even on non Race days the neighbours of Oulton Park are very much aware of the noise of a very few cars going around the circuit.

Appleton Parish Council – objects. *Whilst the parish welcomes improvements to the site, the proposal represents an inappropriate, harmful form of development in the Green Belt. The*

supporting statement also fails to demonstrate that very special circumstances exist to clearly outweigh harm to Green Belt and residential amenity. In addition, it is questioned whether the site will be used as a car storage facility or to include driving of the vehicles at speed on the existing hard surfaced runway of the former Stretton airfield. Other concerns include noise, encroachment and the proposal is not considered a sustainable form of development.

The Parish question whether the site should be marked as a heritage site due to the history and remaining sections of the runway, two air raid shelters and water reservoir. If permission is granted there are concerns about a change in ownership as planning permission is given to a site and not an individual. Conditions would also be required if permission is granted: -

- *No racing of cars on Sunday*
- *Temporary Permission*
- *Access should only be via Crowley Lane*
- *Restriction on the individual.*

Aston-By-Budworth Parish Council raise no objections to the application.

REPRESENTATIONS:

A letter of support has been received from the occupier of the only dwelling on the aerodrome and closest neighbour to the development. The writer states that the site has attracted all sorts of negative activity over the years, with regular traveller invasions, motorcycle scrambling, hare coursing, burnt/stolen cars etc. The writer has been approached with all sorts of “mad cap” ideas of alternative uses and business plans, none of which he would want in his back garden and totally suitable in the Green Belt. However, this application is a breath of fresh air, and is not at all intrusive, especially with the proposed landscaping.

APPRAISAL:

Principle of development

The site is in the Green Belt where the NPPF confirms that the fundamental aim is to prevent urban sprawl by keeping land permanently open.

The remnants of Stretton airfield cover an extensive area – 71 hectares – of which there is over 100,000m² of hardstanding and a number of buildings and other structures within the airfield. The built elements of the proposed application (which falls within the Warrington Borough Council boundary) are concentrated on the northern part of the site, which includes a former taxiway and a small amount of land which is now more widely used for agriculture. In the process of time the taxiways and runway have become partially overgrown by grasses and weeds; although the runway in particular is still a notable feature of the site.

It is noted that the building element of the proposal, which lies on the Warrington Borough Council land, involves development above ground where there are no existing structures. It therefore follows that there would be an impact on openness on this part of the overall site. A small proportion of the proposed garage and hardstanding element would also encroach onto an area of land which has been used for the small scale growing of crops.

The ancillary office element has been reduced in scale – which falls on the Warrington Borough Council side of the boundary - by approximately 25% and would result in a floor space of 222 sq m. It is stated that the applicant wants to develop a quality office space to research and source new cars and organise and liaise with specialist dealers across the country. It is also intended that a car collection manager, secretary, up to two car collection assistants and security guards would utilise the office space. A condition has been attached

by Warrington Borough Council to require the office space to remain ancillary to the garage. With the site being in the Green Belt, the main issue for Warrington Borough Council to consider was whether or not there are very special circumstances in this case, which clearly outweigh any other harm.

The site lies immediately to the south of Appleton Thorn trading estate and on the opposite side of the M56. Whilst it is only accessible via Crowley Lane - a country lane – the site can readily be reached from nearby villages and from the M56. The Airfield is recognised as part of a wider supporting hinterland employment area in Warrington Means Business. Therefore, it is not considered to be an unsustainable location and is not considered to conflict with policy MP1 of the Core Strategy.

The key issues are for Cheshire East Council relate to the following: -

- Impact on the green belt;
- improvements to the access, flows to and from the site when construction is complete;
- landscape impact
- Environmental Health matters.

The issue in question is whether the development represents sustainable development in terms of the NPPF definition of sustainable development.

There are three dimensions to sustainable development: - economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy
- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation, because they are mutually dependent.

Green Belt

Section 9 of the Framework addresses the protection of Green Belt land. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in “very special circumstances”.

Paragraph 88 advises that:

When considering any application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by any other considerations.

