

Public Document Pack



TRAFFORD
COUNCIL

APPLICATIONS TO BE DETERMINED BY REASONS OF URGENCY BY THE HEAD OF PLANNING AND DEVELOPMENT OR THE HEAD OF MAJOR PLANNING PROJECTS IN CONSULTATION WITH THE CHAIR, VICE CHAIR AND OPPOSITION SPOKESPERSON OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

ITEM

1. ADDITIONAL INFORMATION REPORT

To consider the attached report of the Corporate Director of Place.

1

Further Information

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

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Agenda Item 1

APPLICATIONS TO BE DETERMINED BY REASONS OF URGENCY BY THE HEAD OF PLANNING AND DEVELOPMENT OR THE HEAD OF MAJOR PLANNING PROJECTS IN CONSULTATION WITH THE CHAIR, VICE CHAIR AND OPPOSITION SPOKESPERSON OF THE PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

ADDENDUM TO THE REPORTS PACK

ADDITIONAL INFORMATION REPORT

1.0 INTRODUCTION

This report summarises information received since the Reports Pack was compiled including, as appropriate, suggested amendments to recommendations in the light of that information.

2.0 APPLICATIONS FOR PERMISSION TO DEVELOP, ETC.

Application	Site Address/Location of Development	Ward	Page
<u>97883</u>	26A Marsland Road, Sale M33 3HQ	Sale Moor	1
<u>98968</u>	United Services Club, 28 Southern Road, Sale M33 6HQ	Ashton on Mersey	27
<u>99131</u>	1 Belmont Terrace, Manchester Road, Carrington M31 4AZ	Bucklow St Martins	45
<u>99703</u>	80 Temple Road, Sale M33 2FG	Sale Moor	72
<u>99933</u>	81 Firs Road, Sale M33 5FJ	St Mary's	126
<u>100130</u>	17 Bowness Drive, Sale M33 6WH	Ashton on Mersey	135

Page 1

26A Marsland Road, Sale, M33 3HQ

REPRESENTATIONS

The applicant's agent has submitted a written representation document in support of the application and Councillor Freeman and a neighbor at 11 Trinity Avenue have submitted further written representation documents objecting to the development. These have been distributed to the Head of Planning and the Chairman, Vice Chairman and Opposition Spokesperson prior to the video-conference.

In summary, the agent advises that the applicant and their advisors have worked to evolve the proposals, which help the Council deliver much needed housing in the locality. Planning Permission-in-Principle has been approved on the site, which approves the location, type and quantum of development. The applicant's project team has worked collaboratively with Planning Officers to devise a scheme that overcomes the public objection and results in a quality development.

They highlight that there are no objections from any of the Council's statutory consultees or departments. They further state that the proposal does not prejudice the separate proposals under the Sale Moor Place Plan.

Councillor Freeman supports the concerns of the resident at 11 Trinity Avenue in regards to loss of amenity to surrounding properties, disturbance levels, environmental issues and traffic issues in relation to access and egress from the site. He considers the proposal will totally change the dynamics of the immediate area and represents overdevelopment.

The neighbouring resident of 11 Trinity Avenue is particularly concerned about a loss of amenity and privacy to their property. They are concerned about the access to and from Marsland Road, which represents an additional hazard for pedestrians and road users. They consider that inevitably visitors will drive on to the site adding vehicle movements. They reiterate the concerns they set out in their previous objection letter, which are summarised in the main Committee Report.

OBSERVATIONS

Planning History

It is noted that the previous planning permission on the site (ref: 87339/FUL/15), for the erection of a retail food store and two residential properties expired on the 22nd July 2019 and is therefore no longer an extant consent in the consideration of the application. However, it is recognised that there has been no material change in planning policy on a local or national level since that application was approved. It is also recognised that the site does benefit from an extant Permission-in-Principle consent (ref: 99658/PIP/19) in relation to the erection of four new dwellings on the site, which covered the matters of location, land use and the amount of development. Therefore, whilst the site does not benefit from a typical 'fall-back' position, the expired consent 87339/FUL/15 and permission-in-principle consent 99658/PIP/19, do form a material consideration in the assessment of this application.

