

AGENDA ITEM 3

PLANNING & DEVELOPMENT MANAGEMENT COMMITTEE – 8th September 2016

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 Chairman.

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 RECOMMENDATION | For REC. |
| 88153 | 179 Marsland Road, Sale, M33 3ND | Brooklands | 1 | | |
| 88503 | Library, 405 Stockport Road & Car Park on Baker Street, Timperley, WA15 7XR | Village | 9 | ✓ | ✓ |
| 88706 | Hawthorn Court, 33A Hawthorn Road, Altrincham, WA15 9RQ | Hale Central | 37 | ✓ | ✓ |
| 88749 | Unit 1, Trafford Point, Twining Road, Trafford Park, M17 1SH | Gorse Hill | 57 | | |

Page 1 88153/FUL/16: 179 Marsland Road, Sale

REPRESENTATIONS

Two additional neighbour representations have been received following re-notification of the application.

The issues relate to:

- noise during opening and while staff clearing up, noise from the kitchen, the extractor fan and the restaurant/courtyard can be heard not only in the garden of the adjoining property but also inside.
- privacy
- the extension of opening hours will extend the problems of noise and loss of amenity currently experienced.
- Advertised on Facebook as a cocktail bar concern that it will become a drinking establishment.
- Proposed gate should be of a height to stop people climbing over and accessing flat roof.
- Bamboo screen an eyesore

OBSERVATIONS

The details of the proposed gate can be the subject of an additional condition and a height of 1.5m-1.8m would appear appropriate to prevent access to the flat roof area.

A3 Restaurants and cafés - For the sale of food and drink for consumption on the premises fall within a different use class to. A4 Drinking establishments including wine bars and a further planning application would be required for a change of use to a wine bar.

RECOMMENDATION

Condition 3 to read as follows:

3. The area shown as “New flat roof to provide escape refuge from kitchen” on drawing number A5484-04 Revision D shall not be used for any purpose except in the case of an emergency or for the maintenance and repair of ventilation and extraction equipment. The area shown as “New flat roof” shall not be used other than in the case of an emergency.

Reason: In the interests of residential amenity, having regard to Policy L7 of the Trafford Core Strategy

Additional conditions to be added regarding the playing of amplified music and details of steel access gate.

4. Within 1 month of the date of this consent further details of the proposed steel access gate shall be submitted and approved in writing by the Local Planning Authority and the approved gate shall be erected in accordance with the approved details within 3 months of the date of this consent. The gate shall thereafter be retained.

Reason: In the interests of amenity and in compliance Policy L7 of the Trafford Core Strategy and the National Planning Policy Framework.

5. Any music or amplified voices from the premises must not be audible beyond the premises boundary. The use of outdoor speakers is prohibited.

Reason: In the interest of residential amenity and in compliance with Policy L7 of the Trafford Core Strategy.

Page 9 88503/FUL/16: Library, 405 Stockport Road & Car Park on Baker Street, Timperley

| | | |
|-------------------|-----------------|--|
| SPEAKER(S) | AGAINST: | Ms Mary Kirrane (Neighbour) |
| | FOR: | Matthew Westbrook (Agent) |

PROPOSAL

The proposal for the replacement library building would be three storeys in height at the rear and two and a half storeys in height elsewhere. For the avoidance of doubt the roof ridge height is continuous throughout.

APPLICANT'S SUBMISSION

Since the report was published a further amended site layout has been submitted by the applicant amending the proposed car parking layout across the site. An additional 4 car parking spaces have been provided within the public car park. To provide these spaces an existing disabled car parking space has been removed to accommodate two additional spaces. The secure cycle provision under the decked car parking area has been reduced to accommodate an additional car parking space and 2 of the GP allocated spaces have been re-orientated to be public car parking spaces.

For the avoidance of doubt the car parking layout across the site provides for 116 car parking spaces including disabled; 25 spaces are allocated for the apartment, 2 of which are marked for disabled use; 14 spaces are allocated to the GP surgery. Overall there will be a loss of one public disabled space taking provision in the public car park of disabled spaces from 4 to 3. The number of secure cycle spaces for the apartments have been reduced from 25 to 16.

The proposed revisions have been reviewed by the Local Highway Authority who have confirmed that the car parking provision that has been provided is acceptable and have raised no objection to the proposal in this regard. Condition 2, the approved plans, will have to be updated to reflect the latest site layout.

REPRESENTATIONS

An objector to the scheme has also sought Counsel's opinion as to whether, on the basis of the published Committee Report, there are grounds to apply for

Judicial Review of the Local Planning Authority's decision, if the Council determined the application in accordance with the reasoning set out in the committee report. The advice considers that there are two flaws within the officer report. Firstly, that the report does not account for the loss of 99/100 spaces which are currently available to the general public in the existing car park; and secondly that the applicant has carried out a 'snapshot' survey within the TA of the current use of the car park which contradicts the opinions of the representations received in response to publicity and this has not been discussed in the officer report.

