

MINUTES OF THE MEETING OF BIRCHWOOD TOWN COUNCIL
HELD AT PARKERS FARM, DELENTY DRIVE
ON TUESDAY 28TH MARCH 2023, 6.00 PM

Present: Cllr Ellis in the Chair
Cllrs Allen, Atkin, Ball, Bowden, Dempsey, Evans, Scott and Simcock

Clerk – Mrs. F. McDonald
RFO / Deputy Clerk – Mrs. C. Caddock

Three residents

Apologies: Cllrs Brereton (health), Reeves (work) and Sheridan (Personal)

Code of Conduct – Declaration of Interests

The Chair reminded Members of their responsibility to declare any personal interest or prejudicial interest which they have in any item of business on the agenda, no later than when the item is reached.

332/22-23 **FEBRUARY 2023 TOWN COUNCIL MEETING MINUTES**

Cllr Atkin **proposed**, Cllr Simcock **seconded**, and it was **resolved** that: The Minutes of the Town Council Meeting held on 28th February 2023 be approved as an accurate record and signed by the Chair.

333/22-23 **PUBLIC PARTICIPATION**

(a) Police Report

A report was received from the Police, however due to the date on the report being incorrect it had been misinterpreted as being a duplicate report.

(b) Public Participation

Several local residents attended the meeting to express their continuing concern regarding the planning application for the Trident Business Park; proposed demolition of existing premises and the redevelopment of the site.

Planning Application 2021/40696 – Trident Business Park – Proposed demolition of existing premises and redevelopment of site.

Cllr Ellis addressed the meeting and said that he had been in contact with the WBC Planning Officer dealing with this application and that he had also spoken to Oliver Ryan, Senior Consultant with Lexington (developer's agent), to clarify a few elements of the amended planning application.

Cllr Ellis stated that the application is still in the consultation stage and that it will require input from various departments within WBC. This will give a view on the revised landscaping plan, highways, environmental impact, etc.

He said that one of the main changes is to the height of the roof, which has now been reduced and, although this might not be considered to be enough, Cllr Ellis commented that the revised height might now make the application acceptable in planning terms.

He also added that the revisions to the landscaping plan, although quite significant, would still result in 7 mature trees with preservation orders on them being removed to make way for the development. The proposal is for over 100 trees of varying sizes to be planted as well as the introduction of around 1400 'whips'; ground level vegetation.

Cllr Dempsey enquired who would maintain the trees post-development.

A resident commented that, although there would be a lot of new trees, they will not hide the building. They added that residents had counted 28 existing mature trees between two points opposite the houses on Warrington Road and even with that number of trees you can still see straight through. They were also concerned that the landscaping plan showed the majority of trees being located on Trinity Way, on the corner near the Spar Shop, behind Risley Autos and towards The Noggin. They don't believe that 106 trees would be enough and they will take a significant amount of time to mature.

Cllr Ellis stated that he will ask WBC for verification, in writing, regarding the access and egress points for the proposed development as there is a bit of uncertainty regarding Warrington Road.

Residents expressed concern about vehicles, specifically HGVs, using Warrington Road as an access route for the new units.

Cllr Ellis said that some discussion had been taking place about how this could be mitigated. It is a possibility that a S106 could be applied which would fund the installation of ANPR technology at each end of Warrington Road to monitor traffic, specifically HGV movements. This would look at time over distance movements and could be used to issue fines where appropriate.

A limit on the hours of operation was also discussed which might discourage some companies that have 'round the clock' operating hours.

Residents would, ideally, like the hours of operation to be limited to 7 am to 8 pm, Monday to Friday.

Another resident commented that there were some significant inaccuracies on the original application form, such as 'Are there any existing employees on the site?' The applicant has stated that there are no current employees. 'Does your proposal include the gain, loss or change of residential units?' The applicant has indicated 'no', however, two homes have been purchased by the developer with a view to demolition.

