WARRINGTON
Borough Council

Professor Steven Broomhead
Chief Executive

David Boyer
Director of Transport &
Environment
Town Hall
Sankey Street
Warrington
WA1 1UH

Our Ref: ENF/20/08266
Date: 04/10/2023

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

Appeal by Mr Graham Tomlinson against an Enforcement Notice issued by Warrington Borough Council, requiring the removal from the land the unauthorised boundary wall, gates and eastern access adjacent to 97 Whitefield Road, shown on drawing attached at 'Appendix A – Proposed Street Elevation & Plan'. Reinstate the former boundary wall, gates, and central access in accordance with the drawing attached as 'Appendix – 'Existing Street Elevation & Plan', on land at 99 Whitefield Road, Stockton Heath, Warrington, WA4 6ND.

Appeal Ref: APP/M0655/C/23/3327324

The Secretary of State for the Environment has appointed an Inspector to determine by means of Written Representations, an appeal by Mr Graham Tomlinson against an Enforcement Notice served by Warrington Borough Council on 28th June 2023.

The Enforcement Notice alleged that a breach of Planning Control has taken place in that:

Without planning permission, the construction of a boundary wall, gates and creation of a new access.

The Local Planning Authority considered it necessary to issue the notice for the following reasons:

The development by virtue of its location, scale, height, materials, colour and character represents an unduly prominent and incongruous addition to the street scene and is harmful to the visual amenity of the local area and erodes

POSITIVE ABOUT DISABLED PEOPLE

the green and relatively open character of the area, contrary to policy QE7 of the Warrington Core Strategy and Warrington's House Extension SPD.

The development by virtue of its location, scale, height, materials, colour and character, also represents an unduly prominent and incongruous addition in which is out of character with the age and appearance of the host dwelling and results in an unacceptable and detrimental impact which harms the setting of the listed building, contrary to policy QE8 of the Local Plan and Warrington's House Extension SPD.

The development by virtue of its location, scale, height, materials and character, in immediate proximity to a countryside setting results in harmful and inappropriate structure which does not harmonise or relate to the adjacent rural setting, contrary to Policy CC2 of the Local Plan and Warrington's House Extension SPD

The grounds on which the Appellant is appealing are:

Ground (a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged.

Ground (f) that, the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.

Ground (g) that, any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed

Interested persons may make their views known by writing to the Case Officer at the address below, quoting the reference numbers given at the top of this letter. This should be done no later than **10th November 2023**. One copy of the letter should be sent. If comments are sent after the deadline, the Inspector will not normally look at them and they will be returned. Please note that the letters will be disclosed to the parties at the appeal. Unless representations are withdrawn before the 6 weeks deadline.

The Planning Inspectorate will not acknowledge your letter unless specifically asked to do so. They will, however, ensure that letters are passed on to the Inspector dealing with the appeal. Decision letters are only sent to those who ask for one (address below). Information on taking part in Enforcement Appeals is available from the Planning Department free of charge or via www.gov.uk - **Taking part in a planning, listed building or enforcement appeal - GOV.UK (www.gov.uk)**

Should you wish to view the appeal documents please contact me on 01925 442810. The Inspectors decision will be published on the **www.gov.uk** website.

The Planning Inspectorate
FAO: The Enforcement Appeals Officer
Room 3B
Temple Quay House
2 The Square
Bristol
BS1 6PN

Yours faithfully

Sandra Beckett

Senior Enforcement Officer
Public Protection
Warrington Borough Council
Warrington
WA1 1UH
01925 442810
sbeckett@warrington.gov.uk