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## Appeal Decision

Site visit made on 24 November 2025

**by R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

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**Appeal Ref: APP/M0655/W/25/3374678**

**Land off Newton Road, Newton-Le-Willows, Warrington WA2 8SH**

- 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 Mr Craig Watkinson against the decision of Warrington Borough Council.
  - The application Ref is 2024/01412/FUL.
  - The development proposed is agricultural building on agricultural land.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. An application for costs was made by Mr Craig Watkinson against Warrington Borough Council. This application is the subject of a separate Decision.

### Preliminary Matters

3. The site address above has been taken from the application form with the addition of the postcode used on the appeal form.
4. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.
5. I have dealt with a similar appeal for an agricultural building on land next to the appeal site. This is subject of a separate Decision.

### Main Issues

6. The main issues are:
  - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies; and
  - whether the significance of the registered battlefield known as the 'Battle of Winwick' would be conserved by the proposed development, with particular regard to archaeological remains.

## Reasons

### *Green Belt*

7. The appeal site is in the Green Belt. It comprises part of a field alongside an existing agricultural building being used for the storage of grain, forming part of a larger agricultural landholding to the west of Newton Road.
8. Consistent with the Framework, Policy GB1 of the Warrington Local Plan 2021/22-2038/39 (2023) (LP) states that other forms of development defined in national planning policy to be an exception to inappropriate development within the Green Belt, will be supported, subject to meeting other relevant Local Plan policies and any relevant Supplementary Planning Documents.
9. Certain buildings and other forms of development will not be inappropriate development in the Green Belt, where they meet the exceptions set out in paragraph 154 of the Framework. Exception a) of paragraph 154 relates to 'buildings for agriculture and forestry.' While the parties refer to an agricultural need or otherwise for the proposed building, the exception at paragraph 154 a) of the Framework is without qualification. It does not set out any limiting criteria relating to the size or number of agricultural buildings or any other matters.
10. Although Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) refers to works for the erection of a building 'which are reasonably necessary for the purposes of agriculture within that unit,' this relates exclusively to the consideration of whether a proposal would be permitted development. It does not apply to the consideration of the merits of a planning application seeking permission for an agricultural building in the Green Belt.
11. The appellant has explained that the surrounding agricultural landholding extends to over 15ha to the west of Newton Road, predominantly growing cereals. The livestock housing of the main farming business is at Red Bank Farm which is a short drive to the north of the appeal site, and the appellant asserts is at capacity, constrained by its size. The proposed agricultural building would allow an increase in stock numbers across the total landholding. Although physically separate, it is not unusual for agricultural holdings to be on different parcels of land, and the building would evidently have a functional relationship with Red Bank Farm, including its farm shop and café.
12. The proposed development is described as an 'agricultural building on agricultural land' and the plans before me show a building of typical agrarian appearance and materials, comprising a pitched roof portal steel frame with concrete panels. The building is intended to house cattle, and the appellant states that its size reflects stocking densities that allow for high levels of animal welfare, as well as space for storage. I have no reason to disagree.
13. Due to the evidence before me, the proposal is for a building for agriculture purposes. It would fall within the exception at paragraph 154 a) of the Framework and would not be inappropriate development in the Green Belt. Consequently, as the Council has not directed me to any other relevant LP policies or planning guidance there would be no conflict with LP Policy GB1, or the Framework.

14. Where development is not inappropriate, the effect on the openness of the Green Belt, or whether there are other considerations that amount to very special circumstances, are not matters for further assessment in this decision.

### *Archaeology*

15. The appeal site is within the known boundaries of a registered battlefield, known as the 'Battle of Winwick (also known as Battle of Red Bank) 1648'<sup>1</sup>. From the official list entry, the significance of the battlefield is derived partly from its national historical significance as the last battle of the Second English Civil War, but also from its substantial overall archaeological potential as the only such battlefield which remains in a good state of preservation, with battle archaeology likely to be reasonably intact.
16. The Cheshire Archaeology Planning Advisory Service assessed that the excavations for the foundations of the existing agricultural building adjacent the site would likely have disturbed or destroyed any below ground archaeological features immediately within the vicinity. Nevertheless, given the potential good state of preservation, I conclude that a condition requiring a scheme of archaeological investigation is necessary to identify, assess and record any below ground features on the site associated with the registered battlefield.
17. Conditions which are required to be discharged before development commences should be avoided, unless there is a clear justification. Nevertheless, paragraph 212 of the Framework requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Paragraph 213 of the Framework identifies registered battlefields as heritage assets of the highest significance. Therefore, to ensure that the site can be fully assessed and that any buried archaeological remains are not disturbed or destroyed by works associated with construction, a scheme of archaeological investigation is justified before any development commences on site.
18. Section 100ZA(5) and (6) of the Town and Country Planning Act 1990 (as amended) states that planning permission for the development may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition. The appellant was given Notice in writing that any planning permission granted should be subject to the archaeology pre-commencement condition specified.
19. The appellant provided a "substantive response" which did not give written agreement to the condition and in such circumstances, it cannot be imposed. No explanation was provided as to why the condition specified in the Notice was not agreed. The appellant suggested a revised condition said 'to ensure that it is appropriate to the Application Site(s).' However, a condition must be clear as to what is required and reference in this condition to an assessment 'proportionate to the site's location' is ambiguous and not sufficiently precise. Moreover, the suggestion is ambiguous in specifying when the outcome of the investigation would be reported to the Local Planning Authority.

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<sup>1</sup> Historic England List Entry No. 1412878

20. In the absence of an appropriate pre-commencement condition, I conclude that the significance of the registered battlefield known as the 'Battle of Winwick' would not be conserved by the proposed development, with particular regards to archaeological remains. The harm caused would be at the lower end of less than substantial, but it is nevertheless of considerable importance and weight. Paragraph 215 of the Framework advises that, under such circumstances, this harm should be weighed against the public benefits of the proposal.
21. It has been demonstrated that the proposed building would meet an agricultural need. It would help to ensure the long-term future and resilience of a rural enterprise run by a local, environmentally aware farmer. It would also ensure high animal welfare and biosecurity standards on land which is not prone to flooding, and there would be wider benefits to the community in terms of the availability of food of local provenance. In this regard, the proposal would accord with the Framework where it requires that planning decisions enable the sustainable growth and expansion of all types of business in rural areas.
22. I attach significant weight to these public benefits, but I conclude that they do not outweigh the great weight to be given to the less than substantial harm that I have identified above. The proposal would therefore conflict with the Framework and with LP Policy DC2 which seeks to ensure that the significance of the historic environment which contributes most to the Borough's distinctive identity and sense of place is conserved and where appropriate enhanced.

### **Other Matters**

23. While concerns have been raised regarding the manner in which the planning application was considered by the Council, such matters fall outside the scope of my decision. I also acknowledge the proposal has the support of a Local Councillor, but this does not alter my conclusion above.

### **Conclusion**

24. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

*R Gravett*

INSPECTOR