Residents are also dismayed that the applicant answered question 19, 'are hours of opening relevant to this proposal' with a 'no' and question 22 'can the site be seen from a public road, public footpath, bridleway or other public land with a 'no'. They stated that the answers to these questions are incorrect and misleading. The site can actually be seen from two roads and four footpaths.

They queried if the application can be rendered invalid/incomplete because of the incorrect answers to these questions. They also commented that some of the documents were dated 2017 and queried if these are even valid, given that five/six years have passed.

It is also noted that the Noise Assessment was carried out over a reduced period of time as the equipment was vandalised. The scope of work was actually from Friday morning, 11th June 2021 to Sunday evening, 13th June 2021; a time when traffic levels would be lower due to it being the weekend. It was also a time when there were still some Covid measures in place. This report is considered misleading by residents.

The residents said that it states in the Air Quality Assessment Report that the appointed Transport Consultant considers that the proposed development is expected to lead to a net reduction in traffic compared to the current commercial use. However, the potential operators for this kind of unit will, more than likely, involve more vehicular movements of much larger vehicles over a 24 hour period.

Cllr Ellis commented that the Borough Council's Planning Officers will be reviewing the application and, if there are any discrepancies or items that need clarifying, they should spot them.

Cllr Bowden said that it is important residents put their concerns and views to Warrington Borough Council. He added that they can talk to the Planning Officer although they cannot expect them to give an opinion.

He commented that the application will get to a point where all of the technical assessments have been done by WBC and St Modwen, the developer, will have submitted information to 'back up' their proposals.

Residents expressed concern that they had only been given 14 days in which to review 23 documents which they believe is very unfair particularly as they want to submit a considered response. They have taken independent, professional advice regarding the application and have put together a spreadsheet detailing page numbers, content and any relevant documents in order to make their response easier for the Planning Officer to read and refer to.

Cllr Bowden added that although there are specific turnaround times for planning applications, usually if the applicant does not push for it, the process can take longer. He also commented that the residents should be able to trust the Planners to be thorough in their deliberations.

The residents added that there should be a fire/water plant on site which appears to be absent. They said that the structure would need to be around 18m in diameter in order to be adequate for the scale of the proposed development and potential number of vehicles.

Cllr Ellis concluded this part of the meeting and Cllrs **unanimously resolved** to support local residents in their objection.

Action Clerk's office to submit a letter of objection, on behalf of the Council, to Warrington Borough Council.

334/22-23 **WARRINGTON BOROUGH COUNCIL (WBC)**

Communication

(a) **Street lighting**

There are quite a number of lights out in the Locking Stumps/Birchwood Park Avenue area due to a supply issue.

(b) **Powell Avenue/Temporary Ramp**

The Clerk informed Members that WBC had forwarded details of the proposed scheme for Powell Avenue which had been circulated to Members for consideration.

Cllrs were generally supportive of the proposed accessibility improvements on Powell Avenue. However, they did raise a few concerns.

The first relates to the specification of the timber post and metal rail fencing and the second was a query regarding the lock on the retractable bollard and whether it will be robust enough to withstand unauthorised attempts at removing it.

Action Clerk's office to request additional information regarding the fencing and retractable bollard.

(c) **Admirals Square (Oakwood Local Shops)**

The Clerk stated that she had been informed that the queries relating to Admirals Square have been allocated to a WBC Highways Inspector. A response is still awaited.

(d) **Armstrong Close and Ainscough Road (potential adoption of street lighting)**

The Clerk said that she has been informed that WBC will review the situation over the next few months and will advise once this review has been completed. A response is still awaited.