Two additional representations have been received as follows:-

- Trees within the car park are likely to restrict visibility, are an obstruction when opening car doors and will drip sap onto cars. It has been suggested that the trees are relocated to the perimeter of the site.
- The location of the bin stores contravenes the planning for new residential development SPG as they are to be constructed from timber and are located on the extremities of the site.
- The location of the bin store has been made for the financial convenience of the developers and their car parking quota as priority has been given to car parking spaces and this has restricted the turning space for refuge vehicles which has in turn dictated the proposed location.
- A bin store in this location would affect the enjoyment of residential gardens by reason of noise, odours and vermin and will decrease the value of neighbouring homes.
- The existing car park is prone to fly tipping therefore the writer has concerns with the waste management processes.

A petition has also been submitted today in opposition to the building of apartments on the car park. It expresses concern that the development will have an adverse effect on trade for local businesses, shoppers, library users and the elderly and disabled. Whilst there is no date on the petition, it is understood that it was started before the application was submitted, was organised by the Labour candidate for Village ward, and was available to sign in local shops. The petition contains 98 signatures.

OBSERVATIONS

In respect of the proposed car park, the development does not provide the same number of parking spaces compared to the existing situation. Across the wider site 116 spaces would be provided, of which 25 would be allocated for the apartments and 14 would be allocated to the GP surgery. The remaining 77 parking spaces would be available for use by the general public.

The required maximum parking standard is identified in the officer report as a total of 138 spaces. This does not take into account an unknown quantity for staff employed at a potential healthcare facility on the second floor of the building, distinct from the proposed GP surgery. As no end user has been identified, and indeed this space could be utilised as offices with a much smaller parking

requirement, it is not possible to quantify the number of staff. However, it is estimated that this is unlikely, given the number of consulting rooms, to exceed 14, equating to two staff per consulting room and two reception staff. This gives an additional requirement of a maximum of 7 spaces, increasing the overall maximum requirement to **145**, but has no impact on the proposed allocation of spaces within the development.

The required maximum parking standard for the proposed development is a total of 145 spaces. 116 spaces are proposed, which is below this maximum standard. There are a total of 125 unallocated public spaces within the existing Baker Street car park which are free for the public to use, whether they are visiting the library or the wider District Centre and of these 25.4 would be required under the current maximum parking standard. In the new development, 25 spaces would be allocated to the apartments and 14 would be allocated to the GP surgery. This would leave 77 spaces which could be utilised either by users of the development or by the general public. It is acknowledged that all the spaces in the proposed car park are required by the Council's maximum parking standard to serve the development. This would result in the reduction of spaces in the car park which are not required to serve the development to zero, albeit users of Timperley District Centre could use the spaces but would be competing with the users of the development. Representations have raised the issue that the loss of the public car park would, amongst other issues, have a detrimental impact on the vitality and viability of Timperley District Centre.

The table below demonstrates this in more detail:-

| | Existing Situation | Proposed scheme |
|---|--------------------|---|
| Total number of parking spaces | 125 | 116 |
| Spaces required in accordance with maximum standards | 25 (library) | 145 (library, retail, apartments, GP surgery, health care and / or offices) |
| Allocated spaces | 0 | 39 (apartments and GP surgery) |
| Spaces shared between uses on site and the general public | 125 | 77 |
| Spaces available for public use without any demand from development | 100 | 0 |

Other representations have challenged the accuracy of the parking survey data in giving a true representation of the utilisation of the car park. The applicant has confirmed that the TA snapshot survey was undertaken on Friday 13th May 2016 however the time of day the survey was carried out and the length of the survey have not been confirmed. It is clear that there is a difference of opinion between

the applicant and the objectors on the utilisation of the existing car park. The only data that the LPA have been provided is the applicant's car parking survey with the objectors challenging the survey but not providing any alternative data.

Updated LHA comments identify that further car parking spaces for the healthcare facility may be required. The Local Highway Authority remain of the opinion that the quantum of public car parking proposed is acceptable, being mindful of the site's sustainable location within a District Centre with good access to public transport and well located to local amenities. The following bus services are available from stops on Stockport Road, outside Timperley Library:

Route 11A, frequency 4 per hour, destinations to Altrincham, Sharston, Cheadle and Stockport

Route 21, frequency 2 per hour, destinations to Altrincham

Route 178, frequency hourly, destinations to Wythenshawe, Hospital and Reddish

Route 370, frequency 2 per hour (4 per hour at peak times), destinations to Stockport, Didsbury, Northenden and Altrincham

There are opportunities for linked trips, with people visiting the development also utilising other shops and businesses within the District Centre. There is also alternative public parking provision nearby in the District Centre, accessed from Thorley Lane.

It is usual for car parks to be planted with trees at appropriate locations and the LHA would not object to the principle of tree planting within the car park. Full landscaping details are to be secured by condition and measures can be put in place to ensure that trees planted within the car parking spaces have narrow trunks trees with branches and foliage above the level required for driver and pedestrian visibility and therefore have a minimal impact on visibility. The LHA note that there are some trees which may need to be positioned carefully however the LHA can review and comment when a detailed landscape scheme is submitted.

