



Appeal Decision

Site visit made on 17 July 2025

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2025

Appeal Ref: APP/M0655/W/25/3364051

Land to rear of 48-58 Cliftonville Rd, Woolston, Warrington WA1 4BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to approve details required by a condition of a planning permission.
 - The appeal is made by Mr Gordon Ryan against the decision of Warrington Borough Council.
 - The application Ref 2024/00585/DISCON sought approval of details pursuant to condition No. 5 of planning permission Ref 2022/41289, granted on 1 February 2024.
 - The application was refused by notice dated 27 November 2024.
 - The development proposed is change of use of land to enable the siting of storage containers to be used as self storage units.
 - The details for which approval is sought are:

Prior to first use of development hereby approved a satisfactory programmed landscaping scheme which shall include hard surfacing, means of enclosure, planting of the development, indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of the development, shall be submitted to the Local Planning Authority for approval. The scheme shall include details of the provision for 10% biodiversity net gain within the site. The approved scheme shall be implemented during the first planting season following the first use of the 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.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the submitted details are sufficient to satisfy the requirements of condition 5 of planning permission 2022/41289.

Reasons

3. The development conditionally approved under permission ref 2022/41289 involves the siting of 6 storage containers on a triangular piece of land. The site has a frontage onto, and is accessed off, Bridge Lane. Houses on Cliftonville Road back onto the site, and the southern edge shares a boundary with the New Cut Heritage and Ecology Trail, which is a surfaced footpath/cycleway forming part of the Trans Pennine Trail (TPT).
4. The appeal site is cleared, with hardstanding in part. The trees and bushes along the shared boundary with the TPT make a positive contribution to the character of the area, not least this section of the cycleway/footpath.
5. Approved drawing JG1C shows the position of the proposed containers on the site, and indicates that the access gate would be positioned further back into the

site than the existing barrier. The same drawing shows landscaping along the southern boundary and at the rear of 50, 56 and 58 Cliftonville Road. A new fence would run between the containers and the proposed area of landscaping, set back from the southern boundary with the TPT.

6. Condition 5 requires a programmed landscaping scheme, with details of hard surfacing, means of enclosure and planting. The details provided are scant, but the submitted plan shows a new fence running in a straight line along the southern boundary, in a different position from that shown on approved drawing JG1C. The erection of a new fence in this position would require the removal of existing boundary vegetation, which would detract from the character of the area and the TPT. In addition, the removal of vegetation, including 6 trees as proposed, would cause harm to biodiversity.
7. The appellant has indicated that they would be happy to revert to the fence position shown on the original plan, which would avoid the need to remove vegetation, and would be less visible from the TPT. That would be preferable, but is not what is shown on the plans before me. No information has been provided about other means of enclosure either, such as the form and appearance of the entrance gates and any fencing along the Bridge Lane frontage. Even if I were to accept the appellant's request regarding the fence position, the submitted details relating to means of enclosure are deficient.
8. Approved drawing JG1C shows a strip of planting along the southern boundary, suggesting that the existing landscaping would be retained and widened in places. However, the details provided as part of the appeal simply shows a thin line, along with the position of 6 trees to be removed. Whilst the intention may be to include planting along a wider strip as approved, that is not shown on the details before me.
9. Following discussions with the Greater Manchester Ecology Unit (GMEU), the appellant initially suggested English Yew for additional planting along the southern boundary. This was subsequently changed to Western Redcedar following advice from the Council's tree officer, who was concerned that English Yew can be difficult to establish. The use of Western Redcedar was unacceptable to GMEU, however, as it would result in a net loss of biodiversity, rather than the 10% net gain required by the condition. I have no reason to doubt the advice of GMEU in this matter.
10. I appreciate the appellant's frustration, with different advice having been received from the Council's advisors. Reverting back to English Yew, as suggested by the appellant, would be acceptable in terms of biodiversity, and would provide year round screening. However, the tree officer has raised valid concerns about the practicality of using English Yew. It would likely be necessary to replace unsuccessful plantings, with cost implications for the appellant. There may well be other species which would be better suited for use here, possibly Hawthorn as suggested by the tree officer, which provide for biodiversity and would be more likely to establish successfully.
11. Overall, I conclude that the details provided are not sufficient to discharge condition 5 of planning permission 2022/41289. There are valid concerns about the use of either English Yew or Western Redcedar, and the information provided in relation to means of enclosure is deficient. In addition, no details have been

provided about any trees to be retained, or measures to ensure their protection, which the condition also requires.

Conclusion

12. For the reasons set out above, condition 5 has not been discharged. The appeal is therefore dismissed.

R Morgan

INSPECTOR