A monthly report had been received from Warrington Borough Council just prior to the meeting regarding some other outstanding issues:

*Trip Hazards such as uneven paving Investigations Ongoing with highways. **Live**
Work throughout borough such as facing off plantings surrounding verges and weeds. **Work
live to be completed in due course, pending ground conditions. Live No Further Investigation
Needed***

*Work throughout borough such as facing off plantings surrounding verges and weeds.
2 locations completed. **Complete***

335/22-23 **YOUR HOUSING GROUP (YHG) – UPDATE**

A local resident had attended the February Meeting to ask the Town Council to influence YHG and the way that she believes they are 'chopping down plants and replacing them with wood chippings, turning it into a desert', querying why the work is carried out that way, if what they are doing is appropriate and whether the operatives undertaking the work are qualified.

The Clerk informed Members that she had written to the Landscaping Manager of Your Housing requesting a formal response which, to date, has not been forthcoming.

Action Clerk's office to chase the formal response.

336/22-23 **INFORMATION REGARDING TRAVELLER ENCAMPMENTS**

The Clerk confirmed that she has followed up on the enquiry regarding awareness training which Cllrs Brereton, Dempsey, Sheridan and Simcock had expressed an interest in attending.

The Clerk informed Members that Dawn Taylor, Manager of the Cheshire and Warrington Traveller Team is trying to get a member of the Travelling Community to take part in the training to share their 'Lived Experience'.

No further information has been received as yet.

Action Clerk's office to continue to liaise with the Cheshire and Warrington Traveller Team about awareness training for Cllrs.

337/22-23 **PLANNING UPDATE**

Planning Application 2021/40696 – Trident Business Park – Proposed demolition of existing premises and redevelopment of site

See minute 333/22-23 (b).

NEW ITEMS RAISED UNDER THE CLERK'S REPORT TO THE COUNCIL

338/22-23 **WARRINGTON BOROUGH COUNCIL (WBC)**

- (a) Sent/received – various emails/online reports/telephone calls following queries/contact from residents regarding flytipping, tree issues, potholes, etc.
- (b) WBC is consulting on the proposed main modifications recommended by the independent Planning Inspectors to the Updated Proposed Submission Version Local Plan 2021 – 2038.

The consultation commences on Wednesday 15th March 2023 and closes at 5.00pm on Wednesday 26th April 2023.

All the consultation documents are available to view and download at:

<https://www.warrington.gov.uk/main-modifications-2023>

- (c) Received – documents for the Parish Council Liaison Meeting, taking place on 22nd March 2023.
- (d) Notification that permission to conduct CCTV traffic survey(s) within Birchwood has been granted, Bridgewater Place.
- (e) Received - email from the Fostering Service, Warrington Borough Council regarding the Supported Lodgings Scheme which aims to provide vulnerable young people aged from 16 to 25, who cannot live with their families, with a safe place to live in the homes of local people.

The Clerk confirmed that posters will be put on local noticeboards in the next day or two.

- (f) Rights of Way Forum Meeting - 8th March 2023

The Clerk enquired if Cllr Evans had requested that the old footbridge at Birchwood Railway Station can be added to the WBC definitive Rights of Way list.

Cllr Ellis said that he will take the matter up with the WBC Rights of Way Officer.

He also commented that there had been some queries raised about the access to the old landfill site and rumours circulating that it is going to be closed to the public.

Cllr Ellis said that there will still be access although the footpath will have to be slightly diverted.

339/22-23 **YOUR HOUSING GROUP**

Sent/received – various emails/reports following queries/contact from residents including issues with flytipping (including that exposed by coppicing works), shrubbery maintenance, etc.

340/22-23 **MISCELLANEOUS CORRESPONDENCE/ISSUES**

- (a) Received – various emails from Warrington Voluntary Action (WVA).
- (b) Received – Update from Manchester Airport Future Airspace Project.
- (c) Received – Details of the Friends of Gorse Covert Mounds Spring Clean – 26/03/2023 10am to noon. This has been advertised on local notice boards and on social media.
- (d) Received – March 2023 edition of the Neighbourhood Watch newsletter ‘Our News’.
- (e) Received – Correspondence received regarding Liverpool John Lennon Airport Airspace Change; Proposed Engagement sessions.
- (f) Bridgewater Community Healthcare NHS Foundation Trust - Community Health and Wellbeing.