In respect of the proposed bin stores it is considered that the siting and design of the bins stores are acceptable in terms of servicing, residential amenity and visual amenity as discussed in the officer report. Whilst it is acknowledged that the existing car park is prone to fly tipping there is no evidence at this stage to suggest that this will still happen and it would be unreasonable to refuse the application on these grounds. Value of property is not a material planning consideration and as such cannot be afforded any weight in the determination of this application.

In respect of the library being located at first floor, there are no planning grounds to refuse the application on accessibility. There are other examples where public buildings have services on all levels. There is a lift within the building providing access to the library. The proposed mixed use building will be built to building regulations which deals with matters of accessibility and fire escape.

The representations received since the publication of the agenda have been considered fully and the issues raised have been considered in the overall planning balance. The conclusions and overall planning balance outlined in paragraph 60 of the published committee report are considered to be accurate and the overall conclusion remains that the impacts of the development would not significantly or demonstrably outweigh the benefits of the scheme in accordance with the paragraph 14 of the Framework and as such the recommendation to approve the application is therefore still supported.

RECOMMENDATION

Condition 2 amended as follows:

The development hereby permitted shall not take place out except in complete accordance with the details shown on the submitted plan, numbers

Site Plan / Landscape Layout M2720.01 I

Proposed Apartments Ground Floor Plan 14188 (PL) 100 D

Proposed Apartments First Floor Plan 14188 (PL) 101 D

Proposed Apartments Second Floor Plan 14188 (PL) 102 D

Proposed Apartments Third Floor Plan 14188 (PL) 103 A

Proposed Apartments South and West Elevations 14188 (PL) 200 D

Proposed Apartments North and East Elevations 14188 (PL) 202 D

Proposed Apartments Front and Rear Elevations 14188 (PL) 204

Proposed Apartments Front and Side Elevations 14188 (PL) 205

Proposed Apartments Rear - Section through Deck 14188 (PL) 206

Proposed Library and Medical Centre Floor Plans 14188 (PL) 110 B

Proposed Library & Medical Centre SE & SW Elevations 14188 (PL) 210

Proposed Library & Medical Centre NE & NW Elevations 14188 (PL) 211 B

Screen Planters M2720.03

Proposed Bin Store 14188 (PL) 302

Reason: To clarify the permission, having regard to Policies L1, L2, L4, L7 and L8 of the Trafford Core Strategy and the requirements of the National Planning Policy Framework.

Page 37 88706/FUL/16: Hawthorn Court, 33A Hawthorn Road, Altrincham

SPEAKER(S)

AGAINST:

**Ms Kath Ludlam
(For Applicant)**

FOR:

**Steve Sheppard
(Neighbour)**

CONSULTATIONS

Environmental Protection (Contaminated Land) – The site is situated on brownfield land and as such they confirm that a condition requiring a

contaminated land investigation and risk assessment report to assess actual/potential contamination risks is appropriate.

REPRESENTATIONS

2 further representations have been received stating that

- The speaker against the application will be making representations regarding the need to ensure that the wall at the end of their garden and the neighbour's garden is retained and that building foundation works for the house do not undermine or make it dangerous.
- The wall should be retained at its current height for privacy and because of its contribution to the historic character of the area. The applicant has not taken these concerns on board as there is no further information on retaining the wall. When the original permission was granted, it included a clause that the wall should be retained, safeguarded etc.
- The speaker against the application will also raise the issue of the threat to the 100ft high elm tree at the end of number 43 Finchley Road, which is a major feature and home to substantial wildlife. The foundation works may damage the roots and kill the tree.
- The speaker against the application will also refer to the Party Wall Act, which appears to require that the owner must provide plans and sections showing the location and depth of the proposed excavation or foundation and the location of any proposed building or structure, must put in place measures to ensure that the works do not cause damage to the effected properties to the satisfaction of the adjoining owner and that the works cannot start until agreement is reached with ALL adjoining owners. The speaker will be seeking advice as to who in the Council can advise about the Party Wall Act.

OBSERVATIONS

In relation to the further representation received, a landscaping condition has been recommended, which would require the applicant to submit details of boundary treatment.

Page 57 88749/FUL/16: Unit 1, Trafford Point, Twining Road, Trafford Park

REPRESENTATIONS

Local residents have been re-consulted for an additional ten days following the receipt of an amended site plan. This amended plan clarifies the height of the proposed racking and lighting columns. Following this re-consultation, one

additional letter of objection has been received. The comments made in this are as follows:

- No lighting should illuminate out property
- All lighting should face away from my property
- Noise restrictions should apply during hours of darkness, weekends and public holidays
- Vehicle noise should not be heard, including loading noises

These comments do not affect the Officer's recommendation, issues of lighting and noise having been considered in the report to Committee.

**HELEN JONES, DEPUTY CHIEF EXECUTIVE AND CORPORATE DIRECTOR,
ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE**

FOR FURTHER INFORMATION PLEASE CONTACT:

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