Paragraph 89 states that the construction of new buildings as inappropriate development in the Green Belt. One of the exceptions to this which is specifically relevant in the context of this planning application is:

Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green belt and the purpose of including land within it than the existing development.

When taken as a whole, the development is considered to constitute inappropriate development. The impact on the Green Belt within the Cheshire East land is extremely limited and is considered to constitute a small loss of openness and minor visual impact. When considering the very special circumstances however, these need to be looked at in terms of the benefits to be provided across the whole of the scheme. The very special circumstances have been considered at length by Warrington Borough Council, due to the main build and impact falling on their land. Warrington Borough Council considered the very special circumstances put forward to outweigh the harm to the Green Belt. It is necessary to consider whether a similar view can be reached with regard to the Cheshire East part of the proposals.

ENVIRONMENTAL ROLE

Highways

Access to the site will be from the existing access location on Crowley lane, however, it is noted that this access point would be improved and is considered acceptable to the Strategic Highways Engineer. The issues for CEC to consider relate to whether the access is acceptable and also whether the use of a short section of Crowley Lane and Swineyard Lane during the construction phase would result in any significant impacts. As regards the design proposed for the access, this is considered to be acceptable to accommodate the proposed HGV movements. It is noted that there is an alternative access to the site from Arley Road and Cheshire East's Strategic Highways Engineer would have no objections if this access point were to be used, although the use of this access would have implications for Warrington Borough Council as HGV traffic would have to travel through the village of Appleton Thorn. The use of Barleycastle Lane is preferred as this is an industrial standard access road that already serves large commercial units and its associated HGV traffic and also does not pass through a residential area.

The Transport Statement predictions on the amount of traffic movements is that the earthworks would take 8 weeks to complete with a total of 486 trips. The daily movements are indicated as being 13 trip/day. In order to control the number of HGV movements to the site it is prudent to add a condition to limit the number of movements/day to a maximum of 20 which gives a small amount of leeway to the movements predicted.

Whilst Crowley Lane is narrow and unsuitable for constant HGV use, the use of the road by general traffic is very low indeed and the proposed construction period is not long, so the Strategic Highways Engineer would not be raising objections concerning the use of Crowley Lane. The Strategic Highways Engineer has requested for a condition to be attached, which will require the applicant to undertake a road condition

survey prior to the works taking place and then to reinstate any damage to the highway as a result of overrunning of the verges. Once complete, the usage of the site by traffic is low and there are no issues regarding the application.

With regard to the distribution, the Strategic Highways Engineer would expect that the trips to and from the site would wholly take place using Barleycastle Lane and then on the M6 motorway at Junction 20, this is a matter that Warrington Borough Council have considered.

Visual Impact

There are panoramic views from the site across undulating countryside to the south. To the north, views are interrupted by the M56, and by the numerous large industrial units at Appleton Thorn industrial estate – which itself lies on part of the former airfield. The site is generally open - with the runway and taxiways the only significant evidence of its former use.

The proposed works which fall within the Warrington Borough Council jurisdiction, involve a substantial storage facility, which includes an ancillary office building and a large, circular underground garage. From close quarters the building would have a contemporary appearance, including angular roof lines and use of modern materials and glazing. Warrington Borough Council has considered this to be a design of high quality, which is innovative – rather than being an off-the-peg solution and Warrington Borough Council considered the building to be policy compliant.

The removal of a number of redundant and dilapidated buildings on the Warrington Borough side are greater in floor space (in terms of above ground development), than that which is proposed. Most of these buildings have seen better days and do not offer any significant value to the overall site. Warrington Borough Council considered the trade-off, at least in visual terms, to be improvement to the visual quality of the built form currently on the Airfield.