Action Clerk’s office to invite Sam Ollerenshaw, Community Health and Wellbeing Project Lead Bridgewater Community Healthcare NHS Foundation Trust to give an update at the April Town Council Meeting.

341/22-23 **PUBLICATIONS RECEIVED**

Various LGC e-mail correspondence/briefings.

342/22-23 **CHESHIRE POLICE**

- (a) Various Neighbourhood Alerts.

343/22-23 **CHESHIRE ASSOCIATION OF LOCAL COUNCILS (CHALC), NATIONAL ASSOCIATION OF LOCAL COUNCILS (NALC), SOCIETY OF LOCAL COUNCIL CLERKS (SLCC)**

- (a) Received – NALC publications including the Chief Executive’s Bulletins, events information, etc.
- (b) Received – ChALC weekly e-bulletins with various attachments, details of training sessions, etc.
- (c) Received – SLCC – various updates, briefings, news items, etc

344/22-23 **MEMBERS REFERRAL**

Cllr Ellis – Signage/information boards re: Risley Presbyterian Church at the Cross Lane South Cemetery and potentially other local signs of historical interest.

Cllr Ellis enquired if Members would be supportive of the installation of an information lectern being installed at the site of the old Risley Presbyterian Church to give a brief history of the site. He added that there are a number of local people buried in the graveyard with links to the local area, some of whom have roads named after them. He said that the board would have a QR code on it which would link to a website giving some local history.

In the longer term Cllr Ellis hopes that this would be one of several installations which would eventually form part of a heritage trail.

He commented that indicative prices had put the cost of a board at around £300 plus VAT, although he was mindful that the Town Council would have to work with Warrington Borough Council on the project as it is their land and it is consecrated ground.

Action Officers will make further enquiries with Warrington Borough Council regarding this project.

345/22-23 **CURRENT PLANNING APPLICATIONS FOR COMMENT AND OBSERVATION AND OTHER RELATED PLANNING ISSUES**

(a) **Warrington Borough Council - Development Management Committee (DMC)**

The next DMC is scheduled to take place on 6th April 2023. At the time of the meeting, no documents for this meeting were available.

(b) **Planning Decisions**

- (i) **Application No. 2022/42689** - Unit 722 (within Development Plots 701 & 702) Daten Avenue, Birchwood. Variation of condition 1 (plans) to allow for changes to louvres and drainpipes on the building, enlarge approved substation, add an additional substation and omit 2 parking spaces on application 2022/41954 (Variation of condition 1 (plans) on application 2021/40399). Application for approval of reserved matters (i.e., appearance, layout, scale, access and landscaping) pursuant to outline planning permission 2015/26044 (proposed industrial unit (Use Class B2) and associated ancillary research and development office space) to allow for the addition of a pedestrian gate within the service yard fencing and relocate the gas storage compound to north-east corner of service yard). **Granted**
- (ii) **Application No. 2022/42690** - Land East of Kelvin Street Birchwood Park, X 365669/y392489. Variation of condition 2 (plans) to undertake alterations to the louvres and flues on application 2022/41955 (Variation of conditions 2 (approved plans) and 3 (landscape scheme) on planning application 2021/40405 (Proposed construction of three general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping). **Granted**
- (iii) **Application No. 2022/41930** – Aldi Store, Birchwood Shopping Centre WA3 7PG – Application for the addition of new refrigeration plant. **Granted**
- (iv) **Application No. 2022/42401** - Land adjacent to The Peacock Public House, Benson Road, Birchwood, Warrington, WA3 7PQ – Installation of freestanding totem sign. **Refused**
- (v) **Application No. 2022/40800** - 10 Darnaway Close, Birchwood, WA3 6TR. Proposed single storey side and porch/front extension. **Withdrawn**
- (vi) **Application No. 2022/42282** - 105 McCarthy Close, Birchwood, WA3 6RS. Proposed single storey ground level side extension. **Granted**
- (vii) **Application No. 2022/41424** - Six Parcels of Land Situated in Birchwood, Eastern Edge Of Birchwood Park, Plots 1-7, 300, 501-502, 611-612, 7, WA3 6AE, Discharge of Condition 6 (Travel Plan), Condition 7 (Car Parking Management Strategy), Condition 11 (CEMP), Condition 12 (Method Statement), Condition 13 (External Lighting), Condition 17 (Employment Scheme) Condition 18 (Reserved Matters Particulars) on previously approved application 2015/26044 (combination

