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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Date: Thursday, 10 September 2020

Time: 4.00 pm

Place: Virtual Meeting

AGENDA

ITEM

5. ADDITIONAL INFORMATION REPORT

To consider the attached report of the Head of Planning and Development, tabled at the meeting.

5

SARA TODD
Chief Executive

Membership of the Committee

Councillors L. Walsh (Chair), A.J. Williams (Vice-Chair), Dr. K. Barclay, T. Carey, M. Cordingley, B. Hartley, D. Jerrome, M. Minnis, D. Morgan, K. Procter, B. Rigby, E.W. Stennett and B.G. Winstanley.

Further Information

For help, advice and information about this meeting please contact:

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Agenda Item 5

AGENDA ITEM 5

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE – 10th September 2020

ADDENDUM TO THE AGENDA:

ADDITIONAL INFORMATION REPORT (INCLUDING SPEAKERS)

1.0 INTRODUCTION

1.1 This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

1.2 Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

2.0 ITEM 4 – APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

REVISED ORDER OF AGENDA (SPEAKERS)

Part 1 Applications for Planning Permission					
Application	Site Address/Location of Development	Ward	Page	Speakers	
				Against	For
<u>99829</u>	Land At Circle Court, Barton Road, Stretford, M32 9QJ	Gorse Hill	1	Cllr Cordingley	✓
<u>100680</u>	Heyes Lane Junior And Infant School, Crofton Avenue, Timperley, WA15 6BZ	Timperley	56		
<u>100737</u>	34 Green Courts, Green Walk, Bowdon, WA14 2SR	Bowdon	64	Cllr Anstee	
<u>100961</u>	Stretford Grammar School Granby Road, Stretford, M32 8JB	Longford	89		
<u>101160</u>	Broomwood Community Wellbeing Centre, 105 Mainwood Road, Timperley WA15 7JU	Village	102		

Page 1 99829/FUL/20: Land At Circle Court, Barton Road, Stretford

SPEAKER(S) **AGAINST:** **Councillor Cordingley**

FOR: **Paul Mathison**
(B/h of Agent)

RELEVANT PLANNING HISTORY

100525/FUL/20 – Formation of new car park, bin storage area, landscaping and associated works thereto – Approved 08.09.2020

CONSULTATIONS

Following reconsultation regarding amended plans and additional information the following updated consultation responses have been received:-

Environment Agency – No objections and previous comments apply in relation to provision of oil interceptors for the car park drainage. In addition the Environment Agency agrees with the inclusion of conditions relating to a remediation strategy and verification report with regards contamination as recommended by the Councils Pollution & Housing section. The Environment Agency also wish to bring to the applicants attention that they may require a Flood Risk Activity Permit for any works or structures, in, under, over or within eight metres of either side of the culvert walls of Longford Brook.

Trafford Council (Strategic Planning) – No objections - The potential for the Trafford Centre Rectangle to deliver a “high quality (4* minimum) hotel” has set out in policy SL4 of the Core Strategy, has been met through the development of the Holiday Inn in this area. There is no indication in policy SL4 that the Trafford Centre Rectangle Strategic Location gives any elevated sequential status to it and is therefore it is not sequentially preferable to any other out of centre location. The location at Circle Court, Stretford, is no less sequentially preferable to that of the Trafford Centre Strategic Location in terms of the requirements set out in national policy.

Transport for Greater Manchester (TfGM) – With regards the applicants Highway Note TfGM have stated they have no further concerns, they wish to clarify that TfGMs role is not a statutory consultee in the planning process as the Highway Note had stated that TfGM did not have an objection to the application. With regards the applicants Accessibility Report; TfGM are satisfied with the report conclusions. They state that whilst detail about walking distances could be debated in terms of the values sufficient evidence is provided that the site is more accessible than the Peel and Intu sites.

REPRESENTATIONS

Councillors

Objections to the proposed development as originally submitted have been received from two Gorse Hill Ward Councillors (**Councillors Cordingley & Acton**) stating the following concerns:-

- The height of the Hotel is too tall and has too many floors which restricts the light and visual aspect for the Circle Court residents. Therefore we believe the Hotel development should be reduced in size and floors to a more acceptable height and level.
- The application encroaches the present green spaces available to residents of Circle Court where there is already a lack of green space in the nearby area.
- Residents of Circle Court are concerned about some aspects of the parking of residents concerning the new development.
- The Development lacks environmental improvements to the present landscape around Circle Court.
- Residents in the area concerned about the new road into the Development in an area where there are present traffic problems on the surrounding roads, this will make the road network around the site more problematic.

Councillor Acton has subsequently made a further representation whereby the concerns he had previously raised have now been dealt with (albeit that the height of the building could have been reduced by a couple of floors to lessen the visual impact for residents) and he is supportive of the proposal.

Councillor Walsh was named on the email which came on behalf of the Ward Members but has subsequently written to officers to confirm that he should not have been included. The inclusion of his name at the end of Councillors Acton's email was an administrative error and the contents are not a true reflection of his position. For the avoidance of doubt this means Councillor Walsh has not expressed any view on the scheme under consideration.

Intu

A further letter of objection has been received on the 3rd September from DAC Beachcroft Law firm on behalf of Intu, following the reconsultation of amended plans and additional information. This representation raises no new issues and reiterates previously concerns.

Intu state that the application and officers report fail to recognise and address Core Strategy Policy SL4 having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that determination of planning applications for planning permissions should be made in accordance with the development plan unless material considerations indicate otherwise. Specifically they state that no reference is made to the Policy in pages 3 and 4 of the report and fails to carry out an adequate assessment, other than an assessment in the context of the sequential test and representations received.