The site is largely devoid of significant trees or vegetation. The ancillary office would be contained in a small area of the site, largely set against the backdrop of woodland and other buildings visible on the Appleton Thorn estate. The proposed development is not significantly visible from the surrounding area - with the main views being at distance from parts of Crowley Lane and Arley Lane. There is no public access within site and views from the north are almost wholly obscured by the trees which are located immediately to the south of the M56. Views from the south are largely restricted by the trees which run along the edge of the local country lanes. There would be some long distance views from land close to the airfield, which fall within private ownership. Due to the large expansive airfield, the lack of public access, and the position of the proposed development on the northern part of the airfield; Warrington Borough Council considered that the potential visual impact and harm to openness would be significantly reduced by these factors. Overall, Warrington Borough Council considered there to be a relatively minor impact on the openness of the Green Belt, largely by reason of this 'trade-off'. Proposed tree planting would further filter, or occlude, views of the proposed buildings and structures. It is considered that the loss of buildings, hardstanding areas and habitat improvements, which are proposed within the Cheshire East side of site would provide positive environmental benefits.

In terms of landscape character and the location of the proposal – the impact of the proposed office building would tend to be absorbed by the large, expansive nature of the airfield. The site is relatively featureless. The submitted Landscape Character Assessment confirms the site does not fall within a particularly sensitive landscape.

Any artificial lighting could have an additional visual impact. A condition is therefore considered necessary in order to control this element. However, it is not currently the intention to provide lighting around runway or taxiways.

When taken as a whole, the scheme is not considered to lead to a significantly harmful impact on the openness of the Green Belt. The scheme also offers a number of landscaping and ecological benefits. As the proposed works within the Cheshire East side maintain openness, the proposals are considered to accord with the Green Belt policies within the Macclesfield Borough Local Plan and those contained within the Cheshire East Local Plan Strategy Submission Version.

Ecology and Landscaping

The NPPF advocates both the conservation and the enhancement of biodiversity. The proposals cover a large area which has naturally regenerated in many areas and to an extent, already has biodiversity value.

The submitted survey identifies species of bat, barn owl and birds, with the potential for badgers and great crested newts.

Bats

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

- (a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is
- (b) no satisfactory alternative and
- (c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy states that the Borough Council will seek to conserve, enhance and interpret nature conservation interests, development which would adversely affect nature conservation interests will not normally be permitted.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case, in terms of the impact on bats, the application involves the demolition of buildings associated with the former air traffic control tower (within Warrington Borough Council's jurisdiction), one of which is host to a small number of pipistrelles. The building is in a very poor state of repair and appears to have limited potential for a hibernation or maternity roost. In addition, it is likely that the deterioration of the building over time would render the building unsuitable for bats in the long term. As mitigation the applicant proposes to demolish the buildings only during the winter months and provide six bat boxes on site. A license would be required for these works but the proposed mitigation is considered acceptable in planning terms and, subject to mitigating conditions, no objection is raised by the Nature Conservation Officer.

Barn Owls

One of the buildings within the former air traffic control compound is currently used by barn owl(s). The mitigation – to provide four new barn owl boxes – is considered acceptable subject to a condition. The strategy should include a specification for the location of the proposed boxes and also specify that the barn owl boxes be erected 30 days prior to the demolition of the existing building. This part of the site falls within Cheshire East Council's control.

The landscaping proposals are an intrinsic part of the biodiversity improvements and the long-term benefits associated with the scheme. They comprise (throughout the whole site, including land within Warrington Borough):

- § Creation of approximately 4ha of new species rich grassland through conversion of existing arable land to be managed via an annual hay cut;
- § Creation of approximately 1ha of broadleaved woodland;
- § Widening of exiting grassland headlands to arable fields;
- § Management of approximately 9ha of existing rough grassland and scrub to maintain a rough grassland scrub mosaic; and
- § Creation of seven new wildlife ponds.

The existing site is typical of a former airfield being purposefully featureless and lacking significant tree cover. There are large tracts of land in between the taxiways and runway. Tree cover is limited to the periphery of the site. The proposed landscaping plan is considered sympathetic to the agricultural nature of the site. The retention of the arable crop zones and a matrix of grassland types is considered key to the promotion of suitable ground nesting bird habitat. Likewise, the water features are considered suitable enhancement but they require careful consideration – it is important to ensure that they are able to retain sufficient water given the open and flat nature of the site. These wetland areas are important in terms of supporting and encouraging bird life.