of offices (B1); light and general industrial (B1/B2); warehousing development (B8) and ancillary retail/ financial & professional services/ non-residential institutions/ assembly and leisure (A1/A2/D1/D2) floor space). **Discharged**

- (viii) **Application No. 2021/40722** - The application site is positioned within Warrington, WA3 6AE. Discharge of Condition 5 (Foul and Surface Water), Condition 9 (Characterisation and Remediation and Verification) Condition 14 (Extraction and Ventilation) and Condition 15 (Acoustic insulation) attached to outline planning permission 2015/26044 (combination of offices (B1); light and general industrial (B1/B2); warehousing development (B8) and ancillary retail/ financial & professional services/ non-residential institutions/ assembly and leisure (A1/A2/D1/D2) floor space). **Discharged**
- (ix) **Application No. 2022/42447** - Land East Of Kelvin Street Birchwood Park, X-365626 Y-392445, Warrington, Discharge of condition 9 (EV charging points) on application 2022/42690 (Variation of conditions application in relation to Application for full planning permission: Proposed construction of three general industrial and/or warehouse distribution (Use Classes B2 and/or B8) units (714, 715 and 716), access, parking and associated landscaping). **Discharged**
- (x) **Application No. 2022/42313** - G And J Greenall, Melbury Park Clayton Road, Birchwood, Warrington, WA3 6PH. The retention of a single storey Portakabin building for a period of 260 weeks from the date of expiry of their original planning application, reference 2019/34369 which was granted on the 8th April 2019. **Granted**

- (c) **Planning Applications** - all plans can be viewed via:
http://www.warrington.gov.uk/home/transport_planning_and_environment/Planning/Search_planning_applications/

Certain applications are not Planning Applications; therefore, there is no statutory opportunity to allow 21 days for comments, e.g.: Non-material amendment applications, Lawful development certificates (S192) and 28 day prior approval/determination applications. These types of applications are received for information only.

- (i) **Application No. 2023/ 00255/FULH** - 49 Ringwood Close, Birchwood, WA3 6TQ. Proposed demolition of existing attached garage and construction of new detached garage.
- (ii) **Application No. 2023/00244/ADV** - Birchwood Leisure and Tennis Complex, Brock Road, WA3 7PT. Proposed signage.
- (iii) **Application No. 2023/00269/FULH** - 7 Havisham Close, Birchwood, WA3 7NB. Proposed first floor side extension and single storey rear elevation.
- (iv) **Application No. 2023/00268/DISCON** - (for information only). Risley Sub Station Next To 687 Warrington Road, Risley, WA3 6AY. Discharge of condition 5 (Landscaping and Bio-diversity scheme) on previously approved application 2022/41934 (proposed mast and associated equipment)
- (v) **Application No. 2023/00333/VARC** - Land at Junction 11 of the M62 Motorway, Warrington. Application to vary condition 5 (approved plans) and Condition 26 (Great Crested Newts) attached to outline Planning Permission 2019/35726.

Cllrs had no comments to make regarding these specific planning applications.

Cllr Ellis enquired if, going forward, Members would prefer to have specific Planning Committee Meetings.

Cllrs preferred to keep Planning Applications on the main meeting agenda, with the option to have a separate meeting should the need arise, e.g. major or contentious applications.

This part of the meeting concluded at 7.05 pm.