



Appeal Decision

Site visit made on 20 August 2025

by Helen Hockenhull BA (Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 September 2025

Appeal Ref: APP/M0655/W/25/3366420

Land at 107 Sankey Street, Bewsey and Whitecross, Warrington, WA1 1NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Land & Securities Ltd against the decision of Warrington Borough Council.
 - The application Ref is 2022/42035.
 - The development proposed is the retention of existing car park.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the works affect the setting of a number of listed buildings located within a conservation area, I have had regard to section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, the Act.

Main Issues

3. The main issues in this case are:
 - Whether the car park would operate in such a way as to principally serve the town centre railway stations, namely Bank Quay, and whether further long stay car parking is needed for the Bank Quay Station.
 - whether the proposal would preserve the setting of the Grade I listed Eastern Outbuilding to the Town Hall (Ref 1329748), the Grade II* listed Lamps on East and West Drive of the Town Hall (Ref 1239919), the Grade II* listed Town Hall Gates, Piers and Lamps (Ref 1261277), the Grade I listed Town Hall (Ref 1329725) and the Grade I listed Western Building to the Town Hall (Ref 1261276) and whether it would preserve or enhance the character or appearance of the Town Hall Conservation Area.
 - The effect of the loss of a residential site on the Council's five-year housing land supply.
 - Whether the proposal includes a satisfactory drainage strategy.

Reasons

Background

4. The appeal site was formerly occupied by a redundant Baptist Church. Planning

permission was obtained in 2018 by the previous owner for the demolition of the church and the construction of 18 apartments for supported living. The church has been demolished and the site cleared. I am advised that due to viability issues the previous owner abandoned the supported living scheme and sold the site to the appellant in 2022. On 10 June 2022, the appellant applied for planning permission for the use of the site as a car park. As the use had commenced before the application was determined, the Council took enforcement action and issued a stop notice on 27 June 2022, following which the use ceased.

5. This appeal seeks the retention of the car park for a temporary period of five years.

Car Parking

6. The appellant advises that the principal use of the proposed car park would be to provide long stay parking for users of Warrington Bank Quay Station.
7. Policy TC1 of the Warrington Local Plan states that the Council will support development in the town centre which strengthens its viability and vitality. Amongst other things, development that supports the Town in its role as a regional transport gateway/interchange and improves linkages to it especially by active travel modes and public transport is also supported. On the basis that the car park is to provide long stay parking for users of the rail station it would comply with this policy.
8. The above policy also requires all development in the town centre to accord with the requirements of the Town Centre Supplementary Planning Document (SPD). Policy TS4 of the SPD states that an appropriate level of long stay car parking within the Central Area may be supported where its principal function is to serve town centre railway stations and any redevelopment associated with these stations.
9. The appeal site lies approximately 320 metres from the main entrance to Warrington Bank Quay Station. There are a number of other car parks in the Central Area where users of the station could park. Two of these are specifically branded by Avanti Trains as station car parks, Parker Street and Slutcher Lane.
10. The appellant has provided no specific data or survey work to show the level of use of the town centre car parks and whether they are at capacity. The Council has however provided data in relation to the two Avanti car parks. Regular monitoring of the car parking provision at Parker Street and Slutchers Lane shows that although the former is often near capacity (possibly because it is the most convenient), the latter operates at approximately 50% occupancy. In addition to the two station car parks, there are several other established pay and display parking areas. My observation on my site visit, which is only a snapshot in time, is that on a weekday morning some car parks were relatively full, such as Dixon Road and Parker Street while others had capacity. The situation of course may be different at other times of the week e.g. weekends.
11. There is conflicting evidence between the Council and the appellant on the need for further long stay car parking to serve the railway station. In the absence of detailed survey data, it has not been satisfactorily demonstrated that additional car parking is required. The appellant has argued that such a survey would not be proportionate to the scale of the development proposed and would be time consuming, requiring trend surveys and multiple days checking occupancy levels

at a number of sites which are not controlled by the appellant. Whilst I acknowledge there would be a cost to this additional survey work, I do not consider it to be necessarily onerous or disproportionate to the development proposed.