Areas of wildflower grassland are proposed as part of the ecological enhancement of the site. The Nature Conservation Officer advises that the loss of tussocky grassland habitats with a dense thatch of vegetation is likely to have an adverse impact on barn owls through the reduction in habitat suitable for small mammal prey species. It is therefore recommend that the submitted landscape/ecological plan and site master plan be amended to take account of the need to retain significant areas of less intensively managed grass to maintain the extent of barn owl foraging habitat on site.

The area of land within Cheshire East includes the removal of hardstanding areas. However, there are concerns that the removal of these areas could lead to impacts on the already established ecological value of this part of the site.

Badgers

An active badgers sett is present on site but will not be effected by the main proposals. The demolition of the nearby building (shown as B4 on the Habitat Features plan, drawing 1960/P01b) however could cause disturbance to the sett and a license is likely to be required from Natural England. This is not referenced within the ecological surveys. Provided that this is the only aspect of impact to the badgers sett, the Nature Conservation Officer is satisfied on this occasion it can be addressed by a suitable condition.

The report recommends sensitive working methods in relation to the general construction activity that would take place and these are detailed on p19 under para 5.4. I'd suggest these form the basis of a method statement to be covered under the condition relating to ecological protection plan during construction owing to the amount of construction works that are proposed to take place. Any forestry works that are proposed to take place within the woodland should be done so in accordance with the Badger Act 1992 and the Forestry and Badgers Guidelines.

The applicant should bear in mind that any soil bunds being created on site could be an attractive feature to badgers in the future. It would be advantageous for the applicant to liaise with the local Wirral & Cheshire Badger Group regarding the current sett and the level of persecution although this is a matter outside of any planning control.

Great Crested Newts

A full great crested newt survey has not been undertaken in support of this latest application. The submitted ecological assessment has however identified that the proposed development poses a low level risk of an impact occurring on great crested newts. The risks are associated with the removal of areas of existing hard standing and the proposed landscaping and pond creation works. The applicant is proposing to address these impacts through the implementation of a suite of 'Reasonable Avoidance Measures' an outline for which has been included with the submitted ecological assessment.

The Nature Conservation Officer advises that a great crested newt survey was undertaken on a number of ponds in this locality a number of years ago, which did not record any evidence of this species being present. The likelihood of great crested newts occurring on the application site is therefore low. In the event that great crested newts were present on site the Nature Conservation Officer is also satisfied that the proposed avoidance measures are sufficient to ensure that an offence would be unlikely to occur. It can therefore be concluded that provided the suitable avoidance measures are implemented great crested newts are unlikely to be affected by the proposed development even if they were present.

If planning consent is granted it is recommended that a condition be attached requiring the submission of a detailed method statement of reasonable avoidance measures prior to the commencement of development.

Breeding Birds

The proposed development site supports a number of bird species which are a UK BAP priority and hence a material consideration. This includes a number of species which are associated with open habitats. It is also understood that the remaining runway areas are also

used frequently by priority species of ground nesting birds. Little ringed plover has been recorded on site. This species is specifically protected under the Wildlife and Countryside Act.

The Nature Conservation Officer advises that whilst the proposed landscaping associated with the development may benefit some bird species, the proposed tree planting and wildflower grassland creation would be detrimental to those priority species associated with more open habitats. The proposed tidying up of the retained areas of runway would also be to the detriment of ground nesting bird species.

It is advised that in order to maintain the sites current ornithological interest the submitted landscape scheme must be amended to maintain more open grassland habitats and that the amount of proposed tree planting should be reduced. The submitted plans should also be amended to show the retained runway areas retained 'as is' and not tied up as proposed by the current submitted landscaping plans.

Standard conditions would also be required to safeguard breeding birds.

Brown Hare and Common Toad

These two priority species were recorded on site. The Nature Conservation Officer advises that the proposed development is unlikely to adversely affect these species.