Amenity

The proposed alterations to No.26A Marsland Road include the erection of a dormer window on the front elevation. This is partly to help the property to reflect the design and appearance of the proposed dwellings in Plots 1, 3 and 4, thus helping to create a more cohesive development across the site. The proposed dormer to the front of No.26A would look towards the rear elevation and garden of No.28 Marsland Road. Further to the comments made in paragraph 37 of the main Committee Report, it is considered that whilst a considerable distance would lie between the proposed dormer window and the rear elevation of No.28, a distance of less than 13m would lie between the dormer and the rear garden of No.28, which could result in the perception of being unduly overlooked by the window. As such a condition is recommended that requires the front dormer

window of No.26A to be obscure glazed in order to protect the amenity of the garden of No.28.

Equality

It is noted that the waste management strategy for the development results in the refuse and recycling bins presentation point being located close to the vehicular access / egress to the site off Marsland Road, which is a good distance away from many of the proposed houses, in particular Plots 3 and 4. This could have a disproportionate impact on protected groups, such as the disabled, elderly and pregnant women, who may not be able to / have difficulty in moving their bins such a distance.

The public sector equality duty (PSED), contained in the Equalities Act 2010, requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Having due regard for advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics.

The main bin store is located towards the front of the site, close to the Marsland Road access. Given the layout of the site it therefore more conveniently placed for some properties more than others. The details of how the bin store will operate are currently unknown as it may contain several large bins for occupants to decant waste/recycling into, or as a holding store for the bins of individual properties.

As set out in the 'Recommendation' section of the Committee Report, a condition (number 9) does require that prior to the occupation of the development that a waste management strategy for the site, which could help mitigate these concerns, is submitted and approved. It is therefore considered that on balance that given the range of properties and further details on the waste management that the potential equality concern is not a justified reason for the refusal of the application.

RECOMMENDATION:

The applicant has submitted a revised plan for the proposed works to No.26A, which shows all of the proposed floor plans as well as the proposed elevations. An amended floor plan has also been provided that correctly labels the rooms within the proposed bungalow in Plot 2. Condition 2 is therefore amended to include these plans: -

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:
200.1; 201 (1) C; 201 (2) D; 201 (3&4) C; 201 B; 202.2, 201 C and the associated site location plan.

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

It is also recommended that the following condition is added: -

16. 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 front dormer window to No.26A Marsland Road shall be fitted with, to a height of no less than 1.7m above finished floor level 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.

Page 27 98968/FUL/19: United Services Club, 28 Southern Road, Sale, M33 6HQ

REPRESENTATIONS

A neighbour from Belmont Road (No. 58) made further representation and this has been distributed to the Head of Major Planning Projects and the Chairman, Vice Chairman and Opposition Spokesperson prior to the video-conference. The representation raised concerns regarding parking impacts and that the improvements resulting from the development would not be sufficient to turn around the business.

A second further representation was received and this is summarised below:

- The Club also holds various events ie; funerals, bowling matches and parties etc at anytime. Therefore between 4pm-6pm, certain evenings and weekend activities are different to a week daytime.
- The unusual curvature of the road and kerb on both sides of the road needs to be considered carefully and addressed, which does not appear to have been given due consideration.
- Since the new parking permit scheme has been enforced this whole side near and around the Club is full of cars (from workers) left all day from early till late.
- The house design itself looks good aesthetically however it does appear higher than the neighbouring house.

Additional information

On behalf of the applicant, the following documents have been submitted in support of the application:

- United Services Club Statement (Hon. Secretary)
- Highways Supporting Letter

- Planning Committee Statement (Agent)
- Additional Note (Agent)

These have been distributed to the Head of Major Planning Projects and the Chairman, Vice Chairman and Opposition Spokesperson prior to the video-conference.

CONSULTATIONS

No further comments have been received.

OBSERVATIONS

The Committee report addresses many of the points raised in the supporting documents, which have been distributed to persons aforementioned; however the following points have been expanded.

The Committee report discussed the improvements with regard to disabled/accessible parking under paragraph 36. It highlights that the SPD3 requirement for disabled parking is three spaces, whilst only one space is provided within the proposals. The Highway Supporting Letter states the proposals are in line with section 9 of the SPD3, however section 9 refers only to the parking standards, such as dimensions, design and layout.