12. I accept that Local Plan policies do not specifically require a car parking survey. The emphasis of Policy TC1 is on sustainable development, promoting active travel and the use of transport means other than the car. It is therefore justified for the Council to seek evidence of car parking demand and capacity and the most appropriate way to do this is through a parking survey.
13. I understand that rail passenger numbers are increasing at Bank Quay Station. This may suggest that more parking is required but ignores the possibility that passengers are using other forms of transport, for example taxi's, buses, being dropped off by friends and family to avoid the cost of parking.
14. As a result of the lack of evidence of need, I am not persuaded that additional long stay car parking to serve the Bank Quay rail station is required. The appeal proposal therefore conflicts with Policy TC1 of the Local Plan and Policy TS4 of the Town Centre SPD.
15. The appellant has made me aware of possible development proposals in the town centre. These include the development of the Bridgefoot Link. Land is safeguarded for this in Policy INF2 of the Local Plan which includes part of Slutchers Lane and Wilson Patten car parks. Additionally, I understand that the Parker Street Car Park is currently the subject of a planning application for residential development. Neither of these schemes are certain to proceed at this time. It is therefore not necessary in this appeal, to consider whether their full or partial loss leads to the need for replacement long stay car parking.
16. The other issue raised by the Council relates to whether the appeal development, in terms of its management and pricing regime, would actually operate as a long stay car park. The appellant indicates that when the car park was operational, it attracted 75% of ticket sales for stays up to 12 hours or 24 hours. It is argued this shows that the car park was being used for long stays associated with rail trips. However, I note the charging regime that was operating did not deter short stay parking. Charges applied to stays of 2 hours, 3 hours and then 12 and 24 hours. With no evidence of length of stay, it would be conceivable that due to the lack of options, users paid for 12 hours but in reality, stayed for a much shorter time.
17. Notwithstanding the above, with a more suitable charging regime, the appeal site could cater more for long stay than short stay users. This issue could be resolved by the imposition of an appropriately worded condition on any approval requiring the submission of a charging structure for approval.

Heritage Matters

18. The appeal site lies at the southern end of the Town Hall Conservation Area (CA) and within the setting of a number of listed buildings including the Grade I listed Town Hall, the eastern and western outbuildings to the Town Hall and the Grade II* listed entrance gates, piers and lamps. I shall address the impact of the appeal scheme on the setting of the nearby listed building first and then consider the effect on the CA.

19. The Town Hall building was built in 1750 as a residence in the Palladian style. It comprises nine bays, the centre three having four large composite columns with a pediment. A central staircase with wrought iron balustrade leads to the main entrance flanked by a pair of arched windows. The immediate setting of the Town Hall comprises parkland, associated buildings, entrance drive and the ornate gates at the southern end of the park. Town Hall's significance derives mainly from its architectural and historic interest. Its parkland setting also contributes to its significance.
20. There is no evidence of historic functional relationship between the appeal site and the Town Hall. When viewed from the appeal site, the Town Hall is screened by existing trees along the entrance drive and a public toilet block. Having regard to the distance between the appeal site and the Town Hall building, I do not consider that the appeal proposal affects the ability to appreciate the significance of the asset, having a neutral impact on its setting.
21. The Eastern and Western Outbuildings to the Town Hall are similar in design and consist of two storey brick wings extending either side of a three-storey central block of three bays with pediment. They were constructed at a similar time to the Town Hall in Palladian style. They are likely to have been used as stabling, carriage house, grooms and servant quarters. Their setting comprises the Hall itself, parkland, drives and the ornate gates. Their significance derives from their architectural interest and their functional relationship to the Town Hall.
22. Again, there is no evidence of any relationship between the appeal site and the outbuildings. Both buildings are visible from the appeal site but screened by existing trees and the toilet block. The appeal proposal causes no harm to the appreciation of these assets or the contribution that setting makes to their significance.
23. The Entrance Gates, Piers and Lamps to Sankey Street are Victorian, erected in 1895 much later than the Town Hall. The lamps were installed later than the gates. The parkland and the Town Hall building contribute to its setting as do the 18th, 19th and 20th century buildings on Sankey Street. The significance of the gates, piers and lamps derives from their architectural and artistic interest as works of very high-quality 19th century craftsmanship.
24. The gates can be seen from the appeal site. They are viewed obliquely at a distance down Sankey Road. The view includes trees bounding the park, as well as the highway and on street car parking. The appeal site, given its distance from the gates, plays a limited contribution to the setting of this heritage asset. The proposal does not harm the ability to appreciate its special interest. As a result, I conclude that the appeal site has a neutral impact on the setting of the gates, piers and lamps.
25. Bringing the above together, I find that the appeal proposal would preserve the setting of the nearby listed buildings.
26. The Town Hall CA was designated in 1972. At that time of course the appeal site was occupied by the modern Baptist Church building. The main focus of the CA is the Town Hall, its outbuildings and associated park and gates. The section of Sankey Street in which the appeal site is located is mixed in appearance and comprises large modern commercial buildings which contribute little to the character and appearance of the CA.