If planning consent is granted the Nature Conservation Officer advises that conditions would be required to cover the following:

- Barn owl mitigation method statement
- Submission and Implementation of great crested newt 'Reasonable Avoidance Measures'
- Submission and implementation of a 10 year Habitat management plan
- Safeguarding breeding birds
- Submission and agreement of lighting scheme
- Detailed landscaping plans – amended to ensure proposals for the site are suited to the existing ornithological interest of the site.
- Designs of proposed ponds

Overall it is considered that the proposed development could have a positive effect in retaining the species present and enhancing the former airfield as a breeding site for a number of priority and red list species. In the event that planning permission is granted, a condition would be imposed in order to ensure that the detailed concerns set out can be fully incorporated into a final landscaping plan. A condition requiring a 5 year management plan should also be imposed.

Residential Amenity

A number of objections received are concerned with the potential impact of the use of the runway and taxiways for the testing/racing of vehicles. This is an entirely legitimate concern given the purpose of the application – to store valuable cars – being positioned within an airfield which is entirely suitable for the racing/testing of cars. However, the use of the airfield for vehicles in the applicant's collection is not part of the development proposal. In this regard the applicant has stated that the site has been chosen because of its privacy and security, and that they have no intention of ever operating the site as a track. According to the applicant, the existing areas of hardstanding would be used for the testing of some of the

vehicles to make sure they work properly before they are taken out onto the public highway. Permitted development rights would allow the use of the airfield for the racing of motor vehicles (including trials of speed and practising for these events).

Over the years, there has been interest in the use of this site for motor vehicle related activities. In 1982 planning permission was granted for the use of the site for the testing of motor vehicle products (82/13355). In 2009, a planning application was refused for the use of part of the airfield as a driving circuit, due to the potential impact on residential amenity. The nearest residential properties lie to the west some 250m away. Further properties are to the south at a distance of over 500m.

Whilst the use of the airfield does not form part of the development proposal, it is nevertheless acknowledged that it is more likely that the airfield would be used for the racing/testing of vehicles on a more regular basis than otherwise. These concerns are generally echoed by the local Parish Council's and a number of local residents. That said, the fact that the application covers the whole of the former airfield site means that there is potential control over the activities which take place on the airfield.

It is noted that Warrington Borough Council's Environmental Protection Officers have assessed the proposal due to the majority of the runways and taxiways falling within Warrington's jurisdiction, and consider it necessary to ensure that the site does not develop over time into a vehicle or speed testing venue. They recommend the imposition of a condition. In response, the applicant has put forward further restrictions so that the airfield would only be used between the hours of 8am and 11pm.

Based on a site visit, it appears unlikely that the airfield in its current form would be particularly suitable for racing or testing valuable cars due to the surface of the runway and many of the taxiways. However, it is also clear that there are significant local concerns regarding the use of the airfield for car racing purposes, and Warrington's Environmental Protection Officers are concerned about the increase in ambient noise levels due to noise from vehicle racing/speeding. Therefore, it is considered necessary to duplicate Warrington Borough Council's suggested conditions in this case to remove permitted development rights, which would otherwise allow the use of the airfield for the racing of motor vehicles (including trials of speed and practising for these events) for up to 14 days in any calendar year. This would ensure that any activities on the site would remain as proposed i.e. the storage of cars etc. rather than lead to a progression to use the airfield itself for forms of driving. Overall, subject to conditions, it is considered that the application complies with the policies which seek to ensure that the amenity of neighbours is not impacted upon significantly.

Contamination and Remediation

The applicant has submitted a ground investigation report and additional information which has been assessed by the Council's Contaminated Land team. The applicant's overall strategy is to retain the material excavated from the site within the confines of the site and then to re-profile the land to the north of the existing runway. Excavation is required in order to create an underground void, in which to construct the proposed garage. The scale of the excavation equates to approximately 65,000 cubic metres of material.

There is some uncertainty as to whether or not the material excavated from the site could be used within the site for use in landscaped mounds, planted with trees etc. This is an important consideration because any material not suitable for use within the site may need to be taken away from the site, which would then have a traffic impact. The applicant has explored a scenario which assumes that 5000m³ of material may need exporting from the site. This is based on their initial assessment on the likely contaminants within the site. The

assumptions used in this scenario are considered to be reasonable. However, the submitted details still leave a range of uncertainty, which may mean that significantly more of the total potential 65 000m³ of excavated material would need to be taken away from the site by road.

It is reasonably clear that some top soils would need to be brought on to the site in order to provide a suitable growing medium for subsequent landscaping. The applicant calculates a total of 2065m³ which equates to approximately 138 HGV's. However, figures in this assessment may vary too, depending on the suitability of the material.

The Contaminated Land team has no objection to the application and notes that the application site area falls primarily within Warrington Borough Council's area. As such, following discussions with WBC the same/similar conditions are recommended. A clear location plan of the proposed stockpile is requested, with the boundary between the two Council areas clearly shown. Conditions requiring a Phase 2 investigation to be carried out along with any remediation, should also be attached.

ECONOMIC ROLE

The overall emphasis of the Framework is to reiterate the Government's key objectives of facilitating economic growth and securing sustainable development. These overarching policies seek to integrate the needs of planning and transport whilst focusing development in the most appropriate locations, thereby protecting and enhancing the environment.

The Framework confirms that the Government is committed to ensuring the planning system "does everything it can" to support sustainable economic growth. Paragraph 19 of the Framework states that "significant weight" should be placed on the need to support economic growth through the planning system, and paragraph 20 confirms that "Local Planning Authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century".

As this planning application seeks approval for the construction of a subterranean car storage facility with ancillary above ground private office development, the creation of ecological enhancements areas, landscaping and associated works, the economic benefits of the scheme will be from the jobs created to the local economy during the construction phase and people employed on site to attend to the cars and manage the office, however, there is no guarantee that such benefits would be particularly local to the site.

SOCIAL ROLE

A number of the buildings on the site have been subject to vandalism and targeted for illicit activities such as fly-tipping and antisocial behaviour. The site has also been the target of unlawful entry by the travelling community. It is considered that the proposed development would provide public safety benefits by creating a safe and secure environment that will remove all opportunities for that type of behaviour to take place, which is a serious concern to local residents. The site would be manned by a dedicated security team.

Other Material Considerations

The comments from the Parish Councils and residents are noted and have been addressed in the report above. The Strategic Highways Engineer has assessed the access put forward with the application and considered its suitability and use on its merits. The impact on the amenity of local residents in terms of noise has been considered and suitable conditions attached, which reflect those imposed by Warrington Borough Council. The works which would take place on the Cheshire East side of the site would not have a significant impact on the greenbelt and are not considered to be inappropriate.

Whilst concerns have been raised regarding site drainage – a number of conditions are proposed in order to ensure sustainable urban drainage. This is intended to slow the flow rate of water and potentially remove harmful contaminants. Further conditions are also proposed in order that any water, during periods of potential flooding, are fully contained within the site. Therefore, the concerns raised have been addressed in this respect.

A number of objectors have commented on the tranquil nature of the area. It is acknowledged however, that the application site is adjacent to the M56 and is a former airfield, which itself has been used in the past by Shell Plc for vehicle and experimental fuel testing. There is a long history and pattern of noise in the local environment. Whilst it is accepted that some areas, particular to the south, are relatively quiet – the impact of the proposed development can be suitably controlled - to ensure that the impact on local amenity is not seriously harmful.

Impact on the Green Belt - Assessment of Very Special Circumstances

It is noted that the new build elements lie within Warrington Borough Council land. Warrington Borough Council has considered the merits of the case with regard to the developments impact on the Green Belt and considered there to be a number of potential benefits. The main garage element would be underground and despite its considerable floorspace, would be almost totally hidden from view. The ancillary office element, being above ground and two-storeys, would have a relatively minor impact on the openness of the Green Belt given the site in context. Whilst the proposed garage element would make a minor encroachment into an agricultural field, this was not considered to be significant given the nature of the site and the fact that most of the proposal utilises existing hardstanding areas. Conditions are suggested to control the use of the proposed buildings, floodlighting and use of the site (limited by hours and ensuring no vehicles are parked out on the airfield). This would further curtail potential impacts on the Green Belt.

As a significant amount of existing hardstanding would be removed from the site, it was considered that this is a benefit which attracts significant weight in favour.

In terms of landscape and visual impact, the site is visually isolated and appears to have a low level of landscape sensitivity. The proposed development would not significantly break the skyline, indeed most of the proposal is below ground - and therefore, it is considered to be in keeping with existing site. Overall, the proposed development would not have a significant impact on the landscape character.

The benefits of the scheme include extensive landscaping and potential habitat improvement comprising new species rich grassland, wetland areas, woodland and the management of existing natural areas. Not only does this benefit the current application but it provides long term benefits and an element of security and certainty across the whole of the former airfield. The design and concept of the scheme is highly innovative and includes a contemporary, modern appearance – and some weight in favour of the proposal can be attached to these factors too.

The applicant does not propose to upgrade the existing runway - and it is considered that any driving of the cars on the airfield would be low key – and would be limited to personal recreational use of the applicant. The fact that the former airfield site is included in this

application means that conditions can be imposed to control the intensity and scale of the use – including the removal of permitted development rights allowing the use of the airfield for racing/testing for speed for up to 14 days per annum. The removal of permitted development rights is considered to comprise an additional benefit which weighs in favour of the proposal.

As said previously, the scheme as a whole constitutes inappropriate development within the Green Belt. However, it is considered that the elements of the scheme which fall upon Cheshire East land would have a very limited impact and when assessed against the benefits which the scheme would bring forward across the whole of the site, the very special circumstances would outweigh the harm to the Green Belt.

PLANNING BALANCE AND CONCLUSIONS

The decision maker must reach an overall conclusion having evaluated the three aspects of sustainable development described by the framework (economic, social and environmental) as to whether the positive attributes of the development outweigh the negative in order to reach an eventual judgment on the sustainability of the development proposal.

It is considered that the proposed development complies with development plan policies relating to access and highway safety, landscape impact and environmental health matters. Any adverse impacts which could result from the proposal can be mitigated by the use of conditions.

On the basis of the above, it is considered that the application should be approved subject to conditions.

Warrington Borough Council has referred the application on their part of the site which falls within their Borough to the National Planning Casework Unit. Should the Board be minded to grant the application, this report and full details of the case shall be forwarded to the NPCU.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Principal Planning Manager has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. Details of lighting to be submitted
4. Details and timescales for buildings / hardstanding to be removed to be submitted.

5. Development for private recreation use only, and no commercial activities. Removal of PD rights.
6. No shrub clearance during bird nesting season.
7. Contaminated land - remediation and verification strategy to be submitted
8. Contaminated land - remediation and verification and long term monitoring and maintenance
9. Bat mitigation
10. Further bat survey required if works not undertaken within 6 months
11. Badger method statement required prior to demolition
12. Barn owl nesting boxes required
13. Submission of Ecological Protection Plan required prior to site clearance works
14. Habitat Management Plan (HMP) to be submitted prior to commencement of development
15. Scheme for the disposal of foul and surface water from the site to be submitted
16. Removal of Permitted Developments Rights
17. Implementation of programme of archaeological work
18. No development shall take place until a programmed landscaping and restoration scheme has been submitted
19. 8 above ground car parking spaces to be provided
20. No parking of vehicles on any other hardstanding areas of the site except the areas dedicated for vehicle parking
21. No provision of any new hardstandings or surfacing except those areas clearly identified on the approved plans
22. Construction and Demolition Method Statement to be submitted
23. Details of any temporary buildings to be erected within the site compound to be submitted. The temporary buildings shall be removed from the site and land restored within 28 days of substantial completion of the development
24. All HGV movements to and from the site associated with the construction of the development shall at all times be routed in accordance with the HGV access route
25. The total number of HGVs entering the site shall not exceed 138; and the total number of HGVs leaving the site shall not exceed 348 during any 40 working day period.
26. Prior to the formation of any earth bunds or installation of soft landscaping on site, all materials excavated from the land shall be managed in accordance with a 'Validation and Stockpiling Scheme'
27. Survey of verges on roads prior to commencement



Number of items	Percentage of correct responses
0	10
20	15
40	20
60	25
80	30
100	35
120	40
140	45
160	50
180	55
200	60
220	65
240	70
260	75
280	80
300	85
320	90