Intu suggest that Policy SL4 which provides for a four star hotel within the Trafford Centre Rectangle, has not been met as the Holiday Inn Express is not a four star hotel. It is suggested that Policy SL4 should be considered on its own basis, not as a subset of the sequential test and the report has failed to undertake such an adequate consideration of the relevant development plan and policy consideration. Intu disagree with the implication in the Nexus report that Policy SL4 should not be considered alongside the sequential test when the Council make their decision, particularly given the development will be reliant on private car use and will be serving the Old Trafford Stadiums, Event City and Manchester City centre along with the Trafford Centre and the applicants acknowledge that the proposed development will not serve Streford or Urmston Town Centres. Intu state that that an objective reading of the Nexus report demonstrates that it has been prepared to justify the planning application.

Intu conclude that proposals for development that comply with Policy SL4 would not need to undertake a sequential assessment as they would be up to date plan (Paragraph 86 of the NPPF), accordingly it is a preferred location and the Council should not ignore up to date development plan policies because it wishes to see a proposal come forward and undermines the plan led approach set out in Section 38(6) of the 2004 Act. A failure to appropriately assess the application in light of Policy SL4 and the proposed use, would in Intu's view lead to a decision on the application that is potentially unlawful, irrational and/or procedurally unfair.

OBSERVATIONS

PRINCIPLE OF DEVELOPMENT

With regards the representation received from Intu on the 3rd September and for the avoidance of doubt the application site is not located within the Strategic Location of the Trafford Centre Rectangle as set out in Policy SL4. Therefore is not required to be assessed against the policy criteria contained within Policy SL4 of the Trafford Core Strategy. Part of the hotels target market will include a number of attractions at the Trafford Centre and surrounds, however this does not mean that the application proposal is required to be assessed against this policy. The key consideration of the application is advice within NPPF at paragraph 86 which is clear that the sequential test should be applied in the following order; town centre, edge of centre and then out-of-centre (only if no suitable sites are available elsewhere). There is no priority given to allocated sites such as sites within the Trafford Centre Rectangle.

EQUALITY ASSESSMENT

Paragraph 148 of the officers report amended as follows - In addition the guest accommodation details an accessible guest room (including for wheelchair users) on each floor from (1st floor – 7th Floor). Two accessible rooms are located on the 1st, 2nd and 3rd floors close to the lift lobby and stair core 03. One accessible guest room is provided on the fourth to seventh floors also close to the lift lobby. The main entrance lobby to the hotel building will have a level threshold and all internal circulation doors will have an effective clear width of 850mm ensuring they are usable by disabled guests and staff members.

RECOMMENDATION

Condition 11 – The wording of the Construction Method Statement Condition amended to make reference to how any asbestos material would be disposed of. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition/construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials including times of access/egress
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoardings including decorative displays and information for members of the public, including contact details of the site manager
- v. wheel washing facilities, including measures for keeping the highway clean
- vi. measures to control the emission of dust and dirt during demolition and construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. proposed days and hours of demolition and construction activity (in accordance with Trafford Councils recommended hours of operation for construction works)
- ix. measures to prevent disturbance to adjacent dwellings from noise and vibration, including any piling activity including details as to how this will be monitored
- x. information on how asbestos material is to be identified and treated or disposed of in a manner that would not cause undue risk to adjacent receptors
- xi. procedures for dealing with any complaints

Reason: To ensure that appropriate details are agreed before works start on site and to minimise disturbance and nuisance to occupiers of nearby properties and users of the highway, having regard to Policy L4 and Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework. The details are required prior to development taking place on site as any works undertaken beforehand, including preliminary works, could result in adverse residential amenity and highway impacts.

Page 64 100737/FUL/20: 34 Green Courts, Green Walk, Bowdon

SPEAKER(S) AGAINST: Councillor Anstee

FOR:

ADDITIONAL OBSERVATION

Consultation

Heritage Officer does not object to the proposal and has confirmed that the amended plans received would have a “neutral” impact upon the contribution this site makes to the wider Conservation Area, this equates to no harm in NPPF terms.

Amended details

Amended plans have been received confirming that both windows at both ground and first floor level within the south eastern side elevation facing 33 Green Courts would have their openings 1.5m from internal floor level and to be obscure glazed.

Amended floor plans have been received so that they correlate with the amended elevations.

RECOMMENDATION

The recommendation is unchanged other than the alteration of an existing condition relation to compliance with approved plans; and for an additional obscure glazing condition relating to the insertion of obscure glazing in the first floor side window facing 33 Green Courts:

Condition 2:

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Plan34 GC amended and received 8.9.20; proposed floor plans amended and received 8.9.20; site plan and bin store elevations as amended and received 5.8.20 and 1:1250 red edged plan received 8.5.20.

Reason: To clarify the permission, having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Condition 9:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any equivalent Order following the amendment, re-enactment or revocation thereof) upon first installation the window in the first floor on the south east elevation facing 33 Green Courts shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 3 of the Pilkington Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interest of amenity having regard to Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

Update on linked application ref: 101294/FUL/20

Within the planning history section for the site, as detailed within the officer report, reference is made to a concurrent application (101294/FUL/20). This application proposes the erection of a storage container and relocation of recycling compound, which are being removed from the application, this application was approved on 4th September 2020.

Recommendation:

Recommendation remains unchanged: Grant subject to conditions listed in recommendation report.

RICHARD ROE, CORPORATE DIRECTOR, PLACE

FOR FURTHER INFORMATION PLEASE CONTACT:

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