27. The Council's Conservation Area Appraisal includes a townscape plan which indicates significant views and vistas. The appeal site does not feature in any of these.
28. The Council's main concern relates to the gap in built form along Sankey Street created by the car parking area in an otherwise strongly defined frontage. It is argued that this fails to preserve or enhance the character or appearance of the CA. The built frontage in the vicinity of the appeal site is however already diminished by the presence of Dixon Street car park opposite the appeal site. I acknowledge that the gap allows views through to secondary elevations of properties to the south and the exposed gable of the building to the west. These were not meant to be seen or be prominent in views to Sankey Street. Whilst they may not contribute positively to the CA, they do not in my view cause any significant harm to its character or appearance.
29. The Council also argue that the area south of Sankey Street where it faces the Town Hall and park provides definition and containment to focused and planned views. Whilst the continuous built frontage to the south of Sankey Street may achieve this, there is no evidence that Sankey Street was planned to perform this function, being developed in an ad hoc fashion. This is reinforced by the fact that before the erection of the gates, the Town Hall and park were enclosed by a high wall, later replaced by railings. Thus, the area south of Sankey Street in which the appeal site is located, played no part in bounding or enclosing the Town Hall site.
30. I acknowledge that the Council could have prevented the creation of the gap in built frontage if an appropriate condition or a legal agreement had been attached to the grant of planning permission for the residential scheme. This would have ensured that the site was redeveloped post demolition.
31. The Baptist Church previously on the site had little architectural merit and did not contribute positively to the CA. The appellant in the Heritage Statement provides a photograph of the appeal site post demolition of the church. The site was overgrown and surrounded by timber hoarding in poor repair having a detrimental effect on the street scene. The development of the site as a car park has tidied up the site and improved its general appearance.
32. I take account of the fact that the appeal site has only a small frontage with Sankey Street. The appellant proposes to provide improved boundary treatment to the site with a one-metre-high brick wall with stone coping along the Sankey Street and Arpley Street frontages, replacing the metal barriers currently in place. This would define the boundary of the site and be more in keeping with the boundary treatments in the wider CA.
33. Given the above, I conclude that the proposal would preserve the setting of nearby listed buildings and whilst it would retain a visual break in the built form along Sankey Street, it would preserve the character and appearance of the Town Hall CA as a whole. The proposal would therefore satisfy the requirements of the Act and comply with the objectives of the Framework and Policies DC2 and TC1 of the Local Plan and Policy TS8 of the Town Centre SPD, which seek to conserve and enhance the historic environment.