The Supporting Letter highlights the footpath would be marked blue in contrast to surfacing with a white line to denote the footpath limits and pedestrian road markings and makes reference to Figure 3 of the SPD3. Furthermore, the additional note provided by the agent makes reference to a pedestrian route within the Council controlled Altrincham Crematorium car park as being set out in yellow. The examples provided do not refer to definitive footpaths (PROWs) but pedestrian routes through a car park. Moreover, it is reiterated that the current footpath meets the standards of a pedestrian footpath and its use is restricted to on foot only.

The Highway Consultant refers to the test of “severe” as set by the NPPF for highway grounds for refusal. As outlined under paragraph 34 of the Committee report, in highway safety terms, there is no requirement to demonstrate that the impact would be ‘severe’ in order for the proposals to fail to comply with the NPPF. Paragraph 109 of the NPPF states: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*. (Emphasis added)

RECOMMENDATION:

The recommendation remains unchanged.

REPRESENTATIONS

The applicant has submitted a written representation document in support of the application and this has been distributed to the Head of Planning and the Chairman, Vice Chairman and Opposition Spokesperson prior to the video-conference.

In summary the document states that the development makes a contribution towards the provision of supported living accommodation that will contribute to housing supply within Trafford, that the site is in a sustainable location, that the proposal meets policy requirements of Trafford's Core Strategy in regard to housing need, local character and residential amenity and that outstanding planning matters [including surface water drainage and foul drainage] have been resolved through the planning application consultation process.

CONSULTATIONS

No further comments have been received.

RECOMMENDATION:

The recommendation remains unchanged.

REPRESENTATIONS

78 Temple Road – Mr & Mrs Seddon have submitted a further representation, objecting to the application on the following grounds:

- The residential property is not suitable for a business
- The business activity is continuing to disturb residential amenity
- Some of the conditions attached to the previous permission have not been followed. The hours of operation condition is often not followed with children arriving at 7.30am some days.

82 Temple Road - Mr & Mrs M Pughe have submitted an additional representation, objecting to the application on the following grounds:

- The residential property is not suitable for a business use
- It impacts on the enjoyment of the garden due to excessive noise from voices and footballs hitting the fence etc.
The play area has also been reorganised recently and the tall climbing frame is now overlooking their garden impacting on privacy.
- There is also a large umbrella against the shared fence which is an eyesore

- The time constraints placed on outdoor play by the previous permission are not being observed

The residents of 65 Temple Road initially submitted a letter of support to the application, on the grounds that the proposal provides a valuable local service and has negligible impact on noise and highway safety. This representation was submitted by post and did not include a telephone number or email address, as such it was not possible during the lockdown to get in touch with the residents of 65 Temple Road, to invite them to submit further comments in advance of the decision, therefore their comments are being highlighted again here.

The applicant Amanda Hilton has also submitted an additional statement which is summarised below:

- From October 1st through to beginning of January, the applicant has been working alone (no staff) and minding no more than 4 preschool aged children. During this time all conditions on the previous permission were adhered to in order to respect the amenity of neighbours, although theoretically a childminder with less than 6 children and no staff, would not require planning permission to operate.
- A property has been arranged to move the business too once the lockdown is over. It is requested that the temporary permission is extended whilst Covid19 is preventing the completion of the purchase of the new property. The childminding business is currently shut down due to Coronavirus so the actual usage of any permission would be for a short period between lockdown being removed and the completion of the purchase of the new property: unfortunately precise dates of these events are not clear. Additional time is requested to retain the business and to transfer it to the new premises.

RECOMMENDATION:

The recommendation remains unchanged.

Page 106

99933/HHA/20: 81 Firs Road, Sale, M33 5FJ

REPRESENTATIONS

The applicant's agent has submitted a written representation document in support of the application and Councillor Holden and a neighbour have submitted written representation documents objecting to the development. These have been distributed to the Head of Planning and the Chairman, Vice Chairman and Opposition Spokesperson prior to the video-conference.

The agent states that the main change to the building is from a pitched roof to a flat roof which reduces the visual impact and requests that the application is looked upon favourably.

Councillor Holden raises concerns that the applicant has built a structure of a different size and style to the original permission and requests that retrospective permission is not granted.

The neighbour raises concerns that the approved plans were not adhered to, that the design and materials are not in keeping with the area and that it has an unacceptable adverse impact upon neighbouring amenity.

CONSULTATIONS

None

RECOMMENDATION:

The recommendation remains unchanged.

RICHARD ROE, CORPORATE DIRECTOR, PLACE