Housing Land Supply

34. The appeal site has the benefit of extant planning permission for the demolition of the redundant Baptist Church and the construction of 18 apartments for supported living.
35. The appellant has explained that due to viability issues the previous landowner who put forward the supported living scheme, sold the site after demolition and site clearance. The appellant has confirmed he has no intention of delivering the site for supported living housing. Whilst this is acknowledged, I have no evidence before me that the site would not be viable for a different type of housing scheme, whether market housing or affordable housing or a combination of both. The Council advises that viable housing schemes have been developed in the town centre and therefore this could be a possible alternative.
36. The 18 apartments originally proposed contribute to the supply of housing in the Borough, albeit to a modest extent. However, the loss of 18 units, whilst unfortunate, would not result in the Council having less than a deliverable five-year supply.
37. The Council's reason for refusal references Policy DEV1 of the Local Plan. This policy sets out the housing requirement for the Borough over the Plan period, the distribution of housing, density and a stepped trajectory. It states that the majority of new homes will be delivered within the existing main urban area of Warrington, the inset settlements and the sites identified in the Council's Strategic Housing Land Availability Assessment (SHLAA). The appeal site does not form an allocation in the Plan but is included within the 2024 SHLAA.
38. Policy DEV1 is a strategic policy and does not place any restrictions on development. I therefore fail to see how it could be argued that the appeal scheme conflicts with this policy. Furthermore, the Plan as a whole includes no policies that restrict applications for alternative uses on sites with planning permission.
39. I acknowledge that if allowed, the appeal scheme would not assist in the Council maintaining a five-year housing land supply. However, there is no guarantee that any scheme once permitted will come forward and deliver houses. Annex 2 of the Framework states that sites with planning permission should be considered deliverable until the permission expires unless there is clear evidence that homes will not be delivered within 5 years. The appellant has confirmed there is no intention to develop the site in this timeframe, the site has not been marketed and there is no developer involvement. This indicates that the site cannot be considered to be deliverable.
40. The appeal proposal seeks a 5-year temporary consent for the car park. The application form states the appellant's intention to develop the site for residential purposes in the longer term. The car park is therefore an interim measure, putting a vacant site into a productive use. The ability of the site to contribute to housing supply would not be prejudiced by a temporary car park use.
41. The appellant has brought my attention to a site with an extant planning permission for 96 apartments¹. In that case a temporary two-year permission for the use of the site for parking was granted on appeal. The Inspector concluded

¹ APP?G1250/C/18/3211127 Land at former Punshon Church, Exeter Road, Bournemouth, Dorset

that the use as a car park was inconsistent with the Council's objectives. However, a time limited permission with the apparent intention that the site be fully redeveloped for a mixed-use scheme, would mean that the Area Action Plan would not be ultimately compromised. This appeal has some comparability with the case before me. Whilst the appellant in this appeal is seeking a 5-year temporary consent, he has confirmed the intention to redevelop the site in the future.

42. Bringing all the above together, dismissing the appeal on the ground that it would result in the loss of a site contributing to housing supply, would not secure its development for residential purposes. A temporary car park use would not prevent the site being developed for housing in the future. For the above reasons, I find no conflict with Local Plan Policy DEV1.

Drainage

43. The appellant has provided additional information with this appeal regarding construction details, management and maintenance. The site was previously hard surfaced, and the appeal scheme would provide some betterment by the use of permeable surfacing.
44. Subject to a planning condition regarding the submission of a management and maintenance plan, the Council have withdrawn their objection on drainage grounds.
45. I therefore conclude that the proposal would provide a suitable drainage strategy and that the scheme complies with Policies ENV2 and DC6 of the Warrington Local Plan which require that new development does not increase flood risk from any source or cause other drainage problems either on the development site or elsewhere.

Conclusion

46. I have found that the appeal scheme would preserve the setting of nearby listed buildings and also preserve the character and appearance of the Town Hall Conservation Area. Furthermore, the proposal would not cause harm to housing land supply. Subject to the imposition of appropriate planning conditions, the site could be satisfactorily drained, and an appropriate charging regime could be put in place to deter short stay parking. Whilst these factors weigh in favour of the scheme, it has not been demonstrated that additional long stay car parking is required to serve the Warrington Bank Quay Station. The proposal therefore conflicts with the development plan and the material considerations in this case do not indicate a decision other than in accordance with it